POLICY RES 001 – RESIDENT CONDUCT POLICY

St Albert's College

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Drafted by	Michael Holland	Approved by Board on	20 Aug 2023
Responsible person	Principal	Scheduled review date	Aug 2026
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1. Introduction

St. Albert's College aspires to offer all its students the best educational experience that it can, in a safe environment where all members of the community can flourish and in line with the College's values as a Catholic college within but independent of the University of New England.

The values of the College, which it is committed to uphold, are that its residents serve with compassion, act with integrity, show respect for all, live with faith, engage with courage and, participate actively in the life of the community.

To this end, and to protect the rights of the College, its residents and other stakeholders, the College expects all residents to behave always in ways that best exemplify the College's values.

2. Purpose

The purpose of this policy is to outline the standards of personal behaviour expected of all residents, the roles and responsibilities of the residents, student leaders and College personnel, and the processes that are to be followed in relation to instances and allegations of misconduct.

3. Policy

3.1 The College expects and requires that its residents and their visitors will behave always in a manner that best exemplifies the values of the College, and in particular:

(a) act with honesty and integrity, and ethically;

(b) treat all residents, staff and others with dignity and respect;

(c) abide by all laws and regulations;

(d) abide by College and UNE policies, procedures and guidelines; and

(e) ensure that behaviour does not bring the College into disrepute.

3.2 Residents must not engage in behaviour that amounts to misconduct (including serious misconduct). This includes where residents are on

College grounds or off, attending a College related event or function, or any time when a resident is identifiable as a resident of St Albert's College.

While St Albert's College has its own set of expectations, its approach to the management of resident conduct is aligned with the following University of New England policies and procedures ('the UNE policies'):

University of New England (UNE) Residential College Code of Conduct

UNE Student Behavioural and Misconduct Rules

UNE Sexual Harm and Harassment Prevention and Response Policy

UNE Student Alcohol and Other Drug Policy

3.3 For the purpose of this policy, 'misconduct' includes any infringement of the behavioural expectations set out in this policy. It also includes the behaviours referred to in the UNE Residential College Code of Conduct ('the UNE Code') as Level 1 behaviours. 'Serious misconduct' includes but is not limited to the behaviours referred to in the Une Code as Level 2 behaviours.

3.4 In the event of any inconsistency between the provisions of this policy and the provisions of any UNE policy, the provisions of this policy shall apply.

3.5 This policy should also be read in conjunction with the College's Accommodation Agreement and any other College policy relating to conduct.

3.6 Responsibilities

The **College Principal and Deputy Principal** are responsible for ensuring that:

- the processes outlined in this policy are followed in relation to all instances and allegations of resident misconduct;
- residents the subject of any investigation for misconduct are afforded procedural fairness; and
- confidentiality is maintained to the greatest extent possible in respect of any such investigation.

Student Leaders are responsible for ensuring that:

- where appropriate, they try to informally resolve any instances or allegations of resident misconduct with the resident(s) involved in first instance (in consultation with the Deputy Principal);
- all instances or allegations of misconduct are reported to the Deputy Principal; and
- all necessary assistance is provided to the Deputy Principal or any other person investigating an instance or allegation of misconduct.

Residents are responsible for ensuring that they:

- meet the behavioural expectations set out in this policy and the UNE policies;
- comply with the procedures outlined in this policy; and
- report any instances or allegations of misconduct to the relevant Student Leader, or the Deputy Principal, as appropriate.

3.7 Processes

The College is committed to responding to complaints sensitively, fairly, expeditiously and confidentially while following the principles of procedural fairness.

Whilst St Albert's College works within the guidelines outlined in the UNE policies, the College has adopted its own process for investigation of instances or allegations of misconduct, the imposition of penalties in respect of misconduct and the conduct of appeals in respect of penalties. Consequently, the provisions of Sections 5 and 6 of the UNE Code do not bind the College. The exception to this is sexual misconduct (including Sexual Harassment and Sexual Assault as those terms are defined in the UNE policies), allegations of which will be referred to the UNE Student Grievance Unit to be dealt with in accordance with the Student Grievance Unit's relevant policies and procedures, or the UNE's Student Behavioural Misconduct Rules, as the case may be.

3.7.1 The College encourages and educates its residents to be active bystanders who take appropriate action to stop or prevent misconduct which they witness or suspect, and expects them to report any instance of misconduct to the relevant Student Leader or the Deputy Principal.

3.7.2 Where misconduct is reported to a Student Leader in the first instance, that Leader shall, if considered appropriate having regard to the gravity of the conduct complained of, endeavour to resolve the matter informally in consultation with the Deputy Principal.

3.7.2 The Deputy Principal shall investigate any complaint considered inappropriate, having regard to the gravity of the conduct complained, to be dealt with informally by a Student Leader.

3.7.2 In considering any complaint the Deputy Principal seek such further information from the complainant or any other person as the Deputy Principal shall consider appropriate and must provide the resident against whom the complaint is made details of the conduct complained of and the opportunity to be heard in relation that complaint.

- The Deputy Principal shall deal with the complaint on its own merits and must take into account any mitigating circumstances.
- Any meeting between the Deputy Principal and the resident the subject of the complaint must be attended by at least one other person, nominated by the Deputy Principal, to act as note taker.
- The resident the subject of the complaint may be accompanied by one support person.
- The Deputy Principal may consult with any Student Leader in relation to the complaint or any penalty proposed.
- Where the Deputy Principal considers that the immediate physical or emotional safety and well-being of the resident involved, or any other resident of the College, is at risk or resident involved poses an immediate threat of disruption of, or interference with, the safe and orderly operations of the College, the Deputy Principal may recommend an emergency exclusion of the resident involved. An emergency exclusion is to be regarded as temporary, until the complaint is investigated and determined.

3.7.3 The penalty for misconduct found to have occurred may be:

- a caution or reprimand.
- the imposition of penalty points. In this regard the College will be guided but not bound by the penalty points specified for particular behaviours as set out in the UNE Code;
- suspension from the College; or
- expulsion from the College.

3.7.4 At the conclusion of the investigation the Deputy Principal shall make a recommendation to the Principal as to the penalty to be imposed in respect of the misconduct. The Principal may endorse that recommendation or in his discretion depart from it, and shall promptly notify the resident in writing of the determination.

3.7.5 Where the resident concerned considers that:

(a) an investigation of misconduct was not conducted fairly; or
(b) a determination was based on insufficient or inappropriate evidence; or
(c) the penalty imposed was inappropriate;

the resident may appeal by notice in writing to the People and Culture Committee of the College Board within five (5) days of receipt of notice of the Principal's determination. Any penalty imposed shall be suspended until the appeal is determined.

3.7.6 Previously unconsidered material may be presented only at the discretion of the People and Culture Committee . The resident shall be advised in writing of:

(a) the date, time and place for an appeal interview which will, where possible, be within ten (10) working days of receipt of the appeal;
(b) The right to be accompanied by a support person; and
(c) The right to provide a written submission or to participate in a telephone conference instead of attending an appeal interview. Written submissions must be received no later than one day prior to the date of the appeal interview.

3.7.7 After the appeal the resident will be advised in writing of the outcome of the appeal. Such appeal outcome shall be final and no further right of appeal to any person or body (including any officer or body of the UNE) shall apply. The People and Culture Committee shall not be required to provide any reasons for its determination.

St Albert's College Behavioural Expectations:

1 Respect

1.1 It is expected that all members of our college community will respect the rights of others, both students of the college and its employees.

This also includes the members of other colleges and residential dwellings within the vicinity of St Albert's.

1.2 This level of respect will ensure that they too feel safe and supported in an environment free from harassment or intimidation in all circumstances.

1.3 Participation in any act of hazing arising from initiation, affiliation or membership is not permitted at the College. This includes acts of hierarchy and ordering.

1.4 Bullying, harassment or discrimination of any kind of or against another person will not be tolerated.

2 Confidentiality

2.1 It is expected that **residents** will always provide information that is accurate and true and that they do not divulge any confidential information relating to the College or any of its residents or other stakeholders.

3 Academic Accountability

3.1 In line with UNE's academic policy it is expected that residents will maintain a pass average (GPA of 4.0) each trimester of study.

3.2 Additional support structures will be offered to residents in unique and difficult academic situations.

3.3 It is the responsibility of the individual to take up these support structures and/or seek a meeting with the Deputy Principal or Dean of Students to discuss any additional support that may be required.

3.4 For further information pertaining to their learning journeys at St Albert's College, including their rights and obligations, all residents should familiarise themselves with the College's Academic Policy and Procedures.

4 Reputational Risk

4.1 It is expected that no member of the College will commit any actions or make any comments that could cause reputational damage for the College including being involved with the production of any offensive material, including materials that may have reference to the College, its floors, blocks, clubs, associations or employees.

5 Intellectual Property

5.1 No member of the College community is permitted to produce any material using the College's name or logos without prior permission from the College Principal

6 Information Technology

6.1 It is expected that residents not use any communication tool in a manner that is **un**ethical, **un**lawful, **in**effective **or in**efficient. This includes any unauthorised usage of College or individual devices including the misuse of social media.

7 Prohibited Items

7.1 It is expected that no firearms, ammunition, explosives, other weapons, or chemicals will be brought onto College grounds.

7.2 Non-prescription drugs and other dangerous or prohibited substances are not permitted on College grounds.

7.3 It is expected that no member of the College will misuse or offer other students any dangerous or prohibited substances, sprays or chemicals.

7.4 Any illegal usage of drugs will result in immediate removal from the College and reporting of the offence by College management to the relevant authorities.

8 College Infrastructure

8.1 All buildings and grounds within the College are to be treated with respect to ensure damage does not occur.

8.2 No litter of any kind is to be left behind after using any area of the College grounds or buildings.

8.3 Each **resident** is allocated a room that is effectively their home during their stay at College. The room is to be assessed at the commencement of each year and when the resident vacates the room. The inspection will note any damages or items missing from the room.

8.4 All items are to remain in the room throughout a resident's stay at the College. Damage apart from reasonable wear and tear, will be paid for by the occupant of the room.

8.5 Any damage should be reported to the College office.

8.6 Accidental damage to any College facilities will attract no other penalty than the replacement of the damaged property (including labour costs).

8.7 It is expected that residents will not gain entry into another resident's room without their permission including using a student leader's keys without the approval of the Principal or Deputy Principal to gain entry to a resident's room.

8.8 If a resident causes a fire alarm to be activated by carelessness they are responsible for paying the Fire Brigade call-out fee.

9 Vandalism

9.1 Any vandalism or intentional damage to College facilities is considered a serious offence against the College and will result in a 'show cause' to remain at College

9.2 All damage will be paid for by those responsible in addition to an administration and/or cleaning fee. Residents will be billed to their college account for any damage caused.

9.3 If the person responsible for damage to College property is not identified, the replacement of the damaged property will be charged to either the students of a floor or block or the Junior Common Room - which reduces their capacity to buy new facilities for resident use.

10 Sexual Harassment

10.1 Any attempt to coerce an unwilling person into any form of sexual activity, or to subject a person to repeated unwanted sexual attention, or to punish a refusal to comply, constitutes sexual harassment and is considered serious misconduct. Students are encouraged to familiarise themselves with the UNE Sexual Harm and harassment Prevention and Response Policy so they are aware of their rights and obligations and where they may access support.

10.2 Any incident of sexist harassment which can result from sexist behaviour which is not necessarily of a sexual nature, but which arises from discrimination against women or men on the basis of sex is not tolerated at the College.

10.3 Any harassment on the basis of sexual preference which can result from verbal or physical conduct which arises from discrimination against individuals on the basis of sexual preference or imputed sexual preference is not tolerated at the College.

11 The Dining Hall

11.1 It is expected that all members of the College will act responsibly in the dining hall at all times respecting the rights of others and property. Furniture is not to be removed from the dining hall without the express permission of the Principal or Deputy Principal.

11.2 No ordering by a senior student will be tolerated at any time in all College spaces.

12 College Guests

12.1 All guests are the responsibility of their host at all times while on the College site or attendinga College function. It is the host's

responsibility to ensure the guest's behaviour is aligned with College values while they are in the College, this includes ensuring that a guest does not have an unpaid meal.

13 Noise

13.1 The time period for normal daily activities is 8:00am – 11:00pm. During this time the noise level should be such as to allow students in adjoining rooms to pursue their studies undisturbed by others.

13.2 Between the hours of 11:00pm – 8:00am it is expected that the College will be a quiet area. Therefore the use of laundry facilities or causing a disruption in or around the blocks or areas such as the fishbowl between these hours is prohibited.

13.3 On a few gala occasions, for example formal dinners and JCR functions, on which the College as a whole celebrates, higher than normal levels of noise are tolerated.

13.4 Those seeking a quiet spot to study at these times should go to the University library.

13.5 Televisions, radios, other electronic equipment or musical instruments should not be audible outside the room where they are operated. This applies particularly to block common rooms.

13.6 It is expected that students will always comply with the directions of the **Student Leadership Team** in relation to noise levels.

14 Parties

14.1 A party is defined as any gathering of two or more people where the activities of those present result in other College **residents** being disturbed.

14.2 Study areas are not to be used for parties.

14.3 If activities are being undertaken in block common rooms, the doors should be closed and sound systems should be set at a level which cannot be heard outside the room. All activities must be closed down by 10:00pm.

14.4 **Residents** are encouraged to frequent the JCR or barbeque area for most social gatherings.

14.5 College-wide parties need to have the approval of the Principal or Deputy Principal and must involve completing an event form.

14.6 Parties have the follow requirements:

- the host is responsible for the behaviour of guests
- equipment from the kitchen or dining hall is not available for parties
- the party is to be closed down by 10:00pm
- after 10:00pm it is suggested that the party move to the JCR or off College grounds.

14.7 All first-year members of the College involved are requested to assist in the clean up after parties and social gatherings - the host is responsible for this clean up.

15 Exam Curfew

15.1 The fortnight prior to exams and during exam time is the designated curfew for the College. Except from 12:00pm – 2:00pm and 5:00pm – 7:00pm, there is to be a quiet, study-oriented atmosphere in the blocks.

15.2 It is expected that no member of the College will hold parties or drink on College grounds or cause a disruption in or around the blocks at any time.

16 Alcohol

16.1 It is expected that all members of the College community act responsibly with the usage of alcohol including not partaking in any activities that are not aligned with the values of the College or with societal norms.

16.2 Underage students will not attend any licensed events within the College.

16.3 Intoxication will not be considered a mitigating factor in relation to contrary conduct.

16.4 Games or activities that encourage rapid intoxication are prohibited by the College.

AUTHORISATION

[Signature of Board Secretary]
[Date of approval by the Board]
[Name of Organisation]