

Student Code of Conduct Implementation Guidelines



Institute of Health &
Management Pty. Ltd.

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SECTION 1

Purpose

1. The purpose of this implementation guidelines is to outline the standards of responsible and ethical behaviour and conduct expected of all students of the IHM. This guidelines details to assist students to understand their responsibilities and obligations and provide guidance on conduct in a way that supports a fair, safe, and positive university environment in accordance with the Institute of Health and Management (IHM policies) and the law.
2. The document outlines the rights and responsibilities of all students towards creating an inclusive and supportive learning environment.
3. This Student Code of Conduct Implementation Guidelines provides a structure for the development and management of student conduct to promote high levels of professional behaviour and ethical standards within the IHM and to resolve breaches of the Student Code of Conduct in fairly, promptly, and proficiently.

Scope

4. The Student Code of Conduct applies to all IHM students and includes all courses:
 - a) All current and prospective students enrolled at IHM at any location and for any mode of study whether on campus, online, at a partner institution, or on international or national placement.
 - b) Enrolled students where the conduct directly relates to their enrolment or admission to an IHM program and their activities undertaken within, or with other members of, the IHM community.
 - c) All staff who will be in contact with students.
 - d) The Institute of Health & Management's (IHM) community includes all students, staff, visitors to campuses, and members of the public who are interacting with IHM in person, in writing, or online.

Definitions

5. The following definitions have their meaning as spelt out below:
 - a) **Academic integrity:** Academic integrity is defined as a commitment, even in the face of adversity, to six fundamental values: honesty, trust, fairness, respect, responsibility, and courage. From these values flow principles of behaviour that enable academic communities to translate ideals to action.
 - b) **Academic misconduct:** Includes conduct that:
 - a. Involves academic fraud, cheating, plagiarism, collusion, and any other dishonest conduct by a student to gain an academic or general advantage.
 - b. Contravenes or demonstrates a disregard for the provisions of the IHM Student Code, academic rules, policies, procedures, and/or guidelines.
 - c) **Affiliates:** Means conjoint and visiting appointees; consultants and contractors; agency staff; members of IHMs committees; and any other person appointed or engaged by IHM to perform duties or functions.
 - d) **Allegation:** An accusation of misconduct.
 - e) **Allegation Notice:** Communication of an accusation of misconduct that is issued to a student



before commencing formal misconduct proceedings.

- f) **Activity** - A scheduled activity, that requires the student's participation, including, but not limited to a lecture, tutorial, practical, seminar, or discussion at a specified time and/or day.
- g) **At-risk** - A student is considered at-risk of breaching their course progression obligations, for example, poor academic performance or poor attendance.
- h) **Collusion**: When more than one student contributes to a piece of work that is submitted as the work of an individual. Individual assessment work should be entirely the work of the student submitting that work. Working together with other students on a piece of work that will be submitted for individual assessment is not permitted and can result in an accusation of academic misconduct for all the students involved.
- i) **IT resources**: means any information technology resources or facility provided by IHM to assist or support learning and teaching, research, administrative and business activities.
- j) **Leave of absence** - A temporary period taken at a student's request during which no units of study are taken.
- k) **Misconduct**: A breach of or conduct in contravention of rule or by-law of IHM or a breach of any IHM policies or procedures relating to either academic or non-academic misconduct.
- l) **Non-academic misconduct**: Includes conduct that:
 - a. Contravenes or demonstrates a disregard for the provisions of the Code, non-academic rules, policies, procedures, and/or guidelines.
 - b. Adversely impacts on IHM's reputation including the reputation of staff, students, or other members of IHM communities.
 - c. Is criminal or unlawful on IHM premises or property, or on a location where a student is present under the auspices of IHM.
 - d. Damages or wrongfully deals with any property or premises under the control of IHM, or property on a location where a student is present under the auspices of IHM.
 - e. Obstructs any staff or student of IHM or in the performance of their duties.
 - f. Assaults threaten, bullies, harasses, or endangers any staff or student of IHM or causes them to fear for their safety.
 - g. Attempts to improperly influence any staff or student in performing their duties; and/or disobeys any instruction from the IHM, including the failure to leave the building when directed to do so, or the failure to comply with an imposed penalty or agreed outcome under IHM policies and procedures.
 - h. Impairs the reasonable freedom of other persons to pursue their studies or to participate in the IHM activities.
 - i. Disrupts interfere with, or are detrimental to the conduct of any teaching, study, assessment, or administration of IHM.
 - j. Refuses, withholds, or fails to identify oneself truthfully or furnishes false personal information to IHM.
 - k. Breaches confidentially or privacy requirements or obligations in respect of IHM, its staff, and students.
- m) **Professional Misconduct**: Behaviour or actions that a student adopts which are outside the bounds of what is considered acceptable by the governing body of the profession. This may include communication, punctuality, deportment, relationships, or other activities.



- n) **Plagiarism:** The practice of using the words or ideas of others and claiming them as your own.
- o) **Staff:** Means all employees of the Institute of Health & Management's (IHM) including casual employees.
- p) **Student:** A student enrolled at IHM.
- q) **Student Support Officer:** Staff to support students with their academic, administration, IT technical support, and any other support needed.
- r) **Sexual assault:** any unwanted or forced sexual act or behaviour without consent.

Suite documents

- 6. This implementation guidelines is linked to the following documents:
 - a) Student Code of conduct
 - b) Access and Equity Policy/Procedure
 - c) Accessibility Policy/ Procedure
 - d) Student Complaints and Appeal Policy/ Procedure
 - e) Student Misconduct Procedure

SECTION 2

7. Code of Conduct Implementation Guidelines

- a) The Code of conduct outlines the standards of behaviour expected from Students to assist IHM in providing a favourable learning environment. Students breaching the Code may be subject to penalties in accordance with the policies and procedures of the IHM.
- b) IHM reserves the right to investigate any alleged conduct, behaviour, action, or inaction that it considers being of a serious nature, albeit that it may be outside the scope of this Student Code of Conduct Implementation Guidelines.
- c) IHM staff will contact students in the first instance to discuss the issue or behaviour and to determine how the issue might be rectified. This meeting and its outcomes will be documented, signed by all parties, and included on the student's file, and entered as a journal in student dashboard.
- d) Where the issue or behaviour continues, students will be invited for a personal interview with the Registrar to discuss this issue further. The meeting and its outcomes will be documented, signed by all parties, and included in the student's file and entered as a journal in student dashboard.
- e) Should the issue or behaviour continue, the student will be provided with a final warning in writing and a time frame in which to rectify the issue.
- f) After the three steps in the discipline procedure have been followed, should the issue or behaviour continue, student enrolment will be terminated. The termination notification will be sent to the student.



- g) At any stage of this guidelines, students can access the Complaints and Appeals Procedure to settle any disputes that may arise.
- h) If a student puts the safety and security of any staff or student of IHM at risk because of the breach of the Code of Behaviour, immediate steps will be taken to remove the student from the premises.

8. Students must

- a) Be responsible for their academic integrity and progress in their enrolled course of study and should treat staff and fellow students respectfully, courteously, and equitably irrespective of cultural background, disability, gender, sexual orientation, marital status, age, or political preference.
- b) Undertake their academic work with integrity and honesty, avoiding breaches of any academic integrity and copyright. In addition, be aware that all forms of academic dishonesty or misconduct are unacceptable and should use all equipment and resources appropriately, legitimately, and safely.
- c) Professionally conduct themselves whilst undertaking a professional placement, fieldwork and respect the confidentiality of client or commercial information made available as part of the placement.
- d) Provide honest constructive feedback to the IHM and its staff on the quality of teaching and services.
- e) Provide accurate personal details to IHM; keep those details up to date, and read and respond where necessary to all official IHM correspondence.
- f) Read and comply with the Code and all other standards of behaviour described in IHM's policies and procedures, as part of their Enrolment and Admission.
- g) Abide by all rules and requirements of IHM and respond to all lawful and reasonable directions from staff.
- h) Not publish any material, which is abusive, offensive, vilifying, harassing, or discriminatory about another student, IHM staff in any form or medium, including digital media or communication technologies.
- i) Refrain from actions, behaviour, and words (both written and spoken) that may jeopardise their own or another student or staff member's health, safety, or wellbeing.
- j) Must not engage in sexual harm. Sexual harm includes sexual harassment and sexual assault and can include threatening, controlling, stalking behaviour, or image-based abuse (sharing of intimate images without consent).
- k) Only use IHM's property, facilities, and resources (including information and communications technology) responsibly, in accordance with the relevant policies and considering other's requirements.

9. Informal resolution



- a) In informal complaint resolution, the parties to a complaint will explore options and make their own decisions about how to resolve a complaint, rather than having a third party make and enforce a decision.
- b) A student should attempt to resolve their complaint informally, directly with the relevant staff member.
- c) The following procedure is followed if an accusation of misconduct is made that can in accordance with the principle of Informal Resolution set out above, be resolved informally:
 - a. Staff member receives an accusation of student misconduct.
 - b. Staff member refers the matter to the Course Coordinator, or, if the Course Coordinator has a potential Conflict of Interest, to the Head of School.
 - c. The Course Coordinator or Head of School reviews the evidence and investigates the accusation, then decides as to whether it is substantiated.
 - d. The Course Coordinator or Head of School and one other staff member not directly involved deliberate upon the severity of the misconduct and identify an appropriate outcome.
 - e. The outcome is communicated in writing to both the student and the person making the accusation and the accused student will be given ten working days to appeal the decision before any punitive measures are implemented.

10. Formal Resolution

- a) IHM will not accept a formal complaint submission that is:
 - a. Outside the scope of the Student Complaints Policy
 - i. The person who has submitted the complaint is not an IHM student
 - ii. The submission does not present a circumstance that meets the definition of a complaint
 - b. Submitted more than 12 months after the latest relevant action, notification of a decision, or omission with regard to the matter that is the subject of the complaint.
- b) A formal complaint submission must be made in writing, and include the following details:
 - a. The basis for the complaint
 - b. If known, the name of the person about whom the complaint is made
 - c. A description of the events that have given rise to the complaint
 - d. A description of the efforts made, if appropriate, to informally resolve the complaint, with an explanation of why the informal resolution is impossible, inappropriate, or unsatisfactory
 - e. Any relevant documentary evidence (referenced in the descriptions discussed above)
 - f. The name and contact details of any witness
 - g. The outcome the complainant seeks.
- c) Where an accusation of student misconduct cannot be resolved informally, in accordance with the principle and procedure for formal Resolution, the following procedure will apply:
 - a. A staff member who is not the person making the accusation, documents the accusation and any relevant evidence identified through an initial investigation using a Student Misconduct Report Form.



- b. The staff member forwards the form to the secretary of the Student Misconduct and Appeals Committee, who calls a meeting of the committee members.
- c. Committee members deliberate upon the evidence. Both the student accused of misconduct and the person making the accusation may choose to attend the meeting and may choose to be accompanied by an advocate or to have an advocate attend on their behalf.
- d. The committee members may uphold the accusation, reject the accusation, or arrange further investigation to occur before planning at a subsequent meeting.
- e. The Student Misconduct and Appeal Committee must take all reasonable steps to inform the student of the outcome of the investigation within 5 working days of the decision being made.
- f. Where a decision is made that the allegation of student misconduct is substantiated, the student must also be informed of:
 - i. The sanction to be imposed
 - ii. The reason for the decision, including the findings on material facts
 - iii. The right to appeal
- d) For safety reasons, it is necessary for the complainant to be aware of the outcome/s of an investigation, the Registrar or Student Misconduct and Appeal Committee Panel should inform the complainant of the outcome. For example, if the student has given a sanction that involves a direction not to enter a building during the time or to alter their timetable, a complainant should be informed of this to ensure that they can avoid the relevant building at appropriate times or avoid participating in the same class as the student.
- e) A complainant can withdraw their complaint submission at any time by writing to the Student Misconduct and Appeals Committee.
- f) Both the student accused of misconduct and the person making the accusation is informed in writing of the outcome and any action that is to be taken.

11. Assessment

- a) The Student Appels Misconduct Committee will confirm receipt of a formal complaint submission within three working days unless that formal complaint was submitted anonymously.
- b) Where a formal complaint is submitted anonymously, any further action will depend on the ability to consider the complaint without being able to verify claims made in it through further contact with the complainant.
- c) The Student Misconduct and Appeals Committee may recommend to the Director of Quality Assurance that a complaint is frivolous, trivial, or vexatious.
- d) Within five (5) working days the Director of Quality Assurance may determine that the complaint:
 - a. is frivolous, trivial, or vexatious, may dismiss the complaint and notify the complainant.
 - b. is not frivolous, trivial, or vexatious, and notify the Advisor



- e) Subject to above recommendation by the Director of Quality Assurance, a formal complaint submission will be processed within five (5) working days of its receipt. The Student Misconduct and Appeals Committee will assess the complaint and come up with outcome/resolution.

12. Resolution

- a) The Student Misconduct and Appeals committee will deal with resolving the complaint.
- b) The Registrar or Student Misconduct and Appeals Committee Secretary will advise the complainant of progress throughout the resolution of the complaint.
- c) Student Misconduct and Appeals Committee will ensure all parties involved in resolving the complaint are treated fairly and reasonably.
- d) The Student Misconduct and Appeals Committee will consider in what ways the complaint might be valid and the appropriate response, including if a remedy is justified. This will include that:
 - a. The complaint resolution must consider if any human rights are relevant to the complaint and the resolution must be compatible with these rights.
 - b. In determining the appropriate remedy, remedial action the complainant has sought is considered.
 - c. The Registrar or Student Misconduct and Appeals Committee Panel will report in writing on complaint resolution process within the expected complaint resolution period.

13. Resolution Report

- a) The Resolution report will:
 - a. Document the process used for resolving the complaint and findings relevant to the complaint.
 - b. Note if an agreement has been reached by the parties and, if so, the terms of that agreement.
 - c. If no agreement is reached by the parties, state the determination, and provide reasons in support of it.
 - d. State actions which, as a result of the determination, have been undertaken or are to be undertaken.
 - e. State actions (including remedies as required) which have been undertaken by IHM at the recommendation, and recommend any other actions outside of the Responsible Staff's area of the authority
 - f. Refer to the student's right to review and appeal the determination.
- b) For record-keeping purposes, the Responsible Staff will also provide the Student Misconduct and Appeals Committee with a copy of all documentation relevant to the complaint.
- c) If a remedy is approved, then IHM will implement its corrective and preventative actions as soon as possible. The staff member who authorised the remedy will keep the complainant appropriately informed of progress in implementing the remedy.

14. Appeal

- a) If a student or the person making the accusation wishes to further appeal the outcome determined by the Committee, they must respond to the written notification of the outcome within five working days of the receipt of the decision, requesting an investigation by the Student Misconduct Committee.



- b) Where an accusation of misconduct is resolved in accordance with the Informal Resolution Procedure, either party may appeal by following the procedure for Formal Resolution, and the outcome of that procedure will overrule any decision made informally.
- c) Where an accusation of misconduct has been resolved in accordance with the procedure for Formal Resolution, either party may seek further appeal through an external body such as a court or tribunal and is advised of their right to do so.

SECTION 3

Associated information

<p>Related Internal Documents</p>	<ul style="list-style-type: none"> • Access and Equity Policy • Access and Equity Procedure • Accessibility Policy • Accessibility Procedure • Critical Incident Response Policy • Critical Incident Response Procedure • Critical Incident Response Form • Student Complaints and Appeal Policy • Student Complaints and Appeal Procedure • Student Code of Conduct • Student Misconduct Policy • Student Misconduct Procedure • Student Support Services Policy • Student Support Services Procedure • Student Representative Council TOR
<p>Related Legislation, Standards, and Codes</p>	<ul style="list-style-type: none"> • ESOS (2020). ESOS legislative framework • National Code of Practice (2018). National Code of Practice for Providers of Education and Training to Overseas Students 2018 • National Code of Practice (2018): Standard 6: Student Support Services • National Code of Practice (2018): Standard 8: Overseas student visa requirements • National Code of Practice (2018): Standard 9: Deferring, suspending, or cancelling the overseas student’s enrolment. • HESF (2021). Higher Education Standard Framework Domain 1: Student participation and attainment • Privacy Act (1988). Privacy Act 1988. Federal Register of Legislation. • Information Privacy Act 200 (2001 – 2014) • Criminal Procedure Act (2009)

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