



Terms of Reference

Student General Misconduct Committee

Trim Location	14/2917PL
Responsible Officer	Pro Vice-Chancellor (Student Services)
Approval Date	9/07/2015
Approval Authority	Vice-Chancellor

1 Role

The University will have a Student General Misconduct Committee to hear student cases in relation to allegations of Student General Misconduct, make decisions on the basis of probability and apply penalties in accordance with the Student General Misconduct Procedure.

2 Function

The Student General Misconduct Committee shall:

1. adopt oversight for the conduct of Student General Misconduct Committee;
2. hear student cases in relation to alleged General Misconduct and apply any consequential corrective and preventative action, in accordance with the University's policies and procedures.

3 Authority

The Pro Vice-Chancellor (Student Services) authorises the Committee to perform those responsibilities as outlined in the Terms of Reference.

4 Membership

4.1 Membership

Membership of the Student General Misconduct Committee shall be:

1. **Chair:** one senior academic or professional staff member, appointed by the Vice-Chancellor for a term of one year;
2. One academic staff member, appointed by the Vice-Chancellor for a term of one year;

3. One professional staff member, appointed by the Vice-Chancellor for a term of one year;
4. One person who is a student at the time of appointment, who is appointed by the Vice-Chancellor in consultation with the Student Guild;
5. A non-voting Committee Servicing Officer as determined by the Chair.

The quorum of the committee is three persons, one of whom must be the Chair.

All correspondence should be addressed to the Committee Servicing Officer.

The Committee may co-opt other persons as required to provide advice and assistance in respect of specific issues being considered or when specialist expertise is required.

4.2 Responsibilities of Committee Members

No member of the Student General Misconduct Committee may sit on a Student General Misconduct hearing if they have a conflict of interest, if they were involved at any stage directly or indirectly in the alleged incident of General Misconduct, or if their substantive position is within the primary organisational unit involved in the alleged General Misconduct.

4.3 Nominees

Selected members of the committee may nominate an acting person to represent them as per section 4.1 in cases of absence. The member should ensure the nominee is fully briefed and prepared to contribute to the meeting.

If a member leaves the Student General Misconduct Committee during his/her term, the Vice-Chancellor may nominate a person qualified to fill the casual vacancy for the remainder of the term.

5 Meetings, Reporting and Minutes

Frequency and Conduct of Meetings: The Student General Misconduct Committee shall convene as necessary to hear any allegations of General Misconduct.

The Student General Misconduct Committee meetings will be conducted in accordance with the University Code of Conduct Policy and the Student General Misconduct Procedure.

Each party involved in the alleged General Misconduct may be assisted by a nominated support person or advocate who may accompany them to any relevant meeting. The support person or advocate is not permitted to hold a law degree or practice law.

The University shall not be liable for any expenses incurred by the Student, their Authorised Representative, support person or advocate, Employee or other attendees at the meetings of the Student General Misconduct Committee.

Reporting: The Student General Misconduct Committee will appoint a responsible officer to monitor and report back on any actions.

All parties involved in the alleged General Misconduct must be kept informed regularly, in writing, by the Committee Servicing Officer, of progress or outcomes, including the reasons for the outcome.

The Pro Vice-Chancellor (Student Services) is responsible for ensuring complete and accurate recording of all material in accordance with University Policy and

regulatory obligations. Records will be kept of the Student General Misconduct allegation, investigation process and outcome.

Minutes: For all meetings, minutes shall be kept as provided for in University policy and procedure. The Committee Servicing Officer will be responsible for the record-keeping of all decisions and reasons for the decisions.

6 Ethical Practices, Confidentiality and Independence

Members of the Committee are to:

1. Exercise objectivity and integrity in the discharge of their duties and responsibilities;
2. Refrain from entering into any activity that may prejudice their ability to carry out their duties and responsibilities objectively and independently;
3. Act in a proper and prudent manner in the use of information acquired in the course of their duties and responsibilities, particularly in regard to the maintenance of confidentiality and privacy of information;
4. Exercise sound judgement guided by highest personal standards of honesty and integrity in all matters relating to membership of the Committee;
5. Ensure that they do not place themselves in situations which could lead to, or be perceived to give rise to a conflict of interest; and
6. Disclose to the Committee any matter which could compromise, or be seen to compromise, the performance of their duties on the Committee or give rise to a perception of a conflict of interest.

7 Review of Terms of Reference

The Terms of Reference will initially be reviewed in 12 months, and on a two yearly basis thereafter by the Pro Vice-Chancellor (Student Services).

8 Modification History

Date	Source	Details
11/04/2019	Pro Vice-Chancellor (Student Services)	Amended to accommodate title changes