



# Student Code Of Conduct



## Code of Conduct

The Code of Conduct provides information about expected rules of behaviour.

## Staff Code of Behaviour

DSNSW conducts its business according to the highest standards of honesty, integrity, respect and fairness when dealing with all of our stakeholders, including clients, customers and employees. The DSNSW requires that our employees also meet these high standards.

DSNSW has obligations to comply with all federal, state and local government laws and regulations and we require all our employees to do the same.

The following Code of Conduct sets out the standards of behaviour that DSNSW believes should be met by all employees. Appropriate disciplinary action will be taken where these standards are not met. In cases where the breach involves serious misconduct, this may result in instant dismissal. In cases where a breach of the policy involves a breach of any law, then the relevant government authorities will be advised.

1. Staff members will act honestly, in good faith and in the best interests of the DSNSW.
2. Staff members understand that their primary responsibility is to the DSNSW.
3. Staff members will exercise due care and diligence in fulfilling their roles at the DSNSW.
4. Staff members will provide an appropriate and positive role model for stakeholders.
5. Staff members will promote a positive image of Deaf people and create awareness of Deafness in the community.
6. Staff members have an obligation to comply, at all times, with the spirit as well as the letter of the law.
7. Staff members will ensure they treat all employees, clients, students and visitors with courtesy and respect.
8. Staff members will not engage in harassing behaviour towards other employees or clients, students and visitors.
9. Staff members will ensure that their dealings with all staff members, clients, students and visitors are fair and equitable.
10. Staff members will not to discriminate against fellow staff members, clients, students and visitors on the basis of irrelevant characteristics such as age, disability (physical or intellectual), gender, marital status, pregnancy, race or sexual orientation.
11. Staff members will declare any conflict of interest between their role as an employee and their involvement with outside activities as they relate to their job.
12. Staff members will ensure they are aware of any organisational policies and procedures as set out in the policy manual and ensure they comply with them.
13. Staff members will not use drugs or alcohol on the premises or come to work while affected by either drugs or alcohol.
14. Staff members will not use the internet to access or send sexually explicit material.
15. Staff members will not use organisational information or work time for private gain.

16. Staff members will not reveal confidential client information to other service providers, clients or the media.
17. Staff members will ensure they have honest dealings with all stakeholders.
18. Staff members will not misappropriate organisational funds or property.
19. Staff members will not misappropriate funds or property of clients or students.
20. Staff members will ensure the highest quality and best practice service delivery to clients, students and visitors.
21. Staff members will not falsify reports.
22. Staff members will not breach copyright.
23. Staff members will ensure they acknowledge other people's work and ideas.
24. Staff members will ensure they always put safety first and do their utmost to comply with the organisational OH&S requirements.
25. Staff members will ensure they comply with all environmental laws and standards.
26. Staff members will deliver all DSNSW services in accordance with the Disability Service Providers Code of Practice as follows:
  - a. respect the individual needs and choices of the people who use the service and seek to model services around those needs and choices;
  - b. promote and support the informed decision-making and the self-determination of the people who use the service;
  - c. protect the dignity, privacy and confidentiality of individuals being supported, and disclose any limitations on its ability to guarantee full confidentiality;
  - d. adhere to policies and procedures to protect the people who use the service from abuse and to uphold their human rights;
  - e. take responsibility for ensuring competent and safe work practices;
  - f. exercise judgement within area of expertise and the limits of qualifications and where expertise is lacking, collaborate with other services and agencies, or seek advice, or make referrals;
  - g. regularly evaluate the effectiveness of services, measuring performance against objective service outcomes and consulting with the people who use the services and their families or carers;
  - h. offer efficient service delivery without compromising quality;
  - i. foster the inclusion of people with disabilities in the community;
  - j. fulfil commitments in good faith and in a timely manner;
  - k. act with honesty, integrity, and fairness;
  - l. respect the rights of individuals regardless of their race, creed, religion, sex, age, sexual orientation, national origin, or disability; and
  - m. ensure that services are delivered in a manner that is sensitive to cultural differences.

All employees are required to read and indicate that they understand and will abide by the DSNSW Code of Conduct when they commence work with the organisation.

## Management/senior staff code of conduct

In addition to complying with all of the above, Executive Directors/senior staff also have the responsibility to execute their managerial and supervisory duties with fairness. Executive Directors /senior staff will ensure that they:

1. Have a commitment to permanent self scrutiny and self awareness, and be prepared to take feed back in a positive and objective manner
2. Do not condone, permit or fail to report any breaches of the above codes by employees under their supervision.
3. Promote a team spirit amongst employees through their own behaviour.

4. Maintain confidentiality when conducting investigations into staff members' grievances.
5. Avoid bias in decision making.
6. Ensure organisational procedures are followed when counselling and disciplining staff members.
7. Disqualify themselves from decision making where they are unable to remain objective.
8. Never pressure a staff member to resign.
9. Keep staff members informed of issues of relevance to them or their position.
10. Exercise objectivity when administering acknowledgements or discipline.
11. Will not accept bribes, gifts or benefits.
12. Will not represent someone else's ideas as their own.

DSNSW also expects all stakeholders to treat employees with courtesy and respect.

## Student code of conduct

In addition to the above, the following Student Code of Conduct relates to behaviours that are not acceptable by students involved specifically in DEN courses.

The behaviours that are NOT acceptable are:

1. Plagiarism, cheating, copying other people's work.
2. Knowingly supplying false information:
  - a. to staff of DSNSW / DEN doing their official duties; or
  - b. to a Conduct Committee in the course of a disciplinary proceeding; or
  - c. knowingly causing false information to be supplied to DSNSW / DEN.
3. Ignoring a policy, standard of conduct, or code of ethics relevant to the student, and which has been adopted, published or otherwise made known to students participating in such activity.
4. Unauthorised representation of DSNSW, DEN or a member of DSNSW staff.
5. Changing or falsifying official records.
6. Refusal to identify properly oneself to a representative of DSNSW / DEN when they do their official duties.
7. Directly stopping a student or staff member of DSNSW / DEN in carrying out their official duties.
8. Physical assault.
9. Harassing or intimidating another person.
10. Giving or participating in false reports of fire or other dangerous conditions.
11. Unauthorised use or possession of explosive components, chemicals or items considered to be dangerous; such as fireworks, explosives, and gas or compressed air.
12. Violating of regulations concerning possession or misuse of firearms or other dangerous weapons.
13. Lewd or indecent behaviour.
14. Disturbance resulting in substantial disruption of authorised activities.
15. Drinking of alcohol during authorised classes.
16. Possessing, using, or selling illegal drugs or paraphernalia on premises used by DSNSW / DEN.
17. Violating DSNSW / DEN health and safety procedures.
18. Creating of a fire hazard or other dangerous condition.
19. Embarrassment, harassment and/or ridicule to any person.
20. Harassment or discrimination based on race, gender, ethno-religion, sexual orientation, age or disability.
21. Intentionally placing a person or persons in reasonable fear of imminent physical harm.

22. Sexual assault.
23. Conviction of any crime that threatens:
  - a. any educational process or legitimate function of DSNSW and/or DEN, or
  - b. the health or safety of any member of DSNSW staff
24. Conduct which threatens or endangers the health or safety of any individual.
25. The theft, unauthorised acquisition, removal, or misuse of equipment and resources, including computer files or data, e-mail, or other electronically stored information and/or service.
26. Misuse or destruction of library material or other DSNSW / DEN material.
27. Misuse, destruction, or defacement of DSNSW / DEN property and equipment as defined above or that of other people while located on DSNSW property or DEN classroom.
28. Trespassing or unauthorised presence on any DSNSW / DEN held or related property.
29. Tampering with or causing malfunction of fire and safety equipment or alarm systems or security systems.
30. Failure to comply with or attempts to circumvent a sanction(s) imposed by the Conduct Officer or Conduct Committee.
31. Interference with an investigation or other procedures defined in this Code.
32. Knowingly assisting in the violation of any of the provisions of this Code.
33. Soliciting for money.
34. Giving the security key-codes or information about access to DSNSW or DEN operated premises to others.

***Know what sort of behaviour is NOT acceptable.***

## Responsibilities of students

- follow the above Code of Conduct - those breaching the Code of Conduct may be subject to disciplinary action;
- respect others; including (but not limited to) teachers, interpreters, staff, other students and visitors;
- assist in making classrooms safe and discrimination free environments;
- keep premises and classrooms smoke, alcohol and drug free;
- keep premises and classrooms clean;
- follow reasonable direction set down by DSNSW/DEN; and
- commit to their studies; including (but not limited to) attending classes, completing assignments and studying outside class time, and using class time effectively.

## Student Complaint and Penalty Procedure

Below is information on the procedures for making a complaint about a student. For information on other complaint procedures see Section 4 in this Handbook.

How to Make a Student Complaint When Rules of Conduct Have Been Broken:

A client, student, staff member or member of general public may make a complaint about another client or student, if they feel the student has broken rules of conduct as set out in the *Student Code of Conduct* above.

The steps to make a complaint are:

1. A complaint can be made by seeking to talk with the relevant person (eg teacher, support teacher, volunteer or other member of DEN staff) and talk about the issue.
2. If the discussion with the other person does not work, then contact the Manager, Education and Employment or the Coordinator, Education or your Program Supervisor or a relevant member of DSNSW's management.

3. Write or explain what happened and giving it to the person from step 2 you discussed the issue with.
4. The complaint will be recorded, and passed on to the Conduct Officer – a person nominated from DSNSW's management team.
5. The Conduct Officer will then follow procedure set out in *Procedure for Handling a Complaint*.

## Procedure for Handling a Complaint

When a complaint has been made, the following steps will be taken:

1. On receiving a complaint, the Conduct Officer may gather more information.
2. The Conduct Officer may then notify the accused person in writing of:
  - a. the complaint,
  - b. the date(s) of alleged occurrence(s),
  - c. the behaviours which are alleged to have been not acceptable
  - d. the maximum possible penalty which may be given,
  - e. date of meeting to discuss the complaint, and
  - f. the person's rights of appeal.
3. This notice may be delivered personally, or by written letter to the accused person mailed to their last known address.
4. When a person is formally charged with breaching the *Conduct Code*, the Conduct Officer will notify the student that a meeting may be set up to resolve the complaint.

NOTE 1: Sign language Interpreters will be provided where necessary, and minutes will be taken at the meeting.

NOTE 2: The charged person may bring an advisor or support person to this meeting.

NOTE 3: A formal hearing (meeting) may be held with the Appeals Committee if the charged person breaches the terms of this meeting (eg. does not turn up). The Appeals Committee will be made up of three people: and Executive Director of DSNSW, one representative of DSNSW's Management Council and the Conduct Officer.

5. During the meeting the Conduct Officer may listen to and consider any relevant information. Efforts will be made to obtain the most reliable information available.
6. The Conduct Officer will make a decision:
  - a. Dismiss the case, or
  - b. Give appropriate penalties. Seven days written notice must be given to the person who has been charged. Penalties will not start if the student appeals to the Appeals Committee (see section 6 below).
  - c. Refer the matter to the Appeals Committee if the Conduct Officer cannot:
    - i. Determine if a behaviour has been shown to be unacceptable or
    - ii. Determine which penalty will be given
  - d. Counsel the charged person, recording a warning
  - e. In the case of an alleged sexual assault, inform the complainant of the outcome of the proceeding.
7. A charged person may be suspended from DEN\*, if in the judgment of the Conduct Officer, the charged person's continued presence, employment or use of privileges at DEN\* pending the outcome of the proceeding is likely to cause harm to the premises, staff, other students, other specified persons or groups.
8. The Conduct Officer will make a judgement on interim action based on the review of the alleged conduct. Ordinarily, the Conduct Officer will converse with the charged person when interim action is considered.
9. A person sanctioned under this section may seek review of that decision by requesting the Conduct Officer to reconsider the decision within 5 calendar days after the charged person has received notice of the interim action. The charged person may request that a formal Appeals Committee hearing be held as soon as practicable. The Appeals Committee will be made up of three people: Executive Director of DSNSW, one representative of DSNSW's Board of Directors and the Conduct Officer.

## Types of penalties

If the accused person is found to have been behaving in an unacceptable manner through:

- The person's own admittance or
- The Conduct Officer's determination or
- The Appeals Committee's determination,

then one or more of the following penalties may be placed on the accused person.

1. Official Censure or warning.
2. Probation - normally for no more than one academic year for students or one year from the date of the formal meeting for staff members and volunteers.
3. Suspension - separation from DEN\* premises for a stated period of time up to one year and/or until a stated condition has been met.
4. Dismissal - separation from DEN\* premises (persona non-gratia).
5. Payment of Money - up to the replacement value of the items damaged, stolen, removed or used without authority.
6. Such other action as the Appeals Committee or Conduct Officer within reason may deem appropriate.

## Appeals Committee Procedure

1. The accused person may appeal to the Appeals Committee any finding or action of the Conduct Officer. The outcome of this appeal may result in higher, lower, the same, or no sanction at all being imposed.
2. Such appeal will be submitted to the Conduct Officer in writing and will state the specific ground(s) for the appeal and shall request a review by the Appeals Committee. The Conduct Officer must receive this written appeal within seven calendar days after the student has received notice of the findings. The Conduct Officer will promptly forward the appeal to the Appeals Committee.
3. The Appeals Committee will then follow the following procedure:
  - a. Responsibility for recognising and permitting persons to speak lies exclusively with the chairperson of the Appeals Committee.
  - b. Persons disruptive to any stage of the hearing may be evicted at the reasonable discretion of the chairperson.
  - c. The Conduct Officer will first present the results of the investigation and/or the complaint against the accused person.
  - d. The Conduct Officer and/or the complaining witness may present oral testimony and/or written statements from any person including the accused person, and all relevant documents, records and exhibits.
  - e. The accused person may then present a written documentation or oral testimony from the accused person him/herself and/or other witnesses, and all relevant documents, records and exhibits.
  - f. At any time during the appeal, members of the Appeals Committee may question witnesses or parties to the proceeding.
  - g. Witnesses or parties may ask questions of other witnesses or parties only at the discretion of and through the chairperson.
  - h. Cross-examination by each party or their adviser is not permitted.
  - i. After the presentation of all the evidence to the Appeals Committee, each party, or their adviser, may present arguments to the Committee on the applicability of this Code or the interpretation of any sections herein.
  - j. During the hearing the Appeals Committee may consider any relevant information, which is of value in determining the issues involved.
  - k. Efforts will be made to obtain the most reliable information available.
  - l. After all parties have presented their respective information, the Appeals Committee shall go into closed session to determine whether the student has committed the breach of conduct and, if so, the penalties to be imposed.

- m. A member should vote against the accused person only if convinced by the information presented that the accused person has committed the act(s) as charged.
  - n. A majority vote of Appeals Committee members present and voting shall be taken. Less than a majority vote or a tie vote will mean an acquittal and the appealed charge shall be dismissed.
  - o. After making its decision, the Appeals Committee will inform the student in writing as soon as practicable.
  - p. Any penalties given imposed by the Appeals Committee will be operative immediately upon notification.
4. The written notice to the accused person of the finding of the Appeals Committee will include:
    - The charges found to be true.
    - The section(s) of this Code found to have been broken.
    - The penalty imposed or other sanction to be taken.
    - Minority report and recommendations, if any.
  5. In the case of an alleged sexual assault, the Appeals Committee will inform the complainant of the outcome of the proceeding.

## Plagiarism

All students should be aware that cheating – whether by fabrication, falsification of data, or plagiarism – is an offence. It is part of DEN's policies and procedures and is subject to our disciplinary procedures.

Plagiarism is when someone presents the work, idea or creation of another person as if they were their own. It does not matter whether or not this is done intentionally, and is applicable to any form of presentation (including oral, written and visual). Any work, idea or creation of another person used by another person MUST include an appropriate referencing. Failure to do so is to commit plagiarism, which is an offence and unacceptable.

Under DEN's policy, this is considered as academic misconduct and will result in the cancellation of your results or expelled from the course.

Students should also be advised that it is also a disciplinary offence to allow your work to be plagiarised by another student; therefore it is your responsibility to ensure your work is kept in a secure place

Students should be aware of their rights and responsibilities regarding the use of copyright material.