

# Student Code of Conduct Policy and Procedure

## 1. Purpose

1.1 Westin College has a student-centered approach to learning and is committed to the academic and personal welfare of Students. Westin College aims to provide a safe, secure, and inclusive learning environment that enables students to fulfil their academic potential.

1.2 Westin College embraces diversity and respects students of all backgrounds and cultures. Westin College supports the principles of fair treatment, respect for all, integrity, and procedural fairness.

1.3 Westin College actively discourages behaviors and actions that are inconsistent with a safe, equitable and respectful environment. Breaches of this policy may result in disciplinary action or other appropriate penalties or sanctions.

## 2. Related Documents

- Cheating and Plagiarism Policy and Procedure
- Complaints and Appeals Policy and Procedure

## 3. Related Legislation

- National Vocational Education and Training Regulator Act 2011
- Education Services for Overseas Students (ESOS) Act 2000.

## 4. Scope

This policy applies to all students enrolled in all courses at Westin College. It applies to all premises and wherever Westin College students are participating in learning or representing Westin College e.g., excursions, field trips, professional placement or when traveling to and from the Westin College either by personal or public transport.

## 5. Responsibility

The Supervisor, Student Services, is responsible for managing the Student Code of Conduct.

## 6. Definitions

Academic Misconduct	Academic misconduct occurs when a student fails to comply with the principles relating to academic integrity in this policy, and intentionally seek an advantage for themselves or another student by cheating in any form. Such breaches are dealt with under the Westin College Cheating and Plagiarism Policy and Procedure.
Bullying	Bullying is repeated verbal, physical, social, or psychological behavior that is harmful and involves the misuse of power by an individual or group towards one or more persons. Bullying can involve humiliation, domination, intimidation, victimization, and all forms of harassment including that based on sex, race, disability, homosexuality, or transgender.
Cyberbullying	refers to bullying through information and communication technologies and social media

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Discrimination	is when one person treats, or intends to treat, another person unfavorably because of a personal characteristic.
Expulsion	the permanent exclusion of a student from Westin College.
Harassment	is the unwelcome and unsolicited behavior or comments aimed at a person or group that makes that person or group feel offended, humiliated, or threatened
Misconduct	Academic and non-academic misconduct occurs when Westin College standards and codes of conduct are breached.
Non-academic misconduct	<p>Non-academic misconduct occurs when students breach other provisions of this policy and fail to act in a manner that upholds the standards of the Westin College community. Examples include, but are not limited to:</p> <ul style="list-style-type: none"> <li>a. breaching any Westin College policy.</li> <li>b. misuse of information or communication technologies</li> <li>c. misuse of, or damage to, any Westin College property, facilities equipment, or resources</li> <li>d. inappropriate, concerning, or threatening behavior</li> <li>e. carrying an offensive weapon.</li> <li>f. bringing or consuming prohibited drugs on Westin College premises.</li> <li>g. bringing or consuming alcohol on Westin College premises.</li> <li>h. damaging, misusing, stealing or using Westin College property without proper authority.</li> <li>i. hindering the use by others of Westin College facilities.</li> <li>j. entering Westin College premises or out-of-bounds areas without permission.</li> <li>k. causing a member of Westin College community to hold reasonable fear for their safety or physical or psychological wellbeing.</li> <li>l. failing to observe workplace health and safety procedures.</li> <li>m. failing to comply with a reasonable direction from an authorized person or staff member.</li> <li>n. obstructing a staff member from performance of his or her duties.</li> <li>o. failing to adhere to the requirements of external organizations while on work placement.</li> <li>p. engaging in fraudulent and corrupt conduct such as making false and misleading statements or providing false or unauthorized documentation.</li> <li>q. engaging in conduct that is likely to damage the reputation of Westin College or prejudice the good management and governance of Westin College</li> <li>r. making frivolous and unreasonable complaints under this policy.</li> </ul>
Procedural fairness	is a fair and proper procedure which is appropriate to the circumstances, where decisions are made without bias and are supported by evidence and communicated to all parties appropriately.
Restriction	a limit on access to premises or facilities and/or services for a defined period.

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Sexual Harassment	is unwanted, unwelcome sexual behavior or comments that makes a person feel offended, humiliated or threatened.
Suspension	the cancellation of a student's enrolment and the withdrawal for a specified period of time of the rights and privilege of a student. The student has the right to recommence their studies at the end of the suspension period (this may be dependent of meeting particular conditions as specified at the time of suspension)
Victimization	is to punish or threaten to punish someone because they have asserted their rights under equal opportunity law, made a complaint, helped someone else to make a complaint or refused to do something because it would be discrimination, sexual harassment or victimization.
Vilification	occurs when a person speaks or writes in an insulting, abusive or defamatory way about or to a person or group. It is commonly associated with the incitement of hatred towards others due to their race, religion, or beliefs

### 7. Policy Provisions

- 7.1 This policy is based on the principle that all members of the Westin College community gain benefit from:
- 7.1.1 acting honestly and with integrity and demonstrating mutual respect.
  - 7.1.2 the right to learn in an environment where disruptions and interruption of learning is discouraged and addressed.
  - 7.1.3 the right to be heard in an environment that is free of bias and unfair treatment.
  - 7.1.4 the proper use of and respect for Westin College facilities and resources
  - 7.1.5 the right to make a complaint without fear of any detrimental effect.
  - 7.1.6 prompt resolution of complaints according to the principles of procedural fairness (also see the Westin Colleges Complaint and Appeals Policy and Procedure).

### 7.2 Student expectations

- 7.2.1 All students at Westin College have the right to expect to be treated fairly, to study in a positive and safe learning environment that allows them to reach their full potential, and to have access to clear, consistent and timely information.

### 7.3 Fairness

- 7.3.1 Students can expect to:
- 7.3.1.1 be treated with courtesy and respect.
  - 7.3.1.2 learn in an environment free of discrimination, intimidation and harassment.
  - 7.3.1.3 have access to fair and transparent complaints and appeals procedures.
  - 7.3.1.4 have their rights respected including their right to privacy.
  - 7.3.1.5 be considered for admission on the basis of fair, consistent and transparent criteria.
  - 7.3.1.6 have opportunities to provide feedback on their experience at Westin College
  - 7.3.1.7 have opportunities to participate in the cultural life of the Westin College
  - 7.3.1.8 have freedom to voice alternative views in rational discussion and debate.

### 7.4 Learning environment

- 7.4.1 Students can expect to:

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- 7.4.1.1 learn in an effective learning environment that is free from unnecessary and unauthorized disruption and unruly behaviors and influences by others.
- 7.4.1.2 have access to a diverse range of high-quality learning experiences.
- 7.4.1.3 have access to materials, equipment, and resources to complete given tasks.
- 7.4.1.4 have access to counselling, advisory and academic and personal support services.
- 7.4.1.5 receive guidance, instruction, and support from qualified staff.
- 7.4.1.6 study in a safe, productive, and stimulating academic environment

### 7.5 Timely and accurate information

#### 7.5.1 Students can expect to:

- 7.5.1.1 receive complete, clear, and accurate information in relation to content, objectives, workload, timetable, costs and assessment of subjects.
- 7.5.1.2 receive timely and constructive feedback on assessment tasks.
- 7.5.1.3 have access to a clear statement of acceptable academic conduct by students.
- 7.5.1.4 have access to a clear statement of acceptable non-academic conduct by students.
- 7.5.1.5 have access to clearly stated policies and procedures.
- 7.5.1.6 have reasonable access to records held about them.

### 7.6 Honesty and integrity

#### 7.6.1 Students are expected to:

- 7.6.1.1 carry out their studies with honesty and integrity and not engage in academic misconduct (also see the Westin College Cheating and Plagiarism policy)
- 7.6.1.2 inform themselves of and comply with Westin College policies and procedures.
- 7.6.1.3 comply with all laws of the Commonwealth and relevant State legislation.
- 7.6.1.4 participate fully in the learning process, attending classes and submitting assessments.
- 7.6.1.5 read and respond to all official Westin College communications in a timely manner.

### 7.7 Courtesy and respect

#### 7.7.1 Students are expected to:

- 7.7.1.1 treat all members of the Westin College community with courtesy and respect.
- 7.7.1.2 refrain from all behaviors that disrupt others in the pursuit of their work or study.
- 7.7.1.3 adhere to your Trainer and Assessors instructions.
- 7.7.1.4 refrain from conduct that may be detrimental to the reputation of Westin College
- 7.7.1.5 contribute to the orderly and safe functioning of Westin College
- 7.7.1.6 respect the opinions of others and their right to express religious or political views.
- 7.7.1.7 refrain from behavior that could reasonably be considered offensive to others.
- 7.7.1.8 refrain from using mobile telephones during all classes ensure that they are kept out of sight.
- 7.7.1.9 be punctual in arriving to all classes.
- 7.7.1.10 be well-prepared for each class – ensuring that all required equipment is brought to class including textbooks/e-texts, pens, rulers, etc.
- 7.7.1.11 demonstrate respect for all neighboring properties and their tenants.
- 7.7.1.12 demonstrate sustainable practice in regard to water, paper, waste, electricity, etc.
- 7.7.1.13 ensure that all waste is placed in the appropriate rubbish bins.
- 7.7.1.14 ensure that classrooms, kitchen, common rooms, etc. are neat and tidy before leaving.

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7.7.1.15 refrain from loitering, smoking, eating, etc. in front of the Westin College building or neighboring buildings.

### 7.8 Appropriate use of Westin College resources and facilities

7.8.1 Students are expected to:

7.8.1.1 demonstrate respect for, and care of, all Westin College property, facilities, equipment and resources.

7.8.1.2 not willfully damage or remove property belonging to Westin College or members of the Westin College community.

7.8.1.3 use Westin College resources in a manner that is considerate to others (including fair use of equipment)

7.8.1.4 use Westin College resources for Westin College purposes only

7.8.1.5 not attempt to repair, adjust or otherwise interfere with Westin College computers and/or other electronic equipment (including disconnection of any power source)

7.8.1.6 limit the consumption of food and drinks to the student kitchen/common room areas

7.8.1.7 consume liquids (tea, coffee, soup) in kitchen areas only.

7.8.1.8 refrain from bringing food/drinks into any classroom.

7.8.1.9 not participate in any learning activity while under the influence of alcohol or other drugs.

7.8.1.10 not use, possess or supply any prohibited drug, substance or weapon on Westin College's premises or while participating in learning activities or representing Westin College in social or cultural activities.

7.8.1.11 not engage in fraudulent or corrupt conduct.

7.8.1.12 safeguard their own wellbeing by observing all workplace health and safety procedures.

7.8.1.13 obey all reasonable instructions by Westin College staff.

### 7.9 Fair treatment

7.9.1 All members of the Westin College community are prohibited from engaging in the following behaviors whilst on Westin College premises or undertaking Westin College activities, regardless of the location of the activities:

7.9.1.1 bullying or vilification

7.9.1.2 harassment (including sexual harassment)

7.9.1.3 racial vilification or racist behavior

7.9.1.4 discrimination based on personal characteristics such as age, gender, relationship status, pregnancy, sexuality, or race.

7.9.1.5 discrimination on the grounds of disability or medical condition

7.9.1.6 discrimination on the grounds of religion or political opinion

7.9.1.7 victimization of any member of the Westin College community who makes a complaint under the Westin College Complaints and Appeals Policy and Procedure.

7. 10 For the purposes of this policy, harassment and bullying do not include:

7.10.1 reasonable direction from a staff member

7.10.2. fair application of appropriate teaching, including guidance and assessment feedback

7.10.3. implementation, with procedural fairness, of academic or non-academic misconduct procedures

## 8. Policy Information

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## Student Code of Conduct Policy and Procedure

Authorised Officer	PEO
Supporting documents, procedures & forms of this policy	Cheating and Plagiarism Policy and Procedure Complaints and Appeals Policy and Procedure
Related Legislation and Codes of Practice	National Vocational Education and Training Regulator Act 2011 Education Services for Overseas Students (ESOS) Act 2000.
Audience	Public

### 9. Procedure

9.1 Allegations of misconduct Any student, employee or other member of the Westin College community who wishes to report an allegation of misconduct against a student may do so in writing by use of the Complaints and Appeals Policy.

9.2 Written allegations from external people or organizations will also be considered. When the allegations relate to the conduct of a student while participating in activities associated with their study, including activities outside Westin College and professional placements.

9.3 The trainer/assessor or training coordinator may initiate action against a student without a report from a third party, or, if deemed sufficiently serious, refer an allegation in directly to the PEO for determination.

#### 9.4 First offence and/ or minor breaches

9.4.1 Where the Academic Manager considers that the nature of the allegation is such that, if proven, it can be

appropriately dealt with without imposing a penalty for significant misconduct as described in this policy,

they may determine that the allegation should be investigated and dealt with under a local review and

resolution process.

9.4.2 Any student facing allegations of misconduct will be provided with the specific information about the allegations/complaints (although not necessarily be shown a complaint verbatim) and be provided with an opportunity to respond and/or provide evidence on the matter under the Westin College Complaints and Appeals Policy and Procedure.

9.4.3 After investigating, the trainer/assessor or training coordinator may make one of the following determinations:

9.4.3.1 that no further action is required.

9.4.3.2 that the student is directed to cease the actions which are subject to the allegation.

9.4.3.4 that the student is directed to provide a formal apology to the aggrieved party.

9.4.3.5 that the student provides an undertaking in writing not to repeat the misconduct, or

9.4.3.6 that the student be given a written warning.

9.4.4 The student will be advised in writing of the determination and the reasons for reaching the determination.

9.4.5 The trainer/assessor or training coordinator may refer an allegation to the PEO at any time during the investigation if it becomes clear that the allegation is too serious or complex to be dealt with at the local level.



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### 9.5 Repeated offence and/or significant breaches

9.5.1 Any student facing allegations of misconduct will be provided with the specific information about the allegations (although not necessarily be shown a complaint verbatim) and be provided with an opportunity to respond and/or provide evidence on the matter.

9.5.2 After investigation, the trainer/assessor or training coordinator will liaise with the PEO, Westin College and may make one of the following determinations:

9.5.2.1 that no further action is required.

9.5.2.2 that the student is directed to cease actions which are subject to the allegation.

9.5.2.3 that the student is directed to provide a formal apology to the aggrieved party.

9.5.2.4 that the student provides an undertaking in writing not to repeat the misconduct.

9.5.2.5 that the student be given a written warning.

9.5.2.6 that the student pay restitution to the value of repair/replacement costs for property damaged or stolen.

9.5.2.7 cancellation of a prize, scholarship or bursary awarded by Westin College

9.5.2.8 that the student's grade or outcome be adjusted to a failure or Not Yet Competent (were the misconduct involved a form of academic misconduct relating to the subject i.e., cheating or plagiarism)

**Note:** this may result in non-conferral of an academic award or the revocation of a conferred award  
9.5.2.9 that the student be restricted

9.5.2.9.1 from all, or a specified portion of, Westin College premises for a defined period, and/or

9.5.2.9.2 from use of any Westin College facility or service for a defined period

9.5.2.10 that the student's enrolment be suspended for a defined period.

**Note:** the student has the right to recommence their studies at the end of the suspension, but this may be

dependent on meeting conditions specified at the time of suspension.

9.5.2.11 That the student be expelled from Westin College

**Note:** this is a permanent exclusion with no right to be re-admitted to any Westin College course

### 9.6 In determining the penalties the trainer/assessor or training coordinator will consider:

9.6.1 the nature and seriousness of the misconduct

9.6.2 the student's previous record of misconduct and the penalties imposed.

9.6.3 whether there are any mitigating circumstances.

9.6.4 whether the student admits the misconduct and has expressed remorse.

9.6.5 the potential impact on the student, including their capacity to complete their course.

9.6.6 the potential impact on any other students or staff members involved.

## 10. Revision History

Creation/ Revision Date	Comment	Created/ Revised By
Feb 2021	Policy and Procedure created	CEO
June 2022	Updated logo, business name, footer. Changed CEO to PEO in 8 and 9.6, changed academic manager to trainer/assessor or training coordinator.	PEO
April 2023	Updated Header and Footer	SSO
June 2023	Reviewed, Updated Header and Footer	PEO



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