



## Policy

This policy describes the events and actions that define academic and non-academic misconduct by students enrolled or intending to enrol at ICV. It also outlines the processes for investigating and managing allegations of student misconduct.

Where there has been a breach (or suspected breach) of the law or the safety or well-being of others is at risk, ICV reserves the right to exclude a student pending an investigation and may report the incident to the appropriate authorities.

## Procedures

### 1 Student Misconduct - Academic

- I. This misconduct involves academic fraud, cheating, plagiarism, collusion and any other dishonest conduct by a student to gain academic or general advantage.
- II. Any case involving academic misconduct should be referred to the Plagiarism, Cheating & Collusion Policy.
- III. Trainers will be required to discuss the incident with the student, provide the student with the opportunity to present their perspective of the incident including any supporting evidence and discuss any possible consequences.
- IV. The Training Manager will meet with the Trainer to review the incident any supporting evidence and establish whether the incident is considered a serious misconduct and determine actions to be taken, including the consequences for the student
- V. If the incident is not deemed as serious misconduct, the Training Manager will meet with the student to discuss appropriate actions. If the incident is deemed as serious misconduct, the Training Manager will meet with the student. The Training manager may discuss appropriate actions with the student or follow ICV's deferment, suspension and cancellation policy.
- VI. All meetings will be recorded in the Minutes of Meeting and filed on the student's file.

### 2 Student Misconduct – Non-Academic

- I. Misconduct includes, but is not limited to;
- II. Breaching ICV's Code of Conduct, policies and/or procedures
- III. Actions that adversely impact, obstruct or negatively influences the ability for ICV employees, students or other key stakeholders to perform their roles and responsibilities
- IV. Actions that damage, wrongfully deal with or are criminal and/or unlawful on ICV premises, or on a location where a student is representing ICV or any property under the control of ICV.
- V. Any assaults, threats, bullying, harassment or actions and any attempts of these, that endanger any employees, students or other key stakeholders or causes them to fear for their personal safety.
- VI. Failure to follow instructions to leave any building or area when directed to do so, or the failure to comply with an imposed penalty or agreed outcome under ICV rules and policies.
- VII. Actions that prevents the reasonable freedom of other persons to pursue and participate in their studies at ICV.
- VIII. Actions that disrupt, interfere with, or is detrimental to the conduct of any ICV teaching, study, assessment, administration or ICV business operations.
- IX. Refuses, withholds, or fails to identify oneself truthfully or provides false personal information to any ICV employee, student or other key stakeholders.
- X. Falsifies or attempts to falsify, ICV records or official files/documents.
- XI. Encourages, persuades or incites any other person to engage in conduct or behaviour constituting non-academic misconduct.



### 3. Management of non-academic misconduct

- I. Non-academic matters should be referred to the Student Support Officer.
- II. The Student Support Officer will organise a meeting with the student to discuss the alleged misconduct. All meetings will be recorded in the Minutes of Meeting and filed on the student's file
- III. The student will be afforded an opportunity to correct information, explain circumstances and make a submission of any corrective action required on their behalf.
- IV. Students are entitled to due notice of any allegations of student misconduct made against them. Allegations may be amended at any time before their determination, provided the student has received notice.
- V. The Student Support Officer will investigate and determine allegations of student misconduct as promptly as is practical so that a resolution of the matter is not delayed.
- VI. The Student Support Officer will review all information gathered during the investigation, along with supporting evidence and any information of previous incidents that may be in the students file.
- VII. In certain circumstances, the Student Support Officer may advise the student of a temporary exclusion from all student activities pending the results of the investigation.
- VIII. The Student Support Officer will take one of the following actions;
  - i. Dismiss the allegation; or
  - ii. Uphold the allegation and determine an appropriate outcome/penalty

### 4.4 Outcome/Penalty/ies

#### *Temporary Suspension*

ICV may suspend a student for misconduct for a maximum of 3 months.

#### *Cancellation of Enrolment*

During the investigation, consideration will be given as to whether the student's behaviour constitutes cause for cancellation from ICV. Factors that can be cited as reasons to cancel a student's enrolment may include:

- a. impact to the safety of the student or others
- b. committed a criminal or unlawful act
- c. failure to respond to repeated action plans to correct behaviour or study issues
- d. wilful damage to others and/or property
- d. disruptive behaviour that causes discomfort to others

Possible outcomes determined by the Student Support Officer may include, but are not limited to;

- i. Allegations made against the student are dismissed
- ii. Requested apology to those involved
- iii. A formal warning on the student file
- iv. Student to attend appropriate counselling
- v. Reduce the student's study load where there is evidence of compassionate/compelling circumstances
- vi. Suspension pending an investigation
- vii Report the incident to appropriate authorities

### 4.5 Appeals

4.5.1 In all cases, the principles of procedural fairness and natural justice will apply, including;

- i. Unless guilt is freely admitted, the allegation of misconduct is proven by clear and convincing evidence
- ii. The right to be heard,
- iii. The right to be treated without bias,



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iv. The right to be informed of allegations being made and to be provided with an opportunity to respond,

v. The right to be given reasons for any decision.

If the student is not satisfied with the outcome determined, they will have 20 days to access ICV' Complaints & Appeals process.