Student Conduct Policy

1. Purpose

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. Policy principles

3.1 Student code of conduct – take responsibility for your learning

- Attend scheduled classes, workshops and activities.
- Arrive on time for classes and remain in the class for the duration of the session.
- Report reasons for being absent within one week of that absence.
- 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 support needs by communicating with teaching or student support staff.

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

- Engage in safe behaviour in all areas of The Gordon and while undertaking Gordon organised activities or work experience.
- Abstain from alcohol, drugs and other substances that may adversely affect co-ordination, response rate or judgement and make you unsafe in the class environment.
- Wear appropriate protective clothing (PPE), 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.

3.3 Student code of conduct - respect yourself and others

- Ensure that rights are respected as is the 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.
- Comply with Child Safe Standards at all times and report concerns immediately to a teacher.
- Report any incidents of harassment or bullying experienced or witnessed, regardless if this is caused by students or a Gordon employee.
- Use appropriate language when communicating with other students, staff and campus visitors.
- Express 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.

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

- Only use The Gordon property which students 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.
- Respect the rights of children and young people to learn in a safe online and physical environment.

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- Raise concerns about any matter which may hinder an individual learning
- Access the computer network and equipment only for learning purposes and do not allow others access to passwords
- Apply the confidentiality, privacy and codes of ethics principles for the industry whilst a student of The Gordon and particularly whilst on any practical placement

3.5 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, an employee, or a member of the public.

3.6 Consequences of unacceptable behaviour

Under The Gordon's misconduct management procedures students who breach the policy or the associated Code of Conduct may be subject to penalties including suspension or, in the most serious cases, expulsion. Any breach of the Child Safe Standards, policies and procedures may result in referral to police and other regulatory agencies.

If a student's behaviour is disruptive or unacceptable, The Gordon will, so far as reasonable, work 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. A new agreement will be 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, the student 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 employees or other students' study or damages or threatens The Gordon's property, they may be suspended or expelled from The Gordon.

A Portfolio 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 staff whilst a full investigation of an incident or allegation is undertaken.

3.7 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 criminal matters and may be referred to the police.

3.8   Appeals

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

- The Gordon 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

The process for lodging an appeal is described in the *Complaints and Appeals Policy RISK PO 09.* When a student receives a sanction, they will be provided with a copy of that Policy and a *Complaints and Appeals form RISK FO 09.01* 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.

4.   Procedure

The *Student Misconduct Management Procedure RISK PR 08* documents how to comply to this Policy.

5.   Responsibilities

Position	Responsibility / Governance
Executive Director Education Excellence	Is accountable for the maintenance and communication of this Student Conduct Policy 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.
Director Industry, Trades & Environment, Director Health, Business & Community/Portfolio Managers	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
Portfolio Managers / Program Leads	Are responsible for ensuring that all students undertake an induction which includes information about the Student Code of Conduct.
All Gordon employees	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.   Definitions

The following terms and abbreviations are specific to this policy:

Name	Description
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)

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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 intimated, 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, involves 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).
	Plagiarism: according to the English Oxford Dictionary, plagiarism is "the practice of taking some else's work or ideas and passing them off as one's own". This includes but is not limited to, copying the work of others, using Chat GPT or other technology to write your assessment answers, without citation or uploading your completed work to sites so other students may copy it, or copying the work of others on such sites and passing it off as your own work. Plagiarism may include other examples of copying the work of others and is seen as at least level 2 misconduct, see *Student Misconduct Management Procedure RISK PR 08*, *the Course Handbook TED TP 04.02 and the Assessment Policy TED PO 10.*
Violence	Involves physical assault, threatening behaviour or verbal abuse occurring in a work setting, such conduct includes: attacks verbally or physically, any unwanted contact such as hitting, fighting, pushing, biting, spitting, or throwing objects.

7. Key Aligned Internal Documents

Refer to the *Operational Management System (OMS)* for copies of all policies, procedures and supporting documents. Also refer to *Myosh*.

Student Misconduct Management Procedure RISK PR 08

The Student Code of Conduct RISK RD 08.01

Student Conduct Form RISK FO 08.01

Complaints and Appeals Policy RISK PO 09

Complaints and Appeals Form RISK FO 09.01

Child Safe Standards Framework RISK RD 30.01

Responding to Child Safety Concerns Policy, Procedure RISK PR 31 and Flowchart RISK RD 31.01

Critical Incident Management Procedure RISK PR 06

Duty of Care to Students Policy RISK PO 15

Child Safe Standards Statement of Commitment RISK RD 15.01

Management of Reporting of Incidents and allegations of abuse of vulnerable students RISK RD 15.02

Professional Boundary Guidelines RISK RD 15.03

Network User Policy IS PO 3

Alcohol and Other Drugs Policy RISK PO 17

Gordon Employee Code of Conduct SHRD RD 20.01

Assessment Policy TED PO 10

8. Key Aligned Legislation / Documents

Commission for Children and Young People

Child Wellbeing and Safety Act 2005 (Vic)

Occupational Health and Safety Act 2004 (Vic)

Occupational Health and Safety Regulations 2017 (Vic)

WorkSafe Victoria 2012 (Workplace Bullying – Prevention and Response)

Charter of Human Rights and Responsibilities Act 2006 (Vic)

Australian Human Rights Commission Act 1986

Equal Opportunity Act 2010 (Vic)

Disability Discrimination Act 1992 (Cth)

Control of Weapons Act 1990 (Vic)

Control of Weapons Regulations 2011 (Vic)

Firearms Act 1996 (Vic)

Crimes Act 1958 (Vic)

VCAA Handbook, VCE / VCAL Administration Handbook

9. Review and Approval

Business Process Owner	Manager of Risk, Safety and Wellness		
Endorsed by (if applicable)	Not applicable	**Endorsed Date**	
Approved by (if applicable)	Risk and Compliance Committee	**Approved Date**	21 August 2024
Review schedule	This policy will be reviewed every 3 years (or earlier as required)		
Date of next review	21 August 2027		

Minor Structure changes outside of Review schedule		

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