

Establishing Overarching Standards for Student Conduct Policy

Section 1 - Introduction

Purpose

(1) To set out the minimum standards and principles for student conduct and set the context for the investigation of breaches of standards

Scope

To whom does the policy apply?

(2) This policy applies to all Hibernia College students.

Who is responsible for implementing the policy?

(3) The Registrar is responsible for the implementation of this policy and for ensuring that students and all Faculty are aware of:

- a. This policy and its associated procedures
- b. Implications associated with any breach or suspected breach of discipline
- c. Penalties associated with a proven case

Section 2 - Context

Legal or Regulatory Context

Quality Assurance Guidelines

(4) This policy is designed with regard to QQI's suite of QA guidelines, which requires the College to have a policy and procedure in place to regulate and guide the entire student life cycle. Hibernia College considers student conduct to be crucial to this life cycle.

Section 3 - Policy Statements

Part A - Standards Required from Students

(5) Students are required to uphold the following:

a. The Student Charter

- i. The Hibernia College [Student Charter](#) establishes responsibilities and expectations around student

behaviour. Any breach of the standards established may be subject to disciplinary procedures.

b. Policy on Academic Good Practice

- i. The Hibernia College [Academic Integrity and Good Practice Policy](#) establishes responsibilities around student academic engagement on a programme. Any breach of the standards established may be subject to disciplinary procedures.

c. Professional Standards

- i. Where a programme is intended to lead to registration as a member of a regulated profession or a professional award:
 - Any codes of conduct set out by the competent authority for that profession for either members of the profession or student members of the profession are adopted to apply as appropriate to Hibernia College students. Consequently, breaches of any professional codes of conduct will be treated as breaches of this policy.

d. Safeguarding Children and Other Vulnerable Persons (Children First 2015)

- i. Where Hibernia College students may engage with children or other vulnerable persons during their studies while on placements:
 - The work placement provider is legally required to have clear policies, procedures and guidelines in place to support persons to whom disclosures are made, or who become aware of any issue related to the safety and welfare of a child or other vulnerable person. The work placement provider is the party with the legal responsibility to act to respond to any concern related to the protection of children or other vulnerable persons. Issues of confidentiality arise; therefore, students should not share any personal and/or confidential information they access with any other party, including personnel of Hibernia College.
 - Notwithstanding the above, no student should hesitate to act or communicate with their Programme Director in the case of a concern where it is not possible to access the correct authority in a timely manner.

e. Rules, Regulations, Policies and Procedures

- i. All College and programme-level rules and regulations, policies and procedures established by the College must be complied with.

Part B - Consequences of Breaches of This Policy

(6) Breaches of this policy, or of any other Hibernia College policy, programme policy or regulation, may be considered breaches of discipline that will result in investigation by the College and may result in a student being subject to a disciplinary hearing and penalties.

Part C - Principles for Investigating Breaches

Overarching Principles

(7) Criminal matters and legal proceedings are outside the scope of this policy and will be appropriately referred outside the College.

(8) The procedures for investigating breaches of standards of conduct are based on:

- a. Natural justice
- b. Fairness
- c. Due process
- d. Timeliness

(9) The College reserves the right to suspend a student pending investigation when the College is in receipt of an allegation of a breach of a standard. In all such cases, the investigation will be processed as a priority.

(10) The College is not liable for any delay to programme completion as a result of where a reasonable and justifiable decision to suspend was acted upon.

College Rights and Responsibilities

(11) The College may use any legal means at its disposal to detect potential breaches of standards.

(12) Policies, procedures and documented standards are clear and accessible to students.

(13) Standards of conduct are made clear during orientation.

Student Rights and Responsibilities

(14) Students are responsible for their own conduct and are assumed to be capable of making informed decisions about their behaviour.

(15) A student who is alleged to have breached a standard is entitled to know the detail of the allegation made against them and is entitled to respond.

(16) Students who are cited as material witnesses but decline an invitation to provide evidence cannot be required to do so.

(17) If participating in a disciplinary procedure, students are notified in writing of the reason for their participation and of their rights. Should a student decide not to participate at any stage, the appropriate committee or panel may deem it appropriate to proceed in their absence.

Subsidiarity

(18) Where appropriate and feasible, the College will seek to resolve any breach of discipline without the requirement to invoke College-level disciplinary proceedings.

(19) If a matter can be resolved locally first, this is preferred.

Investigating Potential Breaches

(20) Any and all instances of suspected breach of regulation will be investigated using the relevant procedure to investigate and deal with the case.

Reporting Requirements

(21) All instances of suspected academic misconduct are reported to the Board of Examiners.

Membership of Discipline Committee

(22) The Committee consists of a minimum of three members including a chairperson.

(23) There are two criteria for the membership of a Committee convened to investigate a breach of standards (i.e. a

Discipline Committee):

- a. Competence to make the decision or judgements required of the Committee
- b. Independence from the matter being investigated, i.e. no member can have had a previous involvement with the student on the matter.

(24) Normally, the chairperson of the Committee will be the Registrar or where more practical, a senior academic external to the College (i.e. not a member of Staff, Faculty, Adjunct Faculty or the Board of Directors).

(25) A gender balance should be maintained, where possible.

(26) A panel of potential members will be appointed by the Academic Board on a biannual basis.

(27) A note-taker, not a member of the Committee, will attend and prepare a formal record/written minutes of the Committee proceedings for approval by the chairperson and communication to relevant parties.

Part D - Penalties for Breaches of Standards

Range of Penalties

(28) Any penalties up to and including expulsion from the College may be considered.

(29) It should be noted that expulsion is only considered in very grave situations, examples of which would include, but are not limited to, matters pertaining to the health and safety of individuals, repeated breaches of academic regulations, or bringing the College or the profession into which a student is entering into disrepute.

Other Penalties

(30) Reprimand or caution

(31) A formal warning

(32) A requirement to make a written and/or verbal apology

(33) Withdrawal of privileges or reduction of access to facilities

(34) A fine of up to a maximum of €150 to be allocated to the use of the Student Representative Forum

(35) Reimbursement of the College for losses incurred through student breach of good conduct

(36) Suspension

(37) A requirement to make restitution

(38) A requirement to undertake a piece of academic work

(39) An agreed programme of development, behaviour management and/or support

- a. This is to enable the student to work towards clearly articulated and agreed targets. Supports may include but are not limited to access to support resources, including academic and pastoral supports, and provision of a College-appointed mentor.

Status and Details

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| Effective Date | 2nd November 2020 |
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| Approval Date | 23rd September 2020 |
| Expiry Date | Not Applicable |
| Enquiries Contact | Quality Assurance |

Glossary Terms and Definitions

"Policy" - Policies are principled statements adopted by the College at a high level to enable decisions about actions and desired outcomes to which the College is committed. They clearly articulate the formal position of the College on specific issues in order to guide internal decision-making. Policies set out 'what to do' on a given issue. They have a medium- to long-term review cycle.

"Procedure" - Procedures are the broad actions that must be carried out to implement a policy. They set out 'how to do' what the policy specifies must be done.

"Academic Misconduct" - Academic Misconduct is any form of cheating or other attempt to seek an unfair reward for the amount of genuine effort put into an assessment task or an advantage over other students.