



PP031 Student Misconduct Policy and Procedure

1. Purpose

- 1.1** Austral College is committed to providing a safe and respectful environment for all students and staff members. Misconduct by students, including but not limited to disrespectful, aggressive, threatening behaviour, defamation, malicious allegations, fraudulent statements, and physical assault against staff members, will not be tolerated under any circumstances. This policy outlines the expected behaviour and the consequences for violations of these standards, including serious disciplinary action for defamatory statements.

2. Scope

- 2.1** This Policy and Procedure applies to all the Austral College staff members and all students of Austral College.

3. Authority

- 3.1.** The Victorian Campus Manager is responsible for implementation of this Policy and Procedure.
- 3.2.** The Victorian Campus Manager is responsible for effective implementation and management of this Policy and Procedure and will provide information on ways to resolve complaints of breaches of this Policy and Procedure.
- 3.3.** Any complaints or breaches in relation to this Policy and Procedure should be reported to the Victorian Campus Manager for investigation and resolution. Any complaints or breaches involving the Victorian Campus Manager should be reported to the CEO for investigation and resolution. In the event of the Victorian Campus Manager breaching the Policy or Procedure the CEO will be notified by email to info@australcollege.com.au
- 3.4.** This Policy and Procedure is issued on the authority of the CEO. The CEO retains overall responsibility for the effective implementation of all policies and procedures.

4. Definitions

- **Verbal disrespect** means actions such as name calling, hurling insults or using offensive or hurtful language when addressing an Austral College Administration Support Officer, a Manager or a fellow peer.
- **Non-verbal disrespect** means it is not limited to words but it can also manifest through non-verbal actions.



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- **Disrespectful Behavior** means actions or language that show a lack of respect for authority, staff members, peers, or the learning environment.
 - **Talking over someone** e.g. interrupting someone while they are speaking, not allowing them to express their thoughts.
 - **Mocking or ridiculing** e.g. making fun of someone's appearance, beliefs or abilities.
 - **Insensitive comments** e.g. making thoughtless or hurtful remarks about a sensitive topic or a person's vulnerabilities.
 - **Stereotyping and prejudice**, e.g. making assumptions or generalisations about someone based on their background, ethnicity, or other factors.
 - **Ignoring boundaries**, e.g. not respecting someone's personal space or privacy after they've expressed their discomfort.
 - **Bullying**, e.g. the deliberate and repetitive use of behaviour to harm, intimidate or control another person.
- **Defamation**: refers to any false, misleading, or damaging communication whether spoken, written, or published that harms the reputation, character, or integrity of an individual, staff member, student, or Austral College. Defamation includes slander (spoken) and libel (written or published).
- **Malicious Allegations**: are claims or accusations made with the intent to mislead, harm, or discredit another individual, staff member, student, or Austral College. These allegations are typically unfounded, unsubstantiated, or exaggerated, and are made with the deliberate purpose of causing distress, reputational harm, or disruption.
- **Fraudulent Statements**: are deliberate misrepresentations, falsifications, or deceptive communications made with the intention of misleading others. Such statements may involve the intentional fabrication of information, concealment of facts, or provision of false details that could cause harm, misinform decision-making, or damage the reputation of individuals, staff, students, or Austral College.
- **Aggressive Behaviour** means actions intended to intimidate, threaten, or harm others physically or emotionally.
- **Passive-Aggressive Behaviour** means engaging in passive-aggressive actions, such as silent treatment, sarcasm or backhanded comments.
- **Threatening Behaviour** means verbal or non-verbal expressions of intent to harm or cause fear to others.
- **Swearing** means use of profane or disrespectful language directed towards any member of Austral College.
- **Yelling** means loud, aggressive, or abusive shouting directed towards any member of Austral College.



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- **Threats to Harm** means expressions or actions indicating an intent to cause physical or emotional harm to any member of Austral College.
- **Physical Assault** means any physical contact intended to cause harm or injury to any member of Austral College.
- **Discrimination** means to treat a staff member, a manager or fellow peer in an unfair manner based on characteristics like their race, gender, religion or other personal attributes.

5. Policy Statement

- 5.1. Austral College is committed to providing a safe and respectful environment for all students and staff members. Misconduct by students including but not limited to disrespectful, aggressive, threatening behaviour, defamation, malicious allegations, fraudulent statements, and physical assault will not be tolerated under any circumstances. Serious consequences, up to and including suspension, expulsion, or legal action, may apply to any student found engaging in defamatory, or deliberately false statements against staff, peers, or the College.

6. Requirements, Process and Procedure

6.1. Procedure:

- **Reporting and Documentation:**
 - Any incident of misconduct should be reported within 5 business days from the date of the incident to the Victorian Campus Manager by email info@australcollege.com.au or by calling 1300 005 065.
 - Witnesses or victims should provide written or verbal statements detailing the incident, including date, time, location, and names of those involved.
 - The incident report should be filed and kept confidential.
- **Investigation:**
 - Upon receiving a report of misconduct, the Victorian Campus Manager will conduct a thorough investigation within ten (10) business days.
 - Interviews with witnesses and involved parties will be conducted to gather all relevant information.
- **Outcomes:**
 - Investigation outcomes will be communicated in writing to relevant parties within two (2) business days of the investigation's completion.



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- Consequences for misconduct will be determined based on the severity of the incident and any previous misconduct history of the student.
- Possible consequences include verbal warnings, written warnings, parental involvement, temporary suspension, expulsion, and, in serious cases of defamation, referral to legal authorities.
- In cases involving physical assault or threats of harm, immediate suspension and law enforcement involvement may be necessary.
- **Appeals Process:**
 - Students and parents/guardians have the right to appeal the decision regarding the outcomes.
 - Please refer to PP015 Complaints and Appeals Policy and Procedure.
 - Appeals must be submitted in writing to the Victorian Campus Manager at info@australcollege.com.au within the specified timeframe.
 - The appeal will be reviewed promptly, and a decision communicated to all parties involved.
- **Support and Counseling:**
 - In cases where students demonstrate behavioural issues, counseling and support services will be recommended.
 - Staff members affected by misconduct will be provided access to EAP Services.
- **Educational Programs:**
 - Prevention programs and educational initiatives will be implemented to promote positive behaviour and respect.
 - Workshops and training sessions for students and staff will focus on conflict resolution, anger management, and communication skills.
- **Implementation:**
 - This policy will be implemented consistently and fairly across all students and staff members.
 - All members of the College community are responsible for upholding and promoting a safe and respectful environment.

7. Related Documents

PP003 Fair Treatment and Equal Opportunity

PP002 Access and Equity



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PP004 Privacy Policy

8. Review Date

12 Months from the date of this version, or as required.

9. Version History

Version	Date	Action	Prepared by	Approved by
V1.1	24/10/2024	Initial review	Candice Taylor	Desi Kasimiotis