

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 currently registered Hibernia College students.

Who is responsible for implementing the policy?

(3) The Registrar, or their nominee, is responsible for the implementation of this policy and for ensuring that students and all Adjunct Faculty, Faculty, and Staff 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.

Definitions

Academic misconduct - Academic Misconduct is defined as morally culpable behaviour by individuals or institutions that transgresses ethical standards held common between other individuals and/or groups in institutions of education, research or scholarship (NAIN, Lexicon).

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 the students life cycle.

Professional Bodies

(5) Programmes developed by Hibernia College in specific disciplines or subdisciplines will adhere to the professional and fitness to practice requirements of the relevant professional or regulatory body that governs the profession in question.

Section 3 - Policy Statements

Part A - Standards Required from Students

(6) 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 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:

ii. 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:

ii. 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.

iii. 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

(7) 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.

(8) Where appropriate a student may be referred from this policy to the [College Fitness to Practice Policy](#).

Part C - Principles for Investigating Breaches

Overarching Principles

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

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

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

(11) 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 that could pose an immediate risk to others or to the student in question. In all such cases, the investigation will be processed as a priority.

(12) 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

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

(14) The College will make policies, procedures and documented standards clear and accessible to students.

(15) The College will be open, honest, and clear regarding the standards of conduct are made clear during orientation.

Student Rights and Responsibilities

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

(17) 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.

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

(19) 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

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

Investigating Potential Breaches

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

Reporting Requirements

(22) All instances of suspected academic misconduct are reported to the Board of Examiners as per the College [ACADEMIC INTEGRITY AND GOOD PRACTICE POLICY](#).

Membership of Discipline Committee

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

(24) 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.

(25) Normally, the chairperson of the Committee will be the Registrar, or their nominee, 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).

(26) Where the student is studying on a programme leading to professional registration, at least one committee member must be a member of the same regulated profession.

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

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

(29) 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

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

(31) 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

(32) Examples of other penalties may include:

- a. An agreed programme of development, behaviour management and/or support.
- b. 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.
- c. A requirement to make a written and/or verbal apology.
- d. A requirement to undertake a piece of academic work.
- e. Reprimand or caution.
- f. A formal warning.

- g. Reimbursement of the College for losses incurred through student breach of good conduct.
- h. Suspension.

Status and Details

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