

Student Conduct Policy

1. Statement of policy

To provide guidance on the standards of behaviour expected of students and describe the consequences involved for misconduct.

2. Scope

This policy applies to all enrolled students whilst they are on Gordon premises, on placement, on a Gordon student trip or tour or when using Gordon information technology infrastructure.

3. Definitions

The following terms and abbreviations are specific to this policy:

Misconduct: is any conduct that impairs the reasonable freedom of other persons to pursue their studies and / or to participate in the life of The Gordon and / or is likely to bring The Gordon into disrepute. It includes conduct which is initiated at The Gordon and continues to impact on a person/s health, safety and enjoyment of life outside of The Gordon. It includes, but is not limited to, a breach of the guiding examples within this procedural document, The Gordon policies and procedures, local, State and Federal legislation, applicable industry codes of conduct and The Gordon Student Code of Conduct.

Bullying: is repeated verbal, physical, social or psychological aggressive behaviour by a person or group directed towards a less powerful person or group that is intended to cause harm, distress or fear. (Source: Department of Education Victoria)

Harassment: is any behaviour based on sex, race, age or other protected attribute that is not wanted, not asked for and not returned and causes a person to feel intimidated, offended and / or humiliated. Harassment can be a single incident or a series of incidents.

Intimidation: is intentional behaviour, words or conduct towards a teacher, staff member or another student which "would cause a person of ordinary sensibilities" to fear injury or harm. Intimidation includes acts or threats that are intended to intimidate, harass, threaten, coerce or cause fear of harm whether directly or indirectly. Intimidation acts or threats may be made directly or indirectly by oral or written words, gestures or symbols that communicate a direct or indirect threat of physical or mental harm

Natural justice: the rules or principles of natural justice, involve investigators informing people of the case against them, giving them a right to be heard (the "hearing" rule), not having a personal interest in the outcome (the rule against "bias"), and acting only on the basis of evidence (the "no evidence" rule).

Violence: involves physical assault, threatening behaviour or verbal abuse occurring in a work setting, such conduct includes: attacks, any unwanted contact such as hitting, fighting, pushing, or throwing objects.

4. Overview / principles

4.1 Student code of conduct – take responsibility for your learning

- Attend your scheduled classes, workshops and activities
- Arrive on time for classes and remain in the class for the duration of the session
- Report your reasons for being absent within one week of that absence

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- Use equipment supplied or approved by The Gordon in the manner in which it is intended
- Do not use mobile phones or social media in class without permission
- Obtain prior written permission for the use of electronic or recording devices during classes
- Do not engage in plagiarism or cheating in assessment
- Take responsibility for your support needs by communicating with teaching or student support staff

4.2 Student code of conduct – contribute to a healthy and safe learning environment

- Engage in safe behaviour in all areas of The Gordon and while on Gordon organised activities or work experience
- Abstain from alcohol, drugs and other substances that may adversely affect your co-ordination, response rate or judgement
- Wear appropriate protective clothing, including footwear, and secure hair, jewellery or clothing in kitchens, workshops and laboratories
- Keep food and drink out of classrooms, laboratories and workshops
- Comply with The Gordon's smoke free campus policy

4.3 Student code of conduct - respect yourself and others

- Ensure that you respect the rights and welfare of other members of The Gordon community
- Refrain from any activities or behaviour that may be construed as harassment, intimidation, discrimination or bullying
- Report any incidents of harassment or bullying you experience or witness whether caused by students or staff
- Use appropriate language when communicating with other students, staff and campus visitors
- Express your points of view in a way that respects the opinions, beliefs and values of other learners and teachers
- Show respect and consideration for other students, staff and visitors

4.4 Student code of conduct - show respect for your learning environment

- Only use The Gordon property which you are entitled to access, in a responsible and careful manner
- Comply with the law whilst on The Gordon's property or engaged in sponsored or controlled activities
- Raise concerns about any matter which you believe hinders your learning
- Access the computer network and equipment only for learning purposes and do not allow others access to your passwords
- Apply the confidentiality, privacy and codes of ethics principles for the industry in which you are training whilst a student of The Gordon and particularly whilst on any practical placement

4.5 Violence and intimidation

The Gordon will address any threat or actual act of violence or intimidation made by a student at The Gordon or while a student is engaged in a sponsored activity of The Gordon. This includes situations occurring outside a Gordon location or a Gordon sponsored event that may negatively affect the Institute's reputation.

Acts of violence will be reported to Gordon's campus security and will result in the immediate removal of the student from the Campus. The Gordon will support the person/s towards whom the violence was directed in notifying the police and provide police with access to relevant resources such as witnesses and CCTV.

The Gordon will act whether the violence occurs towards another student, a staff member, or a member of the public.

4.6 Consequences of unacceptable behaviour



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Under The Gordon's misconduct management procedures students who breach this Policy or the associated Code of Conduct may be subject to penalties including suspension or, in the most serious cases, expulsion.

If a student's behaviour is disruptive or unacceptable, The Gordon will, so far as reasonable, work with them to provide an opportunity to address, redress and/or change the behaviour. A teacher may ask a student to leave the classroom or refuse entry to a classroom if the student's behaviour is disruptive or dangerous. A teacher may suspend an adult student for the remainder of the day, however where a student is a minor they may only be sent from campus with the acknowledgement of their legal guardian.

Where an incident occurs which gives cause for concern for the safety of others on placement or reputation of the Gordon in relation to the placement provider, the student's practical placement agreement will be immediately cancelled and only reinstated following a review and a new agreement established when another placement position becomes available and without disadvantaging any other student.

In the event that a student threatens or impacts the safety of other students or Gordon staff, they may be immediately suspended pending review and if necessary investigation of the behaviour. Any advice of suspension will be in writing. Any investigation will be conducted based on the principles of natural justice.

If a student's behaviour threatens the safety of others, interferes with the duties of staff or other students' study or damages or threatens The Gordon's property, they may be suspended or expelled from The Gordon.

A Business Manager may suspend a student with written notice (letter or email) sent to the contact details The Gordon has been provided at enrolment for five days. Further suspensions may then be applied by Senior Management whilst a full investigation of an incident or allegation is undertaken.

4.7 Determining sanctions

Any investigation or review of an incident shall be based on the principles of natural justice, with all directly relevant parties provided with an opportunity to address the review.

Where a formal interview is required, the student will be provided with an opportunity to have a support person present, where the student is a minor or vulnerable person, if a support person is not nominated by the student, The Gordon will provide an appropriate support person such as a student counsellor.

Possible outcomes of an investigation or review of incident include:

- Returning to The Gordon with a behavioural contract in place
- Suspension for an agreed time
- Expulsion

Behaviour such as verbally or physically threatening or intimidating others, carrying weapons or having or distributing drugs are a criminal matter and will be referred to the police.

4.8 Appeals

Where a student receives a sanction for unacceptable behaviour they have the right to appeal the sanction on the basis that:

- staff have not acted fairly or objectively
- policies and procedures have been ignored or applied inconsistently
- a decision has been made without sufficient consideration of the facts or evidence
- a penalty has been issued that is (or would be) too harsh

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The process for lodging an appeal is described in the *Complaints and Appeals Policy QA PO 10*. When a student receives a sanction they will be provided with a copy of that Policy and an Action form which can be completed to lodge the appeal. An appeal must be received in writing within **10 days** of the student being notified in writing by The Gordon of the sanction.

5. Governance / responsibilities

POSITION	GOVERNANCE / RESPONSIBILITY
Director Education	Is accountable for the maintenance and communication of this Student Conduct Management Procedure and is responsible for ensuring that all allegations of student bullying, harassment or discrimination are acted on and investigated based on the principles of natural justice.
Head of Centre	Are accountable for ensuring that any investigation of alleged student conduct in their program area is based on the principals of natural justice and that students involved are informed of their rights, the nature of the sanction, and the outcomes of any investigation or sanction applied
Business Managers	Are responsible for ensuring that all students undertake an induction which includes information about the Student Code of Conduct.
All Gordon staff	Are responsible for acting on any student misconduct which they witness or become aware of and for reporting the incident as documented The Gordon's policy and procedures.

6. Key aligned internal documents

Student Misconduct Management Procedure QA PR 11

The Student Code of Conduct QA RD 11.01

Complaints and Appeals Policy QA PO 10

Action Form QA FO 05.01

Critical Incident Management RISK PR 06

Alcohol and Other Drugs Policy RISK PO 17

7. Review and approval

	POSITION	AREA
Business Process Owner	Manager	Risk, Safety and Wellness
Endorsed by (if applicable):	Nil	
Ratified by (if applicable):	Nil	
Review schedule:	This policy will be reviewed every 3 years (or earlier as required)	
Last reviewed / updated:	8 July 2021	