

STUDENT CODE OF CONDUCT POLICY

PURPOSE

Student life at Eightfold Institute of Australia (hereafter known as Eightfold Institute or the Institute) should be a rich and positive experience centred on engagement within academic and vocational areas of development. The aim of this policy is to foster Eightfold Institute values, promoting a duty of care to students and staff and ensure a fair, safe and respectful learning environment for students and staff at Eightfold Institute.

This policy communicates the expectation of behaviour standards for students while enrolled with Eightfold Institute and how the Institute will deal with any breaches of the Student Code of Conduct.

SCOPE

Applies to all students that have interactions with staff, other students and the wider community engaging in training, assessment and administration activities of the Institute including:

- Correspondence by phone, email, text message, online forums and live chats.
- Classroom based training.
- Placements where the student is engaging with placement providers, employers, clients and the general community.

Encompasses policy principles, categories of misconduct and consequences/penalties of misconduct.

POLICY STATEMENT

1. POLICY PRINCIPLES

- 1.1** As members of the Eightfold Institute community; students must conduct themselves in a manner consistent with the expectations communicated within the Student Handbook, as well as legal and ethical requirements outlined in this policy. These standards of behaviour foster a safe and respectful learning environment for all students, and a safe working environment for staff.
- 1.2** The following stated values underpin every interaction we have with our student community. All members of the Eightfold Institute are expected to value:
Behaviour. We value ethical behaviour, demonstrated by openness, honesty and integrity in all our dealings. This includes requirements for students to:

- Abide by ethical standards communicated in policies and procedures or where a reasonable request is made verbally by an Eightfold Institute representative.
- Conduct themselves lawfully.
- Submit their own work.
- Consider the welfare of others and the property of the Eightfold Institute.

Responsibility. We take responsibility for our actions and stand by our promises to each other, to our students and to our organisation. Students are required to take responsibility for:

- Reading and acknowledging the terms and conditions of their enrolment including their rights as a student.
- Complying with the Eightfold Institute's policies, Student Handbook and induction information provided as part of their enrolment.
- Take responsibility for their own learning and progress towards fulfilling course requirements.
- Abide by the Code of Conduct principles.
- Raise any concerns or breaches to the Student Code of Conduct with an Eightfold Institute representative as soon as practical.

Respect. We respect ourselves, our organisation, and our students.

- Respect the privacy and confidentiality of other students and the Institute.
- Respect the learning and participation of other students in Institute activities.
- Respect the Institute or other's property.
- We expect students to also show respect and value diversity and tolerance and avoid any discrimination, harassment or bullying outlined below in section [2](#).

Caring. We value caring for our students, our staff and the wider community in a holistic and sustainable way.

Quality. We value quality, embracing uncompromising standards in service provision.

Flexibility and Innovation. We value flexibility and innovation, encouraging original solutions and flexibility in our approach to education provision.

Learning for Life: We value life-long learning. We encourage the ongoing pursuit of knowledge and skills in our students as well as our staff through professional development opportunities.

- 1.3** If a student fails to meet these standards of behaviour, this is deemed as misconduct, and the student will be subject to the consequences in accordance with the misdemeanour (refer to [3](#)). Disciplinary action under the Student Code of Conduct Policy will be taken in accordance with the following principles:

- Breaches of the Code of Conduct will be dealt with in a fair and just manner, consistent with the Institute's policies and definition of [Minor](#) and [Major](#) misconduct.
- The student will be informed of the allegation with justification and/or supporting evidence and given the right to respond to any allegations by the Institute.
- Information related to the misconduct will be recorded on the Quality Notification Register and Student Management System. Staff members involved with the misconduct will not discuss aspects of the issue with other staff members unless they need to be involved. The Institute will ensure that the details of the misconduct remain confidential within the company unless the matter is referred to third parties such as a federal or state department or relates to fraudulent activity or the falsifying of documentation where the Institute considers it necessary to refer the issue to the Police.
- The student may be represented by a support person or representative to advocate on their behalf.
- Penalties imposed for substantial misconduct will be appropriate, proportionate and consistent.
- Decision making on misconduct will be delegated to the appropriate level of management within Eightfold Institute.

2. CATEGORIES OF STUDENT MISCONDUCT

BEHAVIOURAL MISCONDUCT.

2.1 Although the general principle of acting with courtesy, fairness and equity applies at all times, members of the Institute are specifically prohibited from engaging in any of the unlawful behaviour listed below while on an Eightfold Institute campus or engaging in Institute activities. Student misconduct while enrolled at Eightfold Institute refers to any action or behaviour that could be reasonably considered as offensive, intimidating or threatening including but not confined to:

- [Unlawful Discrimination](#) on the grounds of age, sex, marital status, pregnancy, sexuality or race, disability, or medical condition, family responsibilities.
- Discrimination on the grounds of religion, political opinion, criminal record or trade union activity.
- [Harassment](#).
- [Sexual Harassment](#) including sexist remarks.
- [Bullying](#) and intimidation.
- Racial remarks and racist behaviour.

- Swearing, offensive or discriminatory language including but not limited to comments of this nature posted online, on social media platforms associated with the Institute, and on clothing worn when participating in Institute activities.
- Sharing of inappropriate material that is offensive, discriminatory or pornographic in nature.
- Endangering the safety of student(s), staff and or others through physical assault, threatening behaviour or negligence.
- Encouraging others to engage in misconduct that is in breach of the above or attempts to damage the Eightfold Institute reputation and brand.

2.2 Other grounds for behavioural misconduct include:

- Misuse of Eightfold Institute property or property owned by others associated with the Institute.
- Breaching any federal or state law.
- Being under the influence of drugs (prescribed or illegal) or alcohol.
- Falsifying documents such as medical certificates to fraudulently claim remission of tuition fees incurred or apply for extensions and/or other benefits offered by the Institute in good faith.
- Omitting or failing to disclose information at pre-enrolment such as previous study or entitlements that impact on funding and loan eligibility.
- Disrupting the learning and assessment activities for other students enrolled in the Institute.
- Not participating or engaging in learning in a manner that demonstrates the Institute values of respect and taking responsibility for own actions.
- Inciting other students to be in conflict with the Institute and breach any of the Institute policies.
- Attempting to access confidential information maintained by the Institute such as hacking into systems; using other student's access codes and passwords.

ASSESSMENT MISCONDUCT.

2.3 Students must complete and submit a declaration asserting that all work submitted for assessment is their own work and must reference external sources of material for work that is not their own.

2.4 [Assessment misconduct](#) includes [plagiarism](#), cheating (assessment tasks completed or copied by an individual other than the student) and falsifying records including third-party evidence that is submitted to the Institute for an assessment decision.

3. CONSEQUENCES OF MISCONDUCT

- 3.1 Breaches in relation to behavioural and academic misconduct are to be handled in accordance with the Student Code of Conduct Procedure. Dependent on the severity of the breach ([Minor](#) or [Major](#)), Eightfold Institute may take actions to:
- Inform the student of the breach of misconduct and coach/counsel the student, where appropriate, referring to the Student Handbook and policies communicated at enrolment that the student agreed to.
 - Provide the student with steps to correct the behaviour including verbal and written warnings to the student explaining the consequences of continued non-conformance with the Policy.
 - Suspend or cancel a student's enrolment. (Refer to the Cancellation and Variation Policy).
 - Prohibit a student from any future enrolments with the Institute.
- 3.2 Discontinuation of any complaint, grievance, appeal and special circumstances application that may have been lodged by the student. (Refer to Complaints, Grievances and Appeals Policy)
- 3.3 Any misconduct that is of a serious nature, i.e., a threat or safety issue, may result in suspension or cancellation of enrolment immediately without prior steps taken, on approval by Management.
- 3.4 Academic misconduct that is systematic and where the student continues to plagiarise, cheat or falsify will have their enrolment cancelled with no refund and will be invoiced for any unpaid course fees.
- 3.5 Should the student choose to escalate to a third party, Eightfold Institute would be obligated to disclose evidence of the misconduct.
- 3.6 Breaches of privacy must be dealt with according to the Privacy Policy.

4. REPORTING MISCONDUCT

- 4.1 Eightfold Institute supports the right of any student or employee to make a complaint under this policy without suffering any victimisation, harassment, recrimination or detriment.
- 4.2 Students that suspect misconduct should raise this with an Institute employee in the first instance, except during vocational placement where they should report this to their placement supervisor.
- 4.3 Eightfold Institute employees are to follow the processes for handling misconduct outlined in the Student Code of Conduct Procedure.
- 4.4 Major or repeated cases of misconduct that have not been resolved require reporting to info@eightfold.edu.au to lodge on the Quality Notification Register for

investigation. The information sent should include specifics of the misconduct including:

- Date, time and place of the event(s).
- The person(s) involved or witnesses.
- Background information on the misconduct(s).
- Supporting evidence.
- Any steps or actions to resolve the issue.

- 4.5 The student will be suspended from training and assessment activities while the internal review of the misconduct takes place; the student will be provided with a Course Suspension Letter allowing the student ten (10) business days to respond.
- 4.6 If the misconduct is substantiated, the Institute will decide on the appropriate disciplinary action and penalties outlined in the Student Code of Conduct Procedure.
- 4.7 The student may lodge an appeal if they disagree with this decision unless the misconduct is as a result of breaching criminal law (i.e. supplying falsified documents). Refer to the Complaints, Grievances and Appeals Policy.

5. COMMUNICATION, TRAINING AND RECORDKEEPING

- 5.1 *For internal use only* - refer to the Communication, Training and Recordkeeping Procedure.

6. REFERENCES/SUPPORTING DOCUMENTS/DEFINITIONS

- 6.1 A list of applicable legislation is detailed within the *legislation tab* in the Quality Management Register.
- 6.2 Student Handbook.
- 6.3 Access and Equity Policy.
- 6.4 Student Code of Conduct Procedure.
- 6.5 Privacy Policy.
- 6.6 Complaints, Grievances and Appeals Policy.
- 6.7 Cancellations and Variations Policy.
- 6.8 **Unlawful behaviour.** Behaviour or participation in an activity that breaches or violates criminal or civil law.
- 6.9 **Unlawful discrimination.** Unjust or prejudiced treatment of different categories of people based on but not limited to, their nationality, age, sex, education level or social status, disability, religion, political views. Discrimination occurs when a person or a group of people is treated less favourably than another person or group because of their background of certain personal characteristics. Federal discrimination laws protect people from discrimination on the basis of their:

- Race, including colour, national or ethnic origin or immigrant status.
- Sex. Pregnancy or marital status and breastfeeding.
- Age.
- Disability.
- Sexual orientation, gender identity and intersex status.

6.10 Ethics. The standards relating to accepted codes of conduct and behaviour.

6.11 Harassment. Harassment is defined as any behaviour that offends, humiliates or intimidates a person and is dealt with under anti-discrimination laws in Australia. Sexual harassment refers to unwanted or unwelcome sexual behaviour that may cause a person to feel offended, humiliated or intimidated. It is not consensual or mutual and can be obvious or indirect, physical or verbal, repeated or one-off incident. Harassment can include behaviour such as:

- Telling insulting jokes and particular racial groups.
- Sending explicit or sexually emails or text messages.
- Displaying racially offensive or pornographic posters of screen saves.
- Making derogatory comments or taunts about a person's disability.

6.12 Sexual harassment may include:

- Staring or leering.
- Unnecessary familiarity such as deliberately brushing against you or unwelcome touching.
- Suggestive comments or jokes.
- Insults or taunts of a sexual nature.
- Intrusive questions or statements about your private life.
- Displaying posters, magazines or screen savers of a sexual nature.
- Sending sexually explicit emails or text messages.
- Inappropriate advances on social networking sites.
- Accessing sexually explicit internet sites.
- Requests for sex or repeated unwanted requires to go out on dates.
- Behaviour that may also be considered to be an offence under criminal law, such as physical assault, indecent exposure, sexual assault, stalking or obscene communications.

6.13 Bullying is when people repeatedly and intentionally use words or actions against someone, or a group of people, to cause distress and risk to their well- being. These actions are usually done by people who have more influence or power over someone else, or who want to make someone else feel less powerful or helpless. Bullying is not the same as a conflict between people (like having a fight) or disliking someone, even

though people may bully each other because of conflict or dislike. Repetitive behaviour that can be considered bullying includes:

- Keeping someone out of a group (online or offline).
- Psychological harassment.
- Intimidation.
- Acting in an unpleasant way near or towards someone.
- Giving nasty looks, making rude gestures, calling names, being rude and impolite and constantly negative teasing.
- Spreading rumours or lies, or misrepresenting someone.
- Mucking about that goes too far.
- Harassing someone based on their race, sex, religion, gender or disability.
- Intentionally and repeatedly hurting someone physically.
- Intentionally stalking someone.
- Taking advantage of any power over someone else.

Definitions referenced are sourced from the [Australian Human Rights Commission website](#).

- 6.14 Plagiarism** is the act of using another person’s written work or ideas and passing them off as one’s own. This can include documents published or found online, designs and computer codes.
- 6.15 Minor Misconduct.** A student has not abided by the principles of the Code of Conduct Policy and terms and conditions of their enrolment, however, has not committed a criminal act or posed a safety threat to others. Examples may include, not taking responsibility for their own learning, poor attitude, unexplained absences, falling asleep in class, not submitting assessments within agreed timeframes.
- 6.16 Major misconduct.** A student has committed a criminal act and/or posed a safety, security, privacy threat to others whether it is intentional or through negligence. Repeated breaches of minor misconduct following warnings (verbal or written) will be escalated to the Major misconduct category.
- 6.17 Assessment Misconduct.** Determining whether assessment misconduct is minor or major will require consideration of the extent, level, knowledge of misconduct that has occurred. For example, if a student has inadequately or mistakenly referenced sourced information or has reworded an answer too similar to the original piece of work, this would be considered a minor misdemeanour. A student that has knowingly plagiarised on repeated occasions throughout an assessment and continues to plagiarise following an initial warning is categorised as “major”, and disciplinary action will be appropriate to this level of misconduct.