

Student Integrity and Misconduct

1. Purpose

- 1) This procedure governs how UQ College (UQC, the College, we, our) handles an allegation of misconduct including cases that do not require a misconduct hearing.
- 2) The following positions (referred to as the Investigating Officer from here on) are empowered to make decisions and take steps under this procedure.
 - a. Senior Manager, Academic Pathways
 - b. Senior Manager, Administration
 - c. Senior Manager, English Language Pathways
 - d. Manager, Academic Pathways
 - e. Manager, Bridging English
 - f. Manager, Assessment
 - g. Manager, Integrated English and Customised Programs
 - h. Manager, Student Administration
 - i. Manager, Academic Administration
 - j. Course Coordinators, Academic Pathways.

2. Reports of misconduct

- 3) Alleged misconduct should be reported as soon as possible.
- 4) Staff who receive a report of alleged misconduct must refer it to an Investigating Officer, unless another policy allows otherwise.
- 5) An Investigating Officer may independently report alleged misconduct based on information they receive or become aware of.
- 6) All reports must be recorded in the Conduct Register.

2.1 Actions available to Investigating Officers

- 7) Upon receiving a report or acting on their own initiative, the Investigating Officer may:
 - a. Initiate an investigation,
 - b. Decide not to act if:
 - i. the issue isn't covered by policy, or
 - ii. it's minor and doesn't warrant a penalty,
- 8) Delay action if another investigation is ongoing,

- 9) Offer conduct counselling (see Section 2.1),
- 10) Issue a conduct notice (see Section 2.2),
- 11) Refer the case to a Misconduct Committee,
- 12) Refer the case to UQ for management and/or investigation,
- 13) Ask the Chief Executive Officer (CEO) or their delegate to consider reporting to police or another authority.

2.2 Discretion in decision-making

- 14) Investigating Officers will consider:
 - a. the nature and seriousness of the allegations,
 - b. the student's misconduct history, including prior counselling or notices,
 - c. any previous findings recorded in the Conduct Register.

2.3 Using Discretion

- 15) Investigating Officers:
 - a. may seek advice from the CEO or UQ units (e.g. Integrity Unit),
 - b. are not required to consult the student before deciding,
 - c. may choose counselling or a notice if an educational approach is more suitable than formal investigation.

2.4 Conduct Counselling

- 16) An Investigating Officer may contact a student in writing to outline behaviour that appears inconsistent with the [Student Code of Conduct](#).
- 17) A conduct counselling offer may be made, which:
 - a. identifies the concerning behaviour,
 - b. invites the student to a meeting to discuss the concerns and explore informal resolution options,
 - c. allows the student to resolve the issue (without admitting fault) by agreeing to actions such as:
 - i. apologising to a specific person in a provided format, and/or
 - ii. using the College's learning support services,
 - d. explains how to accept the offer, including:
 - i. returning a completed acceptance form by a set deadline, and
 - ii. completing the agreed actions to avoid a formal misconduct hearing.
- 18) If the student completes the agreed actions to the Investigating Officer's satisfaction, no misconduct finding will be made, and no formal process will occur.
- 19) The decision to offer counselling, the student's response, and whether actions were completed will all be recorded in the Conduct Register and may be considered in future misconduct matters.

2.5 Conduct Notices

- 20) A conduct notice is a written document issued by an Investigating Officer when a student's behaviour appears to breach the [Student Code of Conduct](#).
- 21) The notice will:
 - a. describe the concerning behaviour,
 - b. offer the student a chance to accept responsibility early and agree to a specific penalty (like one a Misconduct Committee could impose),
 - c. explain how to accept the offer, including:
 - i. returning the signed notice within a set timeframe (minimum 14 days), and
 - ii. understanding that accepting the offer means no formal misconduct process will occur, and no misconduct finding will be recorded.
- 22) If the student accepts the notice, the penalty applies, but no formal hearing or misconduct finding will take place.
- 23) The decision to issue the notice, the student's response, and any penalty will all be recorded in the Conduct Register and may be considered in future cases.

3. Referring a matter to a misconduct hearing

- 24) The Investigating Officer will assess the allegation and decide whether to refer it to a Misconduct Committee.
- 25) This decision is based on the seriousness of the alleged misconduct and the potential penalties that may apply if proven.
- 26) If the possible penalty includes any of the following, the matter must be referred to the CEO (or their delegate):
 - a. refusing or cancelling course credit,
 - b. revocation of an award,
 - c. suspension from the College more than 2 weeks, or
 - d. expulsion from the College.

3.1 Allegation notice and document bundle

- 27) The Investigating Officer will prepare (or arrange preparation of) an allegation notice and supporting documents.
- 28) The notice and document bundle may reference conduct beyond what was included in the original report.
- 29) The Investigating Officer will:
 - a. record details of the matter in the Conduct Register,
 - b. give the student and the Misconduct Committee copies of the allegation notice and supporting documents.

3.2 Amending an allegation notice and/or document bundle

- 30) If new information arises before a decision is made, the Investigating Officer must issue an updated notice and/or supplementary documents to both the student and the Misconduct Committee.
- 31) The Misconduct Committee must ensure the student has a fair chance to:
 - a. review the new materials,
 - b. respond to them, and/or
 - c. provide additional information/evidence.
- 32) The Misconduct Committee may request changes to the allegation notice. If appropriate, the Investigating Officer must update and reissue the notice to both the student and the Misconduct Committee.

4. Hearing and decision-making process

- 33) The Misconduct Committee is responsible for hearing and deciding misconduct cases and has full authority to do so.

4.1 Powers upon referral

- 34) Once a case is referred, the Misconduct Committee will manage it according to the [policy](#) and this procedure, regardless of how serious the allegations are.
- 35) The Misconduct Committee may:
 - a. ask the Investigating Officer to conduct further inquiries.
 - b. conduct its own inquiries.
 - c. postpone the case until related criminal matters are resolved.
 - d. decide not to proceed if:
 - i. the behaviour is outside the policy's scope, or
 - ii. the issue is minor and doesn't warrant a penalty.
 - e. offer the student conduct counselling.
 - f. make a decision and impose a penalty if misconduct is proven.
 - g. refer the case back to the Investigating Officer to escalate to the CEO, with the Committee's written reasons. The CEO may rely on the Committee's findings to decide on a penalty.
- 36) The Misconduct Committee cannot compel anyone to:
 - a. provide documents or information, and/or
 - b. attend a hearing or give evidence.

4.2 Hearing the allegations

- 37) The hearing will be conducted as determined by the chairperson, with the following requirements.
- 38) The student must be given a fair chance to:
 - a. say whether they admit or contest the allegations,

- b. provide evidence or written statements,
 - c. request an in-person hearing (face-to-face or video conference by approval).
- 39) At least 7 days must be allowed between providing the allegation notice and the hearing date. This may be adjusted in exceptional cases.
 - 40) The Committee may use support services (e.g. secretarial, transcription, legal).
 - 41) Hearings must follow the principles of procedural fairness.
 - 42) An in-person hearing (face-to-face or video conference) is only required if requested. The student may bring a support person. If the student doesn't attend within 15 minutes of the start time, the hearing may proceed without them.
 - 43) The Committee may seek approval from the student to record an in-person hearing (conducted via video conference) for notetaking and deliberation purposes only.
 - 44) Formal rules of evidence do not apply.
 - 45) The student and support person may attend the full hearing, except during private deliberations.
 - 46) Legal representation is only allowed with written approval from the chairperson.
 - 47) Hearings are closed to the public.
 - 48) The Committee can maintain order and remove any person if necessary.
 - 49) If multiple students are involved in related misconduct, the Committee may hear their cases together and seek legal advice if needed.
 - 50) If more information is needed, the Committee may adjourn the hearing and ensure the student receives the new material and has a chance to respond.
 - 51) Where additional information is required, an additional hearing is not required; written response(s) may be requested instead.

4.3 Deciding the allegations

- 52) The Committee must make one of the decisions listed in clause 35(c) to (g).
- 53) The Committee will aim to reach a decision within 28 days of giving the student the allegation notice and document bundle.
- 54) If proceeding under clause 35(f), the Committee must make a finding for each allegation – either substantiated or not .
- 55) Decisions are based on whether the evidence proves the allegation on the balance of probabilities.

4.4 Imposing a penalty

- 56) If any allegations are substantiated, the Committee may impose a penalty in line with the [policy](#) and this procedure.
- 57) The Committee may choose a different penalty than the one proposed in the allegation notice – either more or less serious – as long as it's with the Committee's authority.
- 58) If some allegations are proven and others are not, the Committee may allow the student to make further submissions before finalising the penalty. This does not require another hearing; written submissions may be requested.

- 59) Suspension or expulsion may take effect retrospectively, immediately, or from a future date, provided it doesn't breach any existing orders.
- 60) Penalties must be appropriate and proportionate. The Committee may consider:
 - a. the nature and seriousness of the misconduct,
 - b. the student's education and record (including the Conduct Register),
 - c. whether the misconduct was intentional, premeditated or repeated,
 - d. the impact on others, including the UQ community,
 - e. any mitigating factors (e.g. remorse, or regret),
 - f. any guidance from the Investigating Officer on typical penalties/outcomes for similar cases.

4.5 Decision notices

- 61) The Committee must provide written notice of its decision to the student as soon as reasonably possible.
- 62) The written notice must include:
 - a. the decision,
 - b. any penalty imposed,
 - c. reasons for the decision and penalty,
 - d. information about the student's right to appeal and applicable timeframes, and
 - e. possible outcomes of an appeal.
- 63) The Committee chairperson or the Investigating Officer will record the outcome in the Conduct Register.

5. Appeals process

5.1 Right of appeal

- 64) A student may appeal a final decision made by a Misconduct Committee regarding:
 - a. a finding that misconduct occurred, and/or
 - b. any penalty imposed.
- 65) Appeals can only be made on one or more of the following grounds:
 - a. procedural fairness or relevant procedures were not followed,
 - b. a significant error of law occurred,
 - c. the decision relied on findings not reasonably supported by the evidence,
 - d. the penalty was clearly excessive, or
 - e. new evidence became available that wasn't reasonably accessible to the student before the decision was made.
- 66) To appeal, the student must submit an appeal within 28 days of receiving written decision. The appeal must:
 - a. identify the decision being appealed,

- b. state the ground(s) for appeal, and
- c. include all supporting documents the student was considered.

5.2 Appeal review by the CEO

- 67) Appeals will be referred to the CEO (or their delegate) within 14 days of receipt.
- 68) The CEO (or delegate) will review the appeal and may:
 - a. request further information from the student or Investigation Officer,
 - b. consider all relevant materials, including:
 - i. the appeal application and attachments,
 - ii. the original decision and supporting documents,
 - iii. any new evidence submitted.
- 69) The student will be provided with a copy of all materials considered during the appeal unless there are lawful or compelling reasons to prevent full disclosure.

5.3 Nature of appeal

- 70) The CEO (or delegate) has the same powers as the Misconduct Committee when reviewing the appeal.
- 71) The review will focus on the specific grounds raised in the appeal.
- 72) Errors made by the Misconduct Committee do not prevent the CEO (or delegate) from correcting them during the appeal process.
- 73) The CEO (or delegate) may consider:
 - a. original evidence and documents,
 - b. the Misconduct Committee's written decision,
 - c. the student's appeal and supporting documents,
 - d. any new evidence provided to both parties.

5.4 Appeal hearing (if applicable)

- 74) The student must be given a fair opportunity to:
 - a. respond to any new evidence, and
 - b. submit written arguments in support of their appeal.
- 75) The CEO (or delegate) may decide to:
 - a. hold a hearing (in person or online), or
 - b. decide based on written submissions only.
- 76) If a hearing held, the student must be given at least 7 days' notice.
- 77) Support services (e.g. transcription, legal advice) may be used to assist with the hearing.
- 78) Hearing must follow procedural fairness.

5.5 Deciding appeals

- 79) The CEO (or delegate) may:

- a. confirm or amend the decision,
 - b. set aside the decision and make a new one,
 - c. refer the matter back to a Misconduct Committee for reconsideration, or
 - d. refer the matter to UQ.
- 80) A more serious penalty may be imposed if it falls within the original scope of the Misconduct Committee's authority.

5.6 Decision notice

- 81) The student will be notified of the outcome in writing as soon as practicable.
- 82) The notice will include:
- a. the decision,
 - b. reasons for the decision, and
 - c. information about the student's right to lodge a complaint with the [Commonwealth Ombudsman](#) (international students) or [Queensland Ombudsman](#) (domestic students) if dissatisfied.
- 83) The appeal outcome will be recorded in the Conduct Register.

5.7 Finality of appeal decision

- 84) The CEO's (or delegate) decision is final and cannot be appealed further within the College.
- 85) If a student remains dissatisfied, they may lodge a complaint with the [Commonwealth Ombudsman](#) (international students) or [Queensland Ombudsman](#) (domestic students), but only after completing the College's appeal process.
- 86) Penalties will not be enforced until the appeal is resolved, unless the Misconduct Committee issues an implementation direction requiring the student to comply during the appeal.
- 87) The student may request the CEO (or delegate) to pause (or "stay") the implementation direction. The CEO (or delegate) must treat such requests as urgent and respond promptly.
- 88) When deciding whether to pause the penalty, the CEO (or delegate) may consider:
- a. whether immediate enforcement would cause serious hardship,
 - b. whether pausing would assist fair handling of the appeal,
 - c. whether enforcement maintains the status quo,
 - d. any safety risks, and
 - e. whether the student may complete their enrolment before the appeal is resolved.
- 89) The CEO's (or delegate) decision to pause or enforce the penalty cannot be appealed within the College.

6. Definitions

Term	Definition
Allegation notice	Is a written notice which: - identifies the conduct of the student that is alleged to constitute misconduct, - identifies the provision of the Student Code of Conduct or other policy, which is alleged to have been breached, - identifies the penalty which is sought (subject to the discretion of the Misconduct Committee), - identifies the Misconduct Committee to which the matter is being referred, - identifies the date and place at which the Misconduct Committee is proposing to determine the matter (subject to the discretion of the Misconduct Committee), - advises the student that the document bundle contains the factual material which is being relied upon to establish the misconduct or to support the penalty, - advises the student of their right to contest the matter, - advises how a student may admit or contest an allegation notice, and - requests that the student advise whether they require an oral hearing and whether they admit or propose to contest the allegations of misconduct.
Conduct notice	A Conduct Notice is a formal written notification issued to a student identifying alleged behaviour that may breach the Student Code of Conduct. The notice provides the student with an opportunity to: - acknowledge the alleged conduct through an early admission. - accept a specified penalty equivalent to one that could be imposed by a Misconduct Committee. - avoid formal misconduct hearings and prevent a misconduct finding from being recorded in the Conduct Register. To accept this opportunity, the student must complete and return the notice within a designated timeframe, which must be no less than 14 days from the date of issuance.
Days	means calendar days.
Document bundle	comprises the statements and other documentation provided to the Misconduct Committee (and the student) to provide the factual basis for the hearing and determination of the allegation of misconduct and any appropriate penalty. The document bundle may include, for example and without limitation, the investigation report, 'Turnitin' reports, and document verification checks.

Term	Definition
Investigating Officer	The following positions are empowered to make decisions and take steps under the Student Integrity and Misconduct Policy and this procedure. - Senior Manager, Academic Pathways - Senior Manager, Administration - Senior Manager, English Language Pathways - Academic Manager, Academic Pathways - Manager, English Language Pathways - Manager, Bridging English - Manager, Assessment - Manager, Integrated English and Customised Programs - Manager, Student Administration - Manager, Academic Administration - Course Coordinator, Academic Pathways.
Original material	is the documentation which was before the Misconduct Committee and is provided to the CEO (or delegate) for reference in the hearing and determination of the appeal.
Procedural fairness	is a principle that is applied by the College to ensure that decisions are made in accordance with the rule against bias and the hearing rule (i.e. a person is given an opportunity to present their case with knowledge of any prejudicial material that may be considered by the decision-maker).

7. Associated information

Website links

- [Education Services for Overseas Students \(ESOS\) Act 2000](#)
- [The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018](#)

Documents

- [Complaints and Appeals Policy](#) (under review)
- [Complaints and Appeals Procedure](#) (under review)
- [Student Code of Conduct](#)
- [Student Code of Conduct Factsheet](#)
- Student Integrity and Misconduct Policy

8. Relevant contacts

UQ College Student Administration

Phone	+61 7 3346 6770
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9. Document history

Version	Summary of changes	Author	Action date
1.0	New procedure created	Kellie Brady	3 November 2025