
Student Code of Conduct and Non-Academic Misconduct Policy

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Student Code of Conduct and Non-Academic Misconduct Policy

Policy Statement

Governance Institute of Australia (hereafter referred to as Governance Institute) is committed to providing a study environment that encourages and maintains safety, high standards of ethical behaviour and that is free from any undesirable conduct, which includes harassment and discrimination, which applies to online learning environments, at Governance Institute's office premises or at any event or function hosted by Governance Institute. Governance Institute's education offerings are delivered under the brand Governance Academy.

Aims and Objectives

1. Student participation and interaction in learning and other activities, whether these activities are conducted in an online environment or face to face, is important to Governance Institute. This policy aims to provide Governance Institute's expectations in respect of the conduct expectations of its students.

Overview

2. Governance Institute recognises the diversity of the student cohort and is committed to ensuring that all students are treated fairly, without discrimination, prejudice or bias. All students are required to comply with the requirements in this policy.
3. This policy applies to students enrolled in postgraduate subjects, whether they are studied as part of an award course, as non-award study, or non-assessed study for professional development.
4. This policy covers the **non-academic conduct** of students.
5. Allegations of breaches of conduct (**misconduct**) relating to **non-academic** matters will be managed in accordance with this policy under the principles of the right to privacy, confidentiality, objectivity, procedural fairness that apply to both the complainant and the respondent.

6. Allegations of **academic misconduct** are managed under the Student Academic Misconduct Policy.

Definitions

7. For the purpose of this policy:
- **Academic Misconduct:** is a breach of academic integrity by a student or academic staff or contractor that includes collusion, engaging in contract cheating, inappropriate use of artificial intelligence (AI), plagiarism, self-plagiarism, or cheating in examinations or other assessable work.
 - **Appellant:** A person who submits an appeal.
 - **Conduct** means the standard of conduct (or behaviour) expected of all students enrolled in an award course. A breach of conduct is referred to as misconduct. It relates to any matter of conduct that is not related to an academic matter (defined as academic misconduct).
 - **Misconduct:** when a person breaches the expected standards of conduct (as outlined in section 5 of this policy).

Student Conduct Expectations

8. Governance Institute expects students to:
- a. Understand that freedom of speech and intellectual enquiry is encouraged and nurtured as a fundamental principle and value of higher education. Within the context of their studies, each and every student has the right to express their beliefs and opinions, which others are entitled to question and debate.
 - b. Familiarise themselves with all relevant policies, communications and information made available concerning their course and subjects.
 - c. Be aware of their individual rights and responsibilities regarding legitimate use of copyright material and the Institute's Intellectual Property.

- d. Avoid the usage of any recording or image capture devices whilst engaged in any activity in the Learning Management System (LMS), except with the consent of the Subject Coordinator, lecturer or the General Manager (Education) or delegate, and then only with the least disruption to other students.
- e. Not engage in illegal behaviour that includes, but is not limited to, sexually harassing any other student, staff member, member or affiliate of the Institute either online or in-person at any Governance Institute event or function.
- f. Not bully, harass or vilify others or make threats to physically injure or damage another person's property (including student, staff member, member or affiliate).
- g. Not discriminate against, bully or harass any member of Governance Institute's community, with regard to their assumed or known age, gender identity, sexual orientation, intersex status, marital or relationship status, family responsibilities, religious beliefs, cultural, national or racial background, pregnancy or breastfeeding status.
- h. Refrain from making deliberately false or misleading statements about Governance Institute to media organisations, or any other online or communication forums.
- i. Not engage in fraudulent activity such as falsifying official documentation issued by Governance Institute in electronic or print formats; submitting fraudulent documentation to gain admission to a Governance Institute postgraduate course; or for any other reason.
- j. Refrain from attending Governance Institute's online lectures and tutorials, or any other online or face-to-face activity, while under the influence of illicit drugs or when intoxicated by alcohol.
- k. Not to make cyber threats or attacks against Governance Institute's servers, databases and software systems for the purpose of business disruption, the theft of the Institute's Intellectual Property (IP), including the theft of student or staff data; or for any other reason.
- l. Undertake any reasonable direction from Governance Institute's employees or academic staff.

Principles and Procedure: Allegations of Misconduct

9. Both the complainant, respondent and any other persons involved in the allegation are required to maintain confidentiality and privacy by not sharing it with any other member of the Governance Institute community.
10. An allegation of misconduct will be managed objectively and without bias that applies to both the complainant and respondent; and any penalties imposed will be fair and proportionate to the misconduct committed.
11. An allegation of misconduct should include specific information (date, time of the incident) and where available, any evidence about the matter.
12. The respondent has full right of reply and self-defence; and will be advised of the particulars of the complaint; and will be privy to any evidence provided.
13. Where a student is alleged to have engaged in illegal activity or threatens to engage in illegal activity that is likely to compromise the safety and well-being of Governance Institute students, staff members, affiliates or members, Governance Institute may refer the matter to the police for advice and investigation.
14. Allegations of student misconduct will be managed under a three (3) Stage Process that permits the respondent to appeal decisions internally and externally,
15. Where a complainant is determined to have made false, frivolous, or vexatious allegations of misconduct against the respondent, the complainant may be subjected to disciplinary action in accordance with this policy.

Procedure: Allegations of Misconduct

Stage 1

16. The complainant shall submit their allegation of misconduct on the Misconduct Allegation Form available online and submit it electronically to education @governanceinstitute.com.au
17. The Education Department will confirm receipt of the allegation within two (2) working days of its receipt.
18. The General Manager, Education or delegate will review the allegation and will decide to either:
 - a. investigate the allegation; or
 - b. dismiss the allegation.

Dismissal

19. The General Manager, Education or delegate, will dismiss the allegation where it does not meet the definition of misconduct; or if it is an academic misconduct allegation that must be investigated under the Student Academic Misconduct Policy.
20. The complainant will be advised of the reasons for the dismissal of the allegation; or if it will be referred for investigation under the Student Academic Misconduct Policy.
21. A student dissatisfied with this outcome may appeal the decision under Stage 2 of this policy.

Investigation

22. Should the General Manager, Education or delegate decide to investigate the allegation, the respondent will be advised in writing of the allegation, that will include a weblink or copy of this policy and the process to conduct the investigation.
23. To investigate, the General Manager, Education or delegate may use various methods to reach an outcome, which will be lawful and relevant to the allegation. The General Manager, Education or delegate will conduct the investigation usually within 10 working days of its receipt, unless the nature of the allegation requires an immediate investigation.

24. The investigation may include an online interview with the complainant / respondent conducted by the General Manager, Education or delegate and one other staff member from the Education Department not involved in the allegation.
25. After conducting the investigation, the General Manager, Education or delegate will notify the complainant and respondent in writing of the outcome, that the allegation is either upheld or dismissed.
26. When an investigation outcome determines that the misconduct allegation is upheld, the written response to the respondent will include the rationale for the decision and will impose a penalty per clause 40 of this policy.
27. The respondent will be advised they have the opportunity to appeal the decision at Stage 2 of this policy.
28. The General Manager, Education or delegate will update the Student Appeals and Grievance Register with the outcome.

Stage Two

29. If a complainant or respondent is dissatisfied with the outcome of Stage 1, they may lodge an appeal with the Chair of the Academic Board within twenty working days of receiving notification of the outcome of their allegation of misconduct.
30. The Chair of the Academic Board will convene an online meeting of the Student Grievance Sub-committee of the Academic Board within ten working days of receiving the appeal to which the appellant may be invited to attend.
31. Although an appellant's attendance at the Student Grievance Sub-committee online meeting is voluntary, should the appellant choose not to attend, the meeting will proceed, and an outcome will be reached in the appellant's absence.
32. The appellant may ask a support person to accompany them to this meeting.
33. Within five (5) working days of the online meeting date, the Chair of the Student Grievance Sub-committee of the Academic Board, or their nominee, will provide a written report to the appellant

to advise the outcome of their appeal (upheld or dismissed); the reasons for the decision; and has authority to impose a penalty per Section 7 of this policy.

34. The Student Grievance Sub-Committee also has the right to review and amend the penalty imposed at Stage 1 if it deems it was unfair or disproportionate to the misconduct committed.
35. The report of the Stage 2 appeal outcome will further advise the appellant of their right to access the external appeals process (Stage 3) if they are not satisfied with the outcome of their Stage 2 internal appeal.
36. The Grievance Sub-Committee will instruct the Education Department to update the Student Appeals and Grievance Register with the decision outcome; and the full Academic Board of the outcome where those involved will be deidentified.

Stage Three

37. If a student is not satisfied with the outcome of their Stage 2 appeal, then an independent and external mediator can be requested through the Resolution Institute. The appellant can contact the Resolution Institute directly as follows:

Address: Level 1 & 2
13–15 Bridge Street
Sydney NSW 2000

Phone: 02 9251 3366
Free call: 1800 651 650
Fax: 02 9251 3733
Email: infoaus@resolution.institute

38. Costs of such mediation will be shared by Governance Institute and the appellant.
39. Governance Institute will give due consideration to any recommendations arising from the external review of the grievance and the General Manager, Education or delegate will ensure that they are fully implemented within 30 days of receipt of the recommendations.

Penalties: Student Misconduct

40. Penalties that Governance Institute may impose on a student deemed to have committed misconduct at any Stage of the process must be fair and proportionate to the misconduct committed; and may include one or more of the following:
- a. issue of a verbal caution.
 - b. issue of a written warning or reprimand.
 - c. direct the student to undertake counselling.
 - d. direct the student to undertake remedial or educational activities.
 - e. direct the student to take action or behave in a specified way that it considers is necessary or appropriate;
 - f. direct a student to pay compensation of not more than \$3,000 to Governance Institute for any theft or damage to Governance Institute's resources or property.
 - g. impose a probationary enrolment that is provisional on the student's good behaviour;
 - h. suspend the student 's enrolment for two (2) weeks that includes disabling the student's access to Governance Institute's IT systems and resources.
 - i. exclude the student for the remainder of the semester that includes disabling the student's access to Governance Institute's IT systems and resources and ability to submit and undertake assessments, resulting in award of an Absent Fail (AF) grade.
 - j. exclude the student permanently from Governance Institute.

Related Documents

- Governance Institute of Australia Academic Governance Policy
- Governance Institute of Australia Academic Integrity Policy.
- Governance Institute of Australia Members' Code of Ethics
- Governance Institute of Australia Student Academic Misconduct Policy

External Legislation

- Age Discrimination Act 2004 (Cth)
- Anti-Discrimination Act 1977 (NSW)
- Higher Education Standards Framework: Threshold Standards 2021 (Cth)
- Sex Discrimination Act 1984 (Cth)

Version History

Policy title	Student Code of Conduct and Non-Academic Misconduct Policy
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*****END OF POLICY*****