

Complex Conduct Assessment and Management Policy

Section 1 - Key Information

Policy Type and Approval Body	Administrative - Vice-Chancellor
Accountable Executive - Policy	Deputy Vice-Chancellor (Academic)
Responsible Manager - Policy	Deputy Director, Integrity and Investigations
Review Date	30 May 2027

Section 2 - Purpose

(1) To provide a process for assessing and managing complex student conduct and potential behavioural threats, including but not limited to where there may be a reasonable belief that a student has a serious health condition that makes them unfit to attend University or continue in a course for a period of time.

Section 3 - Scope

(2) This Policy applies to all students, including those enrolled in La Trobe courses through third party teaching partners, and short course participants (for ease of reference all are referred to as students in this Policy).

(3) Students from other institutions who reside in La Trobe student accommodation are bound by the Rules of Residence.

Section 4 - Key Decisions

Key decisions/Responsibilities	Role
Exclude a student from all or any part of the University indefinitely or for a period, and/or suspend or terminate the student's enrolment (see General Misconduct Statute 2009)	Vice-Chancellor
Make temporary directions to eliminate or reduce any identified risk to the health and safety of persons in connection with misconduct allegations or conduct concerns made against a student or students, including the limitation or withdrawal of a student's right to attend any University campus, facility and/or University-managed events (see Instrument of Delegation No.2 of 2024)	Deputy Vice-Chancellor (Academic)
Determine that a Threat Assessment Management Team meeting be convened	Pro Vice-Chancellor (Student Experience and Employability)
Impose other temporary health and safety measures and/or investigation/integrity measures in connection with misconduct allegations or conduct concerns such as: a direction not to contact a person, or request that a student attend a medical examination (see Instrument of Delegation No.2 of 2024)	Pro Vice-Chancellor (Student Experience and Employability)

Section 5 - Policy Statement

(4) The University aspires to provide an outstanding student experience that is conducive to scholarly activity and supportive of individual learning goals. Underpinning this exercise is a safe, inclusive and respectful environment.

(5) The University does not tolerate behaviour which detrimentally impacts or may detrimentally impact members of the University community.

(6) Concerning or complex student conduct may be formally monitored and assessed by the University's Threat Assessment and Management Team (TAMT). TAMT may recommend that action be taken to manage the health and safety risks that such conduct can present.

(7) The University will respect the rights of students by:

- a. having a transparent policy and process for the management of such concerns;
- b. providing clear communication regarding expectations;
- c. affording procedural fairness wherever possible and appropriate; and
- d. maintaining all personal information in accordance with the University's [Privacy Policy](#).

(8) The University will support students by:

- a. offering confidential counselling and wellbeing support services at no cost;
- b. making reasonable adjustments to academic study in line with its obligations under the [Equal Opportunity Act 2010](#) and other relevant legislation;
- c. informing students of application processes for special consideration or remission of debt outcomes, where appropriate;
- d. facilitating leave from study where appropriate.

(9) Students who are subject to any processes under this Policy may also access independent advice and support from Student Advocacy.

Section 6 - Procedures

Part A - Reporting Unacceptable or Concerning Conduct

(10) Any member of the University can report student conduct concerns to Safer Community.

(11) In an emergency or in circumstances of immediate danger on-campus, call:

- a. Police or Emergency Services (24 hours): 000
- b. and then Campus Security (24 hours): 03 9479 2222

Part B - Considering Complex Conduct Concerns

(12) Where the Deputy Director, Integrity and Investigations considers a student's conduct to involve a pattern of concerning or threatening behaviour and/or they believe the student may have a health condition which is negatively impacting the student or the University community, they may recommend to the Pro Vice-Chancellor (Student Experience and Employability) that a meeting of the TAMT be convened to consider the most appropriate course of action.

(13) If the Pro Vice-Chancellor (Student Experience and Employability) determines that a TAMT should be convened the Team should meet as soon as practicable.

(14) Having regard to the nature of the matter, the TAMT will be made up of at least three of the following staff:

- a. the Pro Vice-Chancellor (Student Experience and Employability)
- b. the Deputy Director, Integrity and Investigations
- c. the Director, Health, Wellbeing & Inclusion
- d. the Deputy Director, Student Mental Health and Wellbeing
- e. the Senior Manager and Clinical Lead, Student Health and Wellbeing
- f. the Senior Manager, Strategy, Prevention and Education
- g. the Manager, Safer Community and Student Conduct.

(15) Other staff or individuals may be invited to attend where specialist advice or information is required (e.g. from International Student Support, Legal Services, Accommodation, Security, the Graduate Research School, or Human Resources).

(16) The TAMT will be chaired by the Pro Vice-Chancellor (Student Experience and Employability) or their nominee.

(17) The TAMT will meet to consider the case and in doing so may make such enquiries and consult such persons as it thinks fit.

(18) Where the student is an international student, advice may be sought from the Manager, International Student Support as to whether there are additional [ESOS](#) implications, such as:

- a. potential impact on the student's Confirmation of Enrolment, visa and study plan and any consequent documentation requirements;
- b. any requirements to report to the Australian Government or other foreign government if the student is sponsored.

Part C - Recommendations to Relevant Decision-Makers

(19) Following consideration of the available information, TAMT may make any of the following recommendations:

- a. that the Pro Vice-Chancellor (Student Experience and Employability) approve the implementation of one or more of the following temporary risk assessment and mitigation measures:
 - i. a request that the student undergo medical examination, behavioural risk assessment or psychological assessment by persons specified by the University;
 - ii. changes to the student's placement location, class, exam timetable or office location;
 - iii. a direction to the student that they do not have any contact with a member or members of the University community;
 - iv. that the matter be referred to an external agency e.g. the relevant Crisis Assessment and Treatment Team (CATT), Victoria Police, eSafety Commissioner, National Security Hotline;
 - v. any other risk mitigation measures appropriate in the circumstances that are consistent with University legislation and/or any relevant delegation.
- b. that approval from the Deputy Vice-Chancellor (Academic) be sought to:
 - i. temporarily prohibit a student from attending any University campus, facility (including student accommodation), and/or University-managed or approved activity or event (e.g. a student placement, orientation event, excursion, tour or conference);

- ii. place conditions on a student's enrolment, for instance that they temporarily transfer to an equivalent online course.

(20) Where deemed appropriate the TAMT may also recommend:

- a. the matter be referred to a General Misconduct Officer under Part 3 of the [General Misconduct Statute 2009](#) and managed as general misconduct under the [Student Conduct Management Policy](#); or
- b. the matter be referred to the Vice-Chancellor under Part 5 of the [General Misconduct Statute 2009](#) and managed as high-risk conduct or serious misconduct in accordance with the Statute and the [Student Conduct Management Policy](#).

(21) Any decision in relation to a risk mitigation measure will generally state for how long the measure is intended to be in place, any condition which must be met in order for it to be reviewed, or when it may be reviewed.

(22) Where possible and appropriate, students will be given an opportunity to comment on the risk mitigation measure and have it reconsidered if it is likely to cause serious hardship. Students who wish to comment on such decisions should do so by contacting the Pro Vice-Chancellor (Student Experience and Employability) by email (student.conduct@latrobe.edu.au) to outline why they consider the risk mitigation measure would cause them serious hardship.

(23) Any actions that impact the enrolment of an international student will be managed according to the relevant sections of the [Enrolment Policy](#).

Part D - Recording and Reporting of Complex Conduct Matters

(24) The University will record all complex conduct matters in accordance with the requirements of the [Higher Education Threshold Standards 2021](#), the [National Code of Practice for Providers of Education and Training to Overseas Students 2018](#) and the University's [Records Management Policy](#).

(25) A summary of complex conduct matters handled each year is included in the Safer Community and Student Conduct annual report for submission to the Office of the Deputy Vice-Chancellor (Academic).

Part E - Breaches of this Policy

(26) Where a student has any concerns about the way in which this Policy has been applied (as opposed to the risk mitigation measure applied), including any concerns about a breach of confidentiality, they may lodge a complaint with the Office of the University Ombudsman. If their concerns relate to the way in which their issue is handled by the University Ombudsman, they may lodge a complaint with an external organisation such as the Australian Human Rights Commission, Victorian Privacy Commissioner, Victoria Police or Victorian Ombudsman.

Section 7 - Definitions

(27) Nil

Section 8 - Authority and Associated Information

(28) This Policy is made under the [La Trobe University Act 2009](#).

Status and Details

Status	Current
Effective Date	30th May 2024
Review Date	30th May 2027
Approval Authority	Vice-Chancellor
Approval Date	30th May 2024
Expiry Date	Not Applicable
Responsible Manager - Policy	Kat Nordern Deputy Director, Integrity and Investigations
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