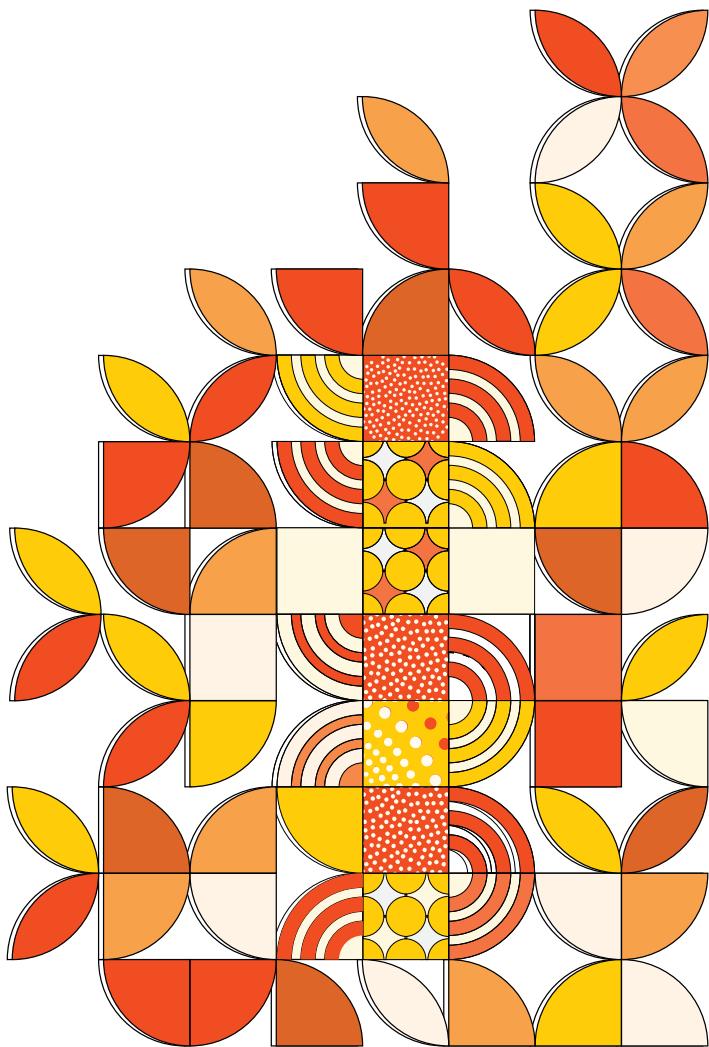


# Student Non-Academic Misconduct Procedure



## SECTION 1

### Purpose

1. The Purpose of the Non-Academic Misconduct Procedure is to set out the process for managing allegations of student Non-Academic Misconduct at the Institute of Health and Management (IHM).
2. This Procedure operationalises the IHM Student Non-Academic Misconduct Policy and ensures incidents are handled promptly, fairly, and confidentially, in alignment with IHM's Student Code of Conduct and all regulatory requirements, including ESOS Act 2000, the National Code 2018, the Higher Education Standards Framework 2021, and TEQSA requirements.

### Scope

3. This Procedure applies to the entire IHM community, including students across campuses, learning sites, online platforms, and study modes. It covers current, former, and prospective students in relation to alleged incidents of non-academic misconduct.
4. This Procedure does not apply to:
  - 4.1 Academic misconduct, which is managed under the Academic Honesty and Integrity Policy and Procedure.
  - 4.2 Allegations of sexual assault or sexual harassment, managed under the Sexual Assault and Harassment Prevention and Response Policy and Procedure.
  - 4.3 Bullying and harassment, which are managed under the Bullying and Harassment Prevention Policy and Procedure.
  - 4.4 Student complaints, which are managed under the Student Complaints and Appeals Policy and Procedure (unless they involve student non-academic misconduct).
5. This procedure should be read in conjunction with the IHM Academic Honesty and Integrity Policy and Procedure, Student Code of Conduct and Student Code of Conduct Implementation Guidelines.

### Definitions

6. Definitions for key terms are presented in the Student Non-Academic Misconduct Policy and IHM's [Glossary of Terms](#).

### Suite documents

7. This Procedure is linked to the following Procedure:
  - 7.1 Student Non-Academic Misconduct Policy.
  - 7.2 Other documents as listed in the 'Related Internal Documents' in Section 3 below.

## SECTION 2

### Guiding Principles

8. Students will be informed of allegations, evidence, and outcomes, and given the opportunity to respond.
9. Information will be shared only on a need-to-know basis or where required by law. Retaliation against complainants, respondents, or witnesses is prohibited.
10. IHM applies clear timeframes to each stage of the process and provides written explanations for any delays.
11. A student's enrolment will remain active, and they may continue their studies while an allegation of non-academic misconduct is under investigation, unless interim measures are required to protect the safety or integrity of the IHM community.
12. Students may not graduate until all non-academic misconduct matters and appeals are resolved and penalties, if any, are finalised.
13. Retaliation against complainants or witnesses is prohibited and constitutes serious non-academic misconduct.
14. IHM provides advice and necessary support to all students involved in non-academic misconduct, including guidance on visa implications for overseas students.

### Resolution Pathways

#### 15. Informal resolution

- 15.1 IHM encourages informal resolution of minor or general non-academic misconduct, focusing on constructive correction rather than formal disciplinary action (refer to the Student Non-Academic Misconduct Policy, clause 15).
- 15.2 Minor issues will be resolved through discussion, informal warning, mediation, apology, counselling, or agreed corrective action through the respective IHM personnel or student support team.
- 15.3 Informal resolution is not available if:
  - 15.3.1 The matter involves serious non-academic misconduct (e.g., violence, harassment, illegal activity, or significant harm).
  - 15.3.2 The student requests a formal process.
  - 15.3.3 The student disputes or appeals the informal outcome.
  - 15.3.4 Where these limits apply, the matter will proceed to the formal resolution process.

#### 16. Formal Resolution

##### 16.1 Reporting

- 16.1.1 Any IHM community member can report non-academic misconduct verbally or in writing using the Incident Report Form.

- 16.1.2 Reports outline date, time, location, people involved, behaviour, and evidence.
- 16.1.3 Registrar/Student Support Manager confirms receipt to the complainant within 2 business days.

## **16.2 Investigation and Interim Measures**

- 16.2.1 The Registrar (with the Academic Dean, Director Quality & Management, Campus Manager if required) confirms jurisdiction, classifies as general or serious non-academic misconduct.
- 16.2.2 Within 5 business days of validation, the Registrar will issue a written notice including:
  - a) Details of the alleged incident(s) and relevant policy, standard, code of conduct breaches;
  - b) Investigation process and possible penalties;
  - c) Deadline of 5 business days for the student to respond (in writing or at a meeting);
  - d) Rights to procedural fairness, confidentiality, and a support person; and
  - e) Copies/links to the relevant policy and procedure.
- 16.2.3 The Academic Dean will appoint an impartial investigator or panel, which may have the following member(s) :
  - a) Director, Quality Management.
  - b) Campus Manager.
  - c) Head of the School (not being the School to which the student belongs).
  - d) Registrar.
  - e) Head, Student Support
- 16.2.4 If the Academic Dean is an interested party, the Chief Operations Officer will appoint an investigator under this clause.
- 16.2.5 The investigator(s) will collect evidence such as statements, documents, digital records, CCTV, and other relevant material.
- 16.2.6 The student will normally be invited to a meeting to respond to the allegations. They may bring a non-legal support person.
- 16.2.7 If the student declines, the investigation may proceed using the evidence available.
- 16.2.8 Students will be given access to the evidence used. Any new evidence will be shared, and conflicts of interest will be managed by appointing different staff where necessary.
- 16.2.9 If evidence suggests criminal conduct, IHM will refer the matter to the police and pause or adapt its investigation until appropriate.
- 16.2.10 Where immediate risk exists, precautionary measures may include, but are not limited to:

- a) Temporary removal: Chief Operations Officer/Campus Manager may direct a student to leave an activity or area, but the Academic Dean will be consulted.

- b) Interim suspension: The Academic Dean may suspend attendance or access for up to 5 business days, with written notice of reasons, scope, and conditions.

16.2.11 IHM will minimise academic disadvantage. For overseas students, an interim suspension will comply with visa requirements and is not reported unless confirmed as a final outcome.

16.2.12 Interim measures are protective, not punitive, and are lifted once risks are resolved or a final outcome is determined.

## Decision and Outcomes

17. After reviewing all evidence, the investigator or panel will make one of two findings:

17.1 **Not substantiated:** The allegation is dismissed if the evidence is insufficient or inconclusive. No disciplinary action is taken, though guidance or support may be offered.

17.2 **Substantiated:** The allegation is upheld if the balance of evidence indicates non-academic misconduct.

18. Findings will be documented with a summary of evidence and reasons.

19. Where non-academic misconduct is substantiated, the Academic Dean determines the penalty based on recommendations by the investigator or the panel of investigators.

20. Outcomes must be proportionate, fair, and consistent, considering intent, seriousness, impact, prior record, and any mitigating or aggravating factors. Multiple penalties may be combined if appropriate.

21. **General non-academic misconduct** is typically addressed through educative or corrective measures.

Indicative penalties for minor or first-time breaches include, but are not limited to, the following:

21.1 Verbal or written warning.

21.2 Apology or reconciliation.

21.3 Counselling or training (e.g. behaviour, conflict, cultural awareness).

21.4 Temporary loss of privileges (e.g. library or lab access).

21.5 Restitution for minor damage.

21.6 Informal probation (watch period).

22. **Serious non-academic misconduct** may result in stronger penalties. Indicative penalties for serious non-academic misconduct include, but are not limited to, the following:

22.1 Final written warning.

22.2 Probationary enrolment with behavioural conditions.

22.3 Suspension for a set period.

22.4 Campus ban or restricted access.

- 22.5 Exclusion (expulsion) from IHM.
- 22.6 Rescission of awards (in exceptional cases where fraud is later identified).
- 22.7 Restitution for significant damage or loss.
- 22.8 Referral to external authorities (e.g. police).
- 22.9 Other appropriate recommended actions(e.g. community service, reflective essay, rehabilitation program).
23. All serious non-academic misconduct outcomes are confirmed in writing, recorded in the student's file, and managed in line with visa and reporting obligations.
24. While acting under this Procedure, the Academic Dean will consult senior staff if needed and ensure consistency with precedent and compliance with external requirements.
25. If an allegation is not substantiated, the case will be closed with no penalty, but IHM may still offer counselling or support to foster a positive environment.
26. Students will be notified of the outcome in writing within 5 business days of the decision.
27. IHM aims to finalise investigations within 20 business days of the student's response in straightforward cases, with any delays communicated in writing.

## Appeals

28. Students may appeal a decision under this Procedure in line with the Student Complaints and Appeals Policy and Procedure, on grounds such as procedural error, new evidence, disproportionality of penalty, or lack of supporting evidence.
29. Any person involved in the resolution of any non-academic misconduct under this Procedure will not sit on the Appeals Committee under the Student Complaints and Appeals Procedure (clause 13.3).
30. Appeals must be lodged in writing within 20 working days of the outcome letter, specifying the grounds and any supporting information.
31. If an appeal is lodged in time, the student's enrolment status will remain active until the internal appeal is resolved.
32. While this Procedure focuses on internal processes, students may seek an external review of the decision once internal avenues are exhausted through the relevant ombudsman or regulatory body.

## Confidentiality

33. IHM upholds the right of the accused to confidentiality and will not disclose their identity or information without informed consent, unless required by law or procedural fairness.
34. IHM informs other parties of the process and allows them to request that their identity be withheld.
35. Complainants may also submit an anonymous written statement instead of appearing in person.

## Record-Keeping and Reporting

36. All non-academic misconduct records will be accurately recorded and thoroughly documented in line with privacy laws and confidentiality.
37. Evidence from sources with conflicts of interest, hearsay, or information provided under duress will not be considered and recorded.
38. A Non-Academic Misconduct Register will be maintained to record summary details of substantiated cases to ensure consistency and monitor trends.
39. The Academic Dean and Registrar will provide anonymised reports to senior leadership to support oversight and improvement.
40. Regulatory and compliance reporting, including PRISMS updates for international students, will be completed as required by law.

## SECTION 3

### Associated information

<b>Related Internal Documents</b>	<ul style="list-style-type: none"> <li>• Academic Honesty and Integrity Policy</li> <li>• Academic Honesty and Integrity Procedure</li> <li>• Access and Equity Policy</li> <li>• Access and Equity Procedure</li> <li>• Accessibility Policy</li> <li>• Accessibility Procedure</li> <li>• Bullying and Harassment Prevention Policy</li> <li>• Bullying and Harassment Prevention Procedure</li> <li>• Sexual Assault and Harassment Prevention and Response Policy</li> <li>• Sexual Assault and Harassment Prevention and Response Procedure</li> <li>• Student Code of Conduct</li> <li>• Student Code of Conduct Implementation Guidelines</li> <li>• Student Complaints and Appeals Policy</li> <li>• Student Complaints and Appeals Procedure</li> <li>• Student Non-Academic Misconduct Policy</li> </ul>
<b>Related Legislation, Standards, and Codes</b>	<ul style="list-style-type: none"> <li>• Tertiary Education and Quality Standards Agency Act 2011</li> <li>• Higher Education Standards Framework (Threshold Standards) 2021, Domain 1 (Student Participation and Attainment), Domain 6 (Governance and Accountability)</li> <li>• Education Services for Overseas Students Act 2000 (ESOS Act)</li> <li>• National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code) <ul style="list-style-type: none"> <li>Standard 3: Formalisation of enrolment and written agreements</li> <li>Standard 6: Overseas student support services</li> <li>Standard 8: Overseas student visa requirements</li> <li>Standard 10: Complaints and appeals</li> </ul> </li> <li>• Privacy Act 1988 (Cth) and the Australian Privacy Principles</li> <li>• Racial Discrimination Act 1975 (Cth)</li> <li>• Disability Discrimination Act 1992 (Cth)</li> </ul>

	<ul style="list-style-type: none"> <li>• Disability Standards for Education 2005 (DSE)</li> <li>• Age Discrimination Act 2004 (Cth)</li> <li>• Other relevant legislation applicable in each State where IHM operates</li> </ul>
<b>Date Approved</b>	06/11/2025
<b>Date of Effect</b>	07/11/2025
<b>Date of Next Review</b>	30/10/2028
<b>Approval Authority</b>	Academic Board (endorsed by the Board of Directors)
<b>Responsibility for implementation</b>	Academic Dean
<b>Document Custodian</b>	Registrar
<b>IHM Doc ID</b>	IHM-SNAMP2-4.0

## Change History

<b>Version Control</b>		<b>Version 4.0</b>
<b>Change Summary</b>	Date	Short description of change, including version number, changes, who considered, approved, etc.
Version 3.0	14/05/2021	Policy and Procedure are now in two separate documents. Feedback from Wells Advisory was accepted and incorporated. Definitions have been added. Minor editorial changes have been made. Version 2 approved by the Academic Board on 2 <sup>nd</sup> June 2021.
Version 3.1	23/11/2023	The definitions have been relocated to the IHM glossary, and the template has been updated.
Version 4.0	22/09/2025	Updated in the new template and logo, and a full review after the life cycle, replaced the Student Misconduct Procedure with the Student Non-Academic Misconduct Procedure.