

Code of Conduct

Living in Dunmore Lang College is a privilege that presumes a level of responsibility, respect, self-moderation and consideration for others

The majority of students (permanent and temporary) seek to live in quiet surroundings where they can study/work effectively and interact with their fellow students. Living as part of a larger community requires students to live together with a respect and care for our impact on others and a recognition that some types of behaviour have to be restrained. **All students need to accept responsibility for their own actions and for those of their guests.**

The Principal is ultimately responsible for ensuring that the College operates within the appropriate guidelines and will deal directly with those involved if necessary.

Guidelines

As a College community, our way of operating and the quality of our relationships with each other should reflect high ethical and moral standards.

In addition, we are required to operate under State and Federal laws and under the by-laws of Macquarie University.

The following overarching principle should guide our behaviour:

“We should show care and concern for each other and for the common good at all times. We should behave in such a way that no offence, inconvenience or disturbance is caused to other students or to any person employed directly or indirectly by Dunmore Lang College.”

Macquarie University Student Code of Conduct

As Dunmore Lang College is a Residential College affiliated with Macquarie University, all Dunmore Lang College students are expected to conduct themselves in line with the Macquarie University Code of conduct: www.students.mq.edu.au/support/student_conduct

Macquarie University is committed to providing a fulfilling and rewarding learning and research experience that enables students to achieve their full academic potential.

This commitment is supported by the [Student Code of Conduct](http://www.mq.edu.au/policy/docs/student_conduct/conduct.html) http://www.mq.edu.au/policy/docs/student_conduct/conduct.html which enshrines your rights and responsibilities into the cultural and structural framework of the University. It is further supported by the [Student Misconduct and Discipline Rules](http://mq.edu.au/about_us/how_mq_works/macquarie_university_council/governance_legislation_and_rules.jsp) http://mq.edu.au/about_us/how_mq_works/macquarie_university_council/governance_legislation_and_rules.jsp and by an expectation that all students must accept their shared responsibility for maintaining a safe, ethical, harmonious and tolerant University environment.

Community behaviours & expectations

Discrimination and Harassment

The College promotes an environment where respect for the beliefs, feelings, person and property of others is fundamental and of the utmost importance. Responsibility for maintaining such an environment rests with every student of the College community. Consideration for others is expected at all times and students need to be aware that any undue pressure on, disturbance, or harassment of others will be viewed very seriously.

A good definition of harassment is:

"Harassment is any form of behaviour which is unwelcome, unreciprocated and usually, though not always, repeated. It can be sexual or may arise from discrimination on the basis of gender, race, disability, religion, sexual preference or some other factor".

All harassment is unlawful. The College is required to ensure that any harassment is addressed and eliminated and the College takes its responsibility in this area very seriously.

The College's policies on harassment and student grievance procedures appear at the end of this Handbook; they have been approved by the Board of Directors of Dunmore Lang College.

Sexual Harassment

One form of harassment is sexual harassment. It covers a range of unwelcome, inappropriate, unsolicited and non-reciprocated behaviour. Some actions may constitute sexual harassment even if the intention was innocent. Examples include unwelcome actions such as gestures, display of offensive pictures, comments of a sexual nature, implicit or explicit demands of sexual activities, physical contact such as patting or pinching, repeated phone calls or voice mail messages, entering a person's room without an invitation and so on.

The College views any form of harassment seriously and has a Harassment Policy and Procedures to deal with any breaches. There are both formal and informal procedures for dealing with sexual harassment complaints, all of which are dealt with in strict confidence. It is also possible to have a complaint dealt with by someone outside the College.

If you feel that you are being or have been sexually harassed, or you know of someone else who is being harassed in College, please talk to one of the College Harassment Contacts, the Principal or the Dean of Students.

The Macquarie University policy on harassment outlines procedures for dealing with complaints of unfair discrimination or harassment on the University campus.

The booklet is available from the Counselling and Health Service, the Equal Opportunity Reception, the Dunmore Lang College Dean of Students office, RAs, or from any of the Student Contact Persons.

It is also available at: www.mq.edu.au/policy/docs/discrimination_harassment/policy.pdf

Noise

The most common complaint from students about other students is excessive noise. Every member of the College community must consider others in this respect and accept responsibility for their own behaviour.

Courtesy and consideration for others requires that noise is kept to a reasonable level at all times in the College. Stereos, TV's, PlayStation, loud conversations or yelling and screaming are not acceptable. A good rule of thumb is if the noise can be heard outside a student's room or the noise is reasonably bothering another person – it is too loud. Students are also expected to respond courteously to requests to reduce noise and to act within a reasonable timeframe.

- Noise that is disruptive to others is prohibited inside and outside of the College buildings at all times.
- Any loud noise after the 11pm noise curfew is prohibited.
- During the exam period the noise curfew is 9pm

When an RA or staff member is informed of a complaint, the student (or their guest) responsible will be asked to stop and if this is not effective the matter will be referred to the Dean or Principal for further action as outlined above. In extreme circumstances or where a student continuously breaks this rule they may be asked to leave the College.

To minimise your noise disturbing others, we ask you to:

- Avoid making undue noise in bedrooms, corridors, bathrooms and courtyards.
- When playing your music, please keep the volume down and the door closed, or wear headphones.
- Do not gather in rooms, corridors, balconies or in the courtyard area after 11pm.
- Respect any other student's request to you to reduce your noise level.

Unfortunately, the courtyard and balcony areas act like amplifiers, especially at night. If you are in these areas, please make every effort to keep the noise level down, especially in the evening.

Parties must NOT be held without approval from the Dean of Students.

The College should be quiet after 11pm.

What to do if you are disturbed by another student's noise?

You are encouraged first to ask the individual/ individuals responsible to be quiet. If this fails, ask the Resident Adviser on your floor/or the Resident Adviser on Duty (9856 1000 or 0439 856 102) to assist. If these steps fail, contact the Senior staff member on duty. RAs and staff will do everything possible to keep the identity of a person making a noise complaint anonymous.

Smoking, Alcohol and Drugs

Smoking

From 1 January 2011, Macquarie University became smoke free, except for designated smoking zones across campus.

The College also has a policy of providing a smoke-free environment for staff and students. Cigarette smoke is a pollutant, a health hazard to users and bystanders, and if it triggers fire alarms, causes considerable disturbance to the whole community.

Under our policy and health and safety regulations, smoking inside the College buildings and grounds apart from the designated smoking area is prohibited. Smoking outside of the designated smoking area will result in an automatic fine of \$50. Additional fines and consequences will apply where a fire alarm is triggered by your smoke.

Alcohol

The consumption of alcohol in College must remain moderate at all times. Binge drinking of any sort is prohibited in College due to its adverse effects on the individual's health and welfare and that of the College community. Students who drink to excess or whose alcohol-affected behaviour disturbs other people will be subject to a formal warning and may jeopardise their place in College.

Alcohol is not permitted in the Dining Hall or courtyard during meal times, except in the case of formal/special dinners when it is served by the College under licence. To comply with the licence, students must not bring their own liquor to formal occasions.

Possession of illegal drugs in College

Possession of illegal drugs within the College is unacceptable and will result in immediate termination of a student's residency. This includes:

- possession of illegal drugs or other illegal substances;
- use and / or being under the influence of illegal drugs or other illegal substances;
- selling and / or distribution of illegal drugs or other illegal substances.

At the discretion of the Principal, any incidents involving illegal substances will be referred to the Police for further action.

Breaches of Dunmore Lang College rules and regulations may be dealt with in several ways including fines or community service duties. Refer Annexure 'E'

Disciplinary Procedures

1. If disturbed, each student is encouraged to ask those concerned to stop as a first step. If there is any hesitation about approaching the other party or a reasonable approach has been ignored, the student should immediately contact the Resident Adviser on Duty (9856 1000 or 0439 856 102).
2. When an action or activity in breach of the Code of Conduct is observed, a Resident Adviser or member of staff will approach the student about the breach and request the student to stop.
3. If the Resident Adviser or staff member considers that the breach is not serious and the student responds readily and positively, no further action is required.
4. If a Resident Adviser observes a serious or repeated breach, or if the offender refuses to respond appropriately, the Resident Adviser will record date, time, nature of the breach, name(s) of the student(s) involved and pass these details to the Dean of Students and or the Principal. If the matter is serious, the Principal or Dean will be notified immediately.
5. When disciplinary action is taken against a student, the student's name and that of the complainant and any witnesses will, where possible, be treated in confidence.

The Dean of Students or Principal may

1. subject the student to censure and give warning of harsher disciplinary action;
2. require a student to undertake community service work within Dunmore Lang College grounds of such a nature and for such a period as the Dean of Students shall determine;

3. remove certain privileges;
4. recommend that the Principal :
 - a) take disciplinary action;
 - b) suspend a student from Dunmore Lang College for a stated period;
 - c) inform a student that they will not be permitted to reside at Dunmore Lang College after completion of the current semester;
 - d) from a specified date, ask the student to leave and possibly deny further access to Dunmore Lang College.

Immediate Expulsion

Notwithstanding any provisions in this policy, if in the opinion of the Principal, the breach is such that the immediate exclusion of a student is required in the interests of the safety of the community or any student, the Principal may terminate the contract of that student, and the respective parent/guardian of the student will be notified.

Student Grievance Procedure

1. Overview

- 1.1 These procedures apply to any grievance from any student member who believes that she or he may have been denied equal opportunities by being subjected to unfair or unlawful discrimination by any member of College.
- 1.2 A student member may also seek assistance through these procedures to restore the harmonious living environment which is necessary if student members are to achieve their potential and enjoy a discrimination-free living environment.

2. Definitions

- 2.1 'Mediation' is a widely recognised alternative dispute resolution method used to resolve a range of disputes.

Mediation generally involves the people in dispute meeting face-to-face in the presence of a neutral third party. This person helps them to negotiate an agreement which often involves compromise.

Mediators do not decide on the guilt or innocence of the parties. Nor do they apportion blame, award costs or impose penalties. They do not adjudicate, nor do they give legal or other professional advice or adopt a counselling role.

The practice of co-mediation (i.e. two mediators for each mediation session) is also common in Australia. The presence of two mediators is seen to improve fairness, balance and quality control, and may be used where a situation is particularly complex or involves several parties.

- 2.2 'Arbitration' is a process which is generally less formal than going to court. It involves intervention by an arbitrator who hears evidence and arguments on both sides, then imposes a decision on the parties in dispute.
- 2.3 'Conciliation' There is no single definition of conciliation and the role of the conciliator varies according to the program. A major difference between conciliators and mediators is that conciliators are often expected to be more interventionist. Conciliators are often expected to

contribute their own views and opinions during the conciliation process. Mediators, on the other hand, are usually more concerned with guiding the process rather than suggesting resolutions.

3. Procedures

Lodgement of Grievances

- 3.1 A student member who has a grievance as defined above may make a complaint to the Dean of Students;
- 3.2 The Dean of Students is a readily accessible first point of contact, providing the opportunity for a student member with a grievance to discuss their concerns informally, privately and confidentially in a friendly and supportive environment. The student member will be assisted to consider options and develop a range of appropriate actions which may resolve the matter.
- 3.3 The Dean of Students will provide support to the complainant but at the same time must remain impartial and refrain from taking sides. The role of the Dean of Students is to facilitate the resolution of the issues raised to the satisfaction of the complainant and, wherever appropriate, to restore a harmonious working environment. A person against whom a complaint is made is entitled to an unbiased hearing.
- 3.4 All discussions between the complainant and the Dean of Students shall be confidential. No action shall be taken by the Dean of Students without the consent of the complainant. However, if the Dean of Students believes that a notifiable criminal offence has been committed, the Dean of Students will, with the knowledge of the complainant, notify the Principal and appropriate authority.
- 3.5 The Dean of Students shall listen to the complainant, collect written material where relevant, and discuss options with the complainant. The Dean of Students may at this stage advise the complainant whether the grievance can be dealt with under these procedures or whether it should be referred to the Principal, or an outside agency.
- 3.6 The Dean of Students shall at all times support the complainant in coming to a decision and embarking on appropriate action. The Dean of Students shall at all times encourage the complainant to take action on her or his own behalf, and will not initiate any action on behalf of the complainant without their express consent.
- 3.7 Minimal notes should record the basic details of the complaint only.
 - 3.7a If resolved, a confidential file containing a summary of the type of complaint, and the action taken will be retained by the Dean of Students.
 - 3.7b If unresolved, and there appear to be unresolved issues of unlawful discrimination, the matter and all notes may be referred to the Principal and then on to Macquarie University's EEO Office or an appropriate external body for further management.
- 3.8 The complaint should be handled by as few people as possible. A person who raises a complaint will in most cases be protected in any action for defamation by the defence of qualified privilege, provided the complaint is raised in accordance with the established procedures, and is not intentionally malicious or frivolous.
- 3.9 A person authorised under these procedures to receive and document information for reporting to appropriate people, who acts according to the procedures laid down, is under normal circumstances protected from liability for defamation by the defence of qualified privilege.

- 3.10 Where any subsequent action is taken to redress the grievance, a record of such action will be placed on the complainant's personal file. Where any disciplinary action is subsequently taken against a person who is the subject of the complaint, that person's file will be noted in accordance with disciplinary procedures.
- 3.11 Where a complaint is lodged against a specific individual, the Dean of Students with the agreement of the complainant shall inform the individual of the fact that a complaint has been made, the specific nature of the complaint and the identity of the complainant. No action can be taken where complaints are anonymous and non-specific. The person against whom the allegations are made must be aware that any retaliatory action is unlawful and will be treated as misconduct or serious misconduct by the College.
- 3.12 If both parties agree, the Dean of Students may seek to resolve the grievance by bringing any or all the parties together for informal discussions aimed at resolving the matter. The aim of such a meeting is to facilitate an agreement which all parties are willing to accept.
- 3.13 Other options may include the complainant taking direction action herself or himself by talking to the other party in the complaint. Alternatively, the Dean of Students may refer the matter to a suitable person with mediation skills to undertake this process. At any stage, the complainant is entitled to approach an external agency.
- 3.14 Failing the successful resolution of the grievance, the Dean of Students, with the consent of the complainant, and notification to the Principal, may refer the matter and all associated documentation to the Macquarie University EEO Officer or external agency.

4. Time Limits

- 4.1 There shall normally be a limit of 6 months on the period of time that elapses between a complainant becoming aware of a grievance about which she or he wishes to lodge a complaint and the lodging of it. A complaint may be dealt with after that time if the person dealing with it considers that there are special circumstances warranting it being dealt with out of time.
- 4.2 There shall be a limit of 14 working days within which persons shall respond to a legitimate request for information.
- 4.3 There shall be a limit of 14 working days within which persons shall respond to a legitimate request for an interview.

Dunmore Lang Colleges Ltd Rules

1. Scope

- 1.1 These are the rules of Dunmore Lang College ("College").
- 1.2 You agree to be bound by these rules (and any variation) when you commence your occupation of premises made available by the College ("Premises").
- 1.3 These rules apply to you even if you are not a Student within the meaning of rule 2.1.

2. Students

- 2.1 You may apply to become a student of the College ("**Student**") if, during Macquarie University ("**University**") terms, you are:
 - (a) enrolled for a course of study which may lead to an award of the University;

- (b) engaged in research at the University;
 - (c) a member of the research, teaching, library or administrative staff of a recognised University;
 - (d) visiting from an overseas University or College of tertiary education;
 - (e) from an overseas University or College of tertiary education and are accompanying a visiting student from such an institution;
 - (f) or otherwise approved by the Council of the University.
- 2.2 To become a Student, you must complete a written application in the form prescribed by the College.
- 2.3 The College may reject any application for admission as a Student without providing a reason.

3. Fees

- 3.1 The College will determine the fees to be paid by all Students and non-students of the College.
- 3.2 The College will give Students at least six weeks prior written notice of any increase in fees.
- 3.3 You will pay within the time prescribed by the College all fees and deposits determined by the College.
- 3.4 The deposit will be retained by the College and may be applied on termination of your occupancy towards fees in arrears, the cost of replacing lost or damaged keys or other items or towards the cost of making good any damage or other expenses properly payable to the College.

4. Your obligations

- 4.1 Whilst you are a Student or non-student of the College, you:
- (a) will occupy the room allocated by the College (which may be varied at anytime by the College in its absolute discretion);
 - (b) will use the College's premises only for purposes of study, academia, accommodation and College activities;
 - (c) will not carry on any profession, trade or business on the Premises without the prior written consent of the Principal;
 - (d) will provide information requested by the College which you consent to providing;
 - (e) will not permit any other person to occupy the Premises;
 - (f) will not do anything which would bring discredit to the College;
 - (g) will not cause a nuisance to College staff, other occupants or neighbours;

- (h) will keep the Premises which you occupy in a clean and proper condition;
- (i) will take reasonable care of the Premises and its contents;
- (j) will pay the cost of repair for all damage (in an amount determined by the College) to any part of the Premises or its contents which is caused by you or your visitors;
- (k) will not interfere with any person authorised by the College in entering, inspecting, cleaning or repairing any part of the Premises;
- (l) will give immediate notice to the College of any failure in services, damage to the Premises or damage to or loss or theft of any items, whether College property or otherwise;
- (m) will not do any act which may cause a fire or affect the College's fire insurance policies;
- (n) will not store any flammable liquid or other flammable material in any part of the Premises;
- (o) will not misuse any fire extinguishers or other fire prevention equipment;
- (p) will not park any motor vehicles within the Premises unless authorised by the College;
- (q) will comply with all directions given by College or its staff.

5. Academic progress

- 5.1 If you are a Student, then upon commencing occupation of the College, you authorise the College to obtain your individual examination results from the University or any other relevant tertiary or academic institution.
- 5.2 If, in the opinion of the Principal, you fail to make satisfactory academic progress in any course in which you are enrolled, then your residency may be terminated in accordance with rule 6.

6. Termination of occupancy

- 6.1 You will give the College four weeks' notice in writing prior to the end of a semester, of your intention to cease residing in the College. Under special circumstances the Principal has the discretion to accept a shorter period of notice.
- 6.2 If:
 - (a) fees due and payable to the College remain unpaid for a period of 14 days after the date on which they became due;
 - (b) you fail to perform or observe any of these rules;
 - (c) without notice, you cease to reside in the Premises;
 then the College may terminate your occupancy.
- 6.3 Despite rules 6.1 and 6.2, the College may terminate any Student or non-student's occupancy of the College at any time, with or without notice.

6.4 Upon termination of your occupancy, you:

- (a) must leave any part of the Premises which you occupied clean and in good order and condition;
- (b) remain liable for all outstanding fees owing to the College until they are paid;
- (c) relinquish all rights and privileges of residency of College and use of the Premises and the College's facilities;
- (d) must remove all of your personal possessions. If you fail to do so, the College may place these in store and if not claimed within two months then you will be deemed to have passed the ownership of such goods to College. The College may dispose of these goods in such manner as it thinks fit after giving 14 days notice to you at your last known address.

