

Student Conduct, Safety and Wellbeing

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1.0 Purpose

Students are entitled to understand what is expected of them regarding academic, research, personal and professional behaviour and what standards of behaviour they can expect from other students.

To this end, this policy outlines:

- Griffith University's commitment to the wellbeing and safety of all members of the University community,
- Griffith's expectations of its students' academic, research, personal and professional conduct, and
- A framework for managing student conduct that may cause harm or create a risk to individuals, the University or the Griffith community or might otherwise constitute General Misconduct or a breach of a Griffith policy or procedure.

This Policy does not address academic or research integrity breaches (Academic or Research Misconduct). Students who breach academic or research integrity expectations and commit Academic or Research Misconduct are managed under the *Breaches of Academic Integrity Procedure*, attached to the *Academic Integrity Policy* or *Responsible Conduct of Research Policy*.

This Policy works in conjunction with the *Student Charter Framework*, which details the partnership between the University and its students and the aspirations and mutual expectations of employees and students as they work together to achieve the University's Mission. Students with a professional practice component to their studies will also need to adhere to professional practice standards for their field.

2.0 Scope

This Policy applies to all students of the University in all career levels, modes of study and locations, physical or digital, participating in activities organised by or under the control or direction of the University. For the purpose of this Policy, the term "student" includes:

- all enrolled students and Higher Degree Research (HDR) candidates at the University, and
- students with Active Enrolment Status, including those who are not 'carrying load' and students on approved Leave of Absence, Deferment or between enrolment periods.

This policy also applies to graduates of the University, where the University is considering preventing future enrolments by a person due to misconduct uncovered after graduation. Please note: Penalties other than preventing future enrolment are not available for General Misconduct committed by graduates while they were students.

3.0 Policy statement

The University is committed to:

- excellence in learning experiences and outcomes for all its students;
- supporting the wellbeing and safety of all students, employees and other members of the University community;
- recognising and enacting its positive duty to create and maintain an environment where all members of the University community are respected, treated with dignity and feel safe;
- ensuring the proper working of the University.

Students learn best when their wellbeing and safety are not compromised. The University:

- supports the psychosocial and physical wellbeing of students through a range of health and wellbeing services and programs to encourage personal growth and resilience;
- promotes early intervention when behaviours are of concern;
- applies a consistent, transparent and fair approach to managing conduct that may impact the wellbeing or safety of individuals and the University community.

The University understands that student conduct may be motivated by a range of factors. The University will consider these factors in addressing conduct, ensuring the wellbeing and safety of students and the University community remain a paramount focus.

All University community members share responsibility for maintaining the social and academic progress of the University.

Students who breach the conduct expectations in this Policy:

- may be assessed under the wellbeing (Fitness to Study) process under the Student General Conduct Procedure; or
- may be found to have engaged in misconduct and may be subject to disciplinary or educative action under the Student General Conduct Procedure.

3.1 General conduct expectations

1. Students must behave in a manner that is consistent with Griffith's commitment to providing a safe learning and working environment in which all members of the University community can thrive.
2. Students are expected to:
 - a. take personal responsibility for their studies and their interactions with the University in accordance with the responsibilities stated in the *Student Charter Framework*;
 - b. complete the inherent requirements of their academic studies in a timely and sufficient manner;
 - c. not engage in inappropriate behaviours, including but not limited to defamation, personal attacks or racial hatred, whether in person or online;
 - d. respect the rights of others to express themselves respectfully and be willing to hear and receive information and opinions, including opinions that differ from their own;
 - e. act with honesty and integrity;
 - f. respect and uphold the rights of others to study, research, work, and engage at the University free from Bullying, unlawful Discrimination, Harassment, Sexual Harm and unreasonable impediment;
 - g. adhere to the highest ethical standards and undertake assessment tasks and research work in an honest and trustworthy manner consistent with their purpose and the principles of the *Student Academic Integrity Policy*;
 - h. prioritise the safety of themselves and others;

- i. comply with any reasonable request or directions from University employees regarding safety, policy, procedure or ethical requirements;
 - j. not engage in fraudulent or corrupt behaviour;
 - k. not make Vexatious or Malicious Reports of alleged misconduct or contribute false evidence or information to the handling of complaints or reports of alleged misconduct;
 - l. respect University property;
 - m. follow all requirements contained in law and University policy.
3. Failure to meet these expected standards of behaviour will be managed by the relevant misconduct procedures unless the matter is being addressed through the Fitness to Study (wellbeing) process.

3.1.1 Interim actions: responding to behaviours of risk

- 1. A Decision-maker may impose an interim measure on a student to manage immediate risk.
- 2. A Decision-maker may consult with any relevant person before making a determination. If they feel it is appropriate and necessary, they can request that the Registrar impose a temporary suspension on a student.
- 3. An interim measure is not a finding in a misconduct matter and should not be interpreted as such. However, if a student does not comply with any of the terms, conditions or directions of an interim protective measure, this non-compliance may itself be misconduct under this policy.
- 4. Once an interim measure or temporary suspension is imposed, the University must commence the relevant misconduct or wellbeing process within five (5) business days.

3.1.2 Responding to conduct: principles

- 1. The University is committed to preventing and managing conduct that does not meet the expectations outlined in this policy. This commitment takes many forms, including:
 - a. education of students;
 - b. provision of a range of support services;
 - c. professional development of employees;
 - d. ongoing development of procedures and processes that minimise opportunities and detect misconduct, and deal appropriately and fairly with those found in breach of expected conduct.
- 2. The University's approach for dealing with instances of student conduct is based on the underlying causes of the conduct, the seriousness of the conduct and whether the student has a history of misconduct. The Student General Conduct Procedure details the approach adopted and processes undertaken.
- 3. Conduct managed as a wellbeing and safety matter under the Fitness to Study process will not result in a misconduct finding. However, restrictions on enrolment and participation may be applied as a result of that process. However, a student whose Fitness to Study is being assessed may also be subject to a misconduct process if:
 - a. their conduct is sufficiently serious; or
 - b. their conduct during the Fitness to Study process breaches the conduct expectations in this policy.
- 4. Generally, single instances of minor bad behaviour will not amount to General Misconduct. Where possible, this behaviour will be managed at the lowest possible level of escalation. In these instances, employees should make clear to the student that the behaviour is

unacceptable. Employees are expected to use discretion and good judgment in exercising their authority.

3.1.3 Fitness to Study

1. Griffith recognises that students may be impacted by ongoing or acute health or related factors that affect their conduct and impede their ability to study effectively and safely.
2. Students may be deemed to be unfit to study (including for a defined period) for the purpose of this policy in situations where they demonstrate through their behaviours that:
 - a. their capacity to study and/or to function in University life is significantly impaired and cannot be assisted through reasonable adjustments or support services;
 - b. their continued enrolment may pose a risk to their own or others' wellbeing and/or safety;
 - c. their continued enrolment may disrupt the ability of others to work or study.

3.1.4 Procedural Fairness

1. Students have the right to a procedurally fair process. This means they have the right to:
 - a. have a case of alleged misconduct or a wellbeing assessment dealt with as promptly as possible and be kept updated on any delays in the process;
 - b. have the matter considered by an unbiased, impartial decision-maker who is free of conflict of interest in the matter;
 - c. receive a copy of, or an opportunity to inspect, all relevant and disclosable information held by the Decision-maker;
 - d. be provided with advice on support services and advocacy and have a support person with them at any stage of the process, noting that a support person may not act (including in a legal capacity) on their behalf;
 - e. have the opportunity to respond;
 - f. request a review of a decision by a designated person who is not the Decision-maker;
 - g. if grounds are met, and the designated process allows for an appeal, appeal a decision to the University Appeals Committee;
 - h. have their confidentiality and privacy protected within legal requirements for disclosure.

4.0 Roles, responsibilities and delegations

Student general conduct matters, including Fitness to Study wellbeing assessments, are managed through the *Student General Conduct Procedure*.

Breaches of Academic Integrity, which amount to Academic Misconduct, are managed through the *Student Academic Integrity Policy* and the *Student Breaches of Academic Integrity Procedure*.

4.1 Decision-makers

Decision-makers for each category and level of conduct, their responsibilities, and the penalties they may apply are outlined in the related procedures.

4.2 Conflicts of interest

Staff involved in misconduct, review or appeals processes must disclose actual, perceived or potential conflicts of interest (whether personal, financial or otherwise) as soon as they become aware of them. A Decision-maker must act impartially, without perceived or actual bias.

5.0 Definitions

Academic Misconduct, whether intentional or negligent, encompasses behaviour:

- involving the misrepresentation of academic achievement; or
- undermining the core values (honesty, trust, fairness, respect and responsibility) of academic integrity; or
- breaching academic integrity.

The *Student Breaches of Academic Integrity Procedure* details further examples of Academic Misconduct.

Active Enrolment Status refers to a student who has:

- accepted an offer of admission to a program or course (subject) and shall have completed the enrolment procedures prescribed by the University; and
- paid such fees and charges as the University may require to be paid as a condition of enrolment; and
- fulfilled the conditions prescribed for Commonwealth supported students, in the case of a student admitted to a program as a Commonwealth supported student; and
- completed any other procedures which may be required as a condition of enrolment.

Bullying is repeated, unreasonable behaviour by an individual or group, directed towards an individual or group, either physical or psychological in nature, that intimidates, offends, degrades, humiliates, undermines or threatens.

Discrimination can be either direct or indirect. Direct Discrimination occurs when someone is treated unfavourably because they have one or more protected attributes. Indirect Discrimination is when someone is disadvantaged by an unreasonable requirement, condition or practice because of a protected attribute.

Protected personal attributes cover:

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| • age | • parental status or status as a carer | • an expunged homosexual conviction |
| • breastfeeding | • physical features | • intersex status |
| • employment activity | • political belief or activity | • personal association whether as a relative or otherwise) with a person who is identified by reference to any of the above attributes. |
| • gender identity | • pregnancy | |
| • disability | • race | |
| • industrial activity | • religious belief or activity | |
| • lawful sexual activity | • sex | |
| • marital status or relationship status | • sexual orientation | |

Fitness to Study concern means a situation where the student has demonstrated through their behaviours that:

- their capacity to study and/or to function in University life is significantly impaired and cannot be assisted through reasonable adjustments or support services;
- their continued enrolment may pose a risk to their own or others' wellbeing and/or safety;
- their continued enrolment may disrupt the ability of others to work or study.

General Misconduct means conduct that:

- breaches expectations as outlined in this policy that are not related to Academic or Research Misconduct; or

- impairs the reasonable freedom of others to pursue their studies, research, duties and other lawful activities in the University; or
- amounts to improper access to and use of University facilities or access to, collection and use of information or improper use of the property of others in relation to University activities.

The *Student General Conduct Procedure* and Resolution of Breaches of Residential Community Standards and other Grievances within the Griffith University Residential Colleges Policy detail further examples of General Misconduct.

Misconduct of a sexual nature is conduct that breaches the expectations outlined in the *Sexual Harm Prevention and Response Policy*.

Harassment is behaviour or conduct that is unwelcome and unsolicited and that makes an individual feel offended, intimidated, or humiliated. Harassment may be sexual or non-sexual in nature. Harassment may take multiple forms and have a variety of motivations. It can be a single incident, a series of incidents or an ongoing pattern of behaviour and can be perpetrated by individuals or groups of people.

Higher Degree by Research (HDR) refers to a Research Masters or Research Doctorate where:

- Research Masters means a Level 9 qualification as described in the AQF and where a minimum of two-thirds of the program of learning is for research, research training and independent study.
- Research Doctorate means a Level 10 qualification as described in the AQF and where a minimum of two years of the program of learning, and typically two-thirds of the qualification, is research.

Research Misconduct means major, serious breach(es) of the Australian Code for the Responsible Conduct of Research, including intentional, reckless, or negligent behaviour.

Sexual Harm is any unwanted behaviour of a sexual nature. Sexual Harm includes sexual assault, rape, Sexual Harassment, sex-based Harassment, and any other unwanted sexual behaviour, whether online or in person. The behaviour may result in a person feeling uncomfortable, frightened, distressed, intimidated, or harmed either physically or psychologically.

Vexatious or Malicious Report means a complaint where the person:

- knows it to be false; and
- complains for the primary purpose of damaging the University or the person(s) against whom the Report is made.

6.0 Information

Title	Student Conduct, Safety and Wellbeing Policy
Document number	2023/0000417
Purpose	<p>Students are entitled to understand what is expected of them regarding academic, research, personal and professional behaviour and what standards of behaviour they can expect from other students.</p> <p>To this end, this policy outlines:</p> <ul style="list-style-type: none"> • Griffith University's commitment to the wellbeing and safety of all members of the University community, • Griffith's expectations of its students' academic, research, personal and professional conduct, and

- A framework for managing student conduct that may cause harm or create a risk to individuals, the University or the Griffith community or might otherwise constitute General Misconduct or a breach of a Griffith policy or procedure.

Audience	Students
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Category	Academic
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Subcategory	Student Services
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UN Sustainable Development Goals (SDGs)	This document aligns with Sustainable Development Goal/s: 3: Good Health and Well-Being 4: Quality Education
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Approval date	16 November 2023
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Effective date	Trimester 1 2024
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Review date	2029
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Policy advisor	Registrar
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Approving authority	Academic Committee
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7.0 Related Policy Documents and Supporting Documents

Legislation	Higher Education Standards Framework (Threshold Standards) 2021
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Policy	Resolution of Breaches of Residential Community Standards and other Grievances within the Griffith University Residential Colleges Policy Responsible Conduct of Research Policy Student Charter Framework Sexual Harm Prevention and Response Policy Student Academic Integrity Policy Student Critical Incident Management Policy Student Review and Appeals Policy
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Procedure	Student Breaches of Academic Integrity Procedure
	Student Complaints Procedure
	Student Reports of Bullying, Harassment, Discrimination and Sexual Harm Procedure
	Student Review and Appeals Procedure
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Local Protocol	Student Support
	Student Advocacy
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Forms	Report a Concern
	Report a Concern (anonymous disclosure or report)
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