



COLLEGE HANDBOOK

2024

# ACKNOWLEDGEMENT OF COUNTRY

The John Flynn College acknowledges the Bindal and Wulgurukaba as the  
Traditional Owners of this land.

We pay our respects to their cultures, their ancestors and their Elders, past  
and present - and all future generations.

## CONTACT DETAILS

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# CONTENTS

<b>Our History</b>	<b>5</b>	Sporting Facilities	15
<b>Vision, Mission and Values</b>	<b>6</b>	Music Room	15
<b>Flynn of the Inland</b>	<b>7</b>	<b>Meals and Dining</b>	<b>16</b>
<b>The John Flynn College Prayer</b>	<b>7</b>	Meal times	16
<b>The John Flynn College Motto</b>	<b>8</b>	Guests	16
<b>The John Flynn College Colours</b>	<b>8</b>	Formal Dinners	16
<b>The John Flynn College Emblem</b>	<b>8</b>	<b>Miscellaneous</b>	<b>17</b>
<b>Our Management and Staff</b>	<b>9</b>	After Hours Lock-Up	17
College Principal	9	Bicycles and Transport	17
Administration	9	Carnival is Over	17
Deputy Principal	9	Security Cameras	17
Resident Support Officers (RSOs)	9	Correspondence with The College Council	17
Senior Residential Assistants and Residential Assistants (SRAs & RAs)	9	Illness and Injuries	17
Duty Tutor (Ph: 0417 427 330)	10	Interviews with the College Principal/ Deputy Principal	18
Academic Resource Team	10	Mail	18
The John Flynn Students' Association Inc.	10	Maintenance	18
Housekeeping and Maintenance	10	Parking	18
Executive Chef	10	Parties	18
Catering Team	10	Pets	19
<b>Admission to College</b>	<b>11</b>	Visitors	19
Checking In	11	Valedictorians, Graduates, and Farewell Award recipients	19
Checking Out	12	<b>Flynn Community Standards</b>	<b>20</b>
Storage	12	Safety	20
Early return	12	General Safety	20
Late departure	13	Fire safety	20
Absence from college	13	Rooms	20
Meal rebates	13	Common Rooms / Areas	21
Payment of Fees	13	Laundry facilities	21
<b>My Support</b>	<b>13</b>	Dining room	21
<b>Accommodation and Facilities</b>	<b>13</b>	Smoking / Vaping	22
Study-Bedrooms	13	Alcohol	22
Lounges and Kitchenettes	14	Illicit Drugs	23
Business Centre and Tutorial Rooms	15	Harassing or violent behaviour	23
Washing and Ironing Facilities	15	Social Media	23
<b>Recreational Facilities</b>	<b>15</b>	Use of Information Technology	23
JCR (Junior Common Room)	15	Recording and Distribution of Images	24
Resident Kitchen	15	Firearms, Weapons, Explosives	24
		<b>Dealing with Noise</b>	<b>24</b>
		Noise Procedures	24

Noise Guidelines	24
<b>Appendix</b>	<b>25</b>
A. My Support: Support options available to all residents	26
B. 2024 Fee Schedule	28
C. Student Code of Conduct	30
D. Alcohol Policy	34
E. Bullying, Discrimination, Harassment and Sexual Misconduct Policy	38
F. Bullying, Discrimination and Harassment Complaint Procedure	48
G. JCU Sexual Misconduct Procedure	54
H. JCU Inter-Collegiate Conduct	66
I. Digital Technologies Acceptable Use Policy	68
J. Social Media Policy	74
K. Student Misconduct Procedure	76

# OUR HISTORY

IN 1960, THE PRESBYTERIAN CHURCH OF QUEENSLAND INVESTIGATED THE ESTABLISHMENT OF A RESIDENTIAL COLLEGE WITHIN THE THEN UNIVERSITY COLLEGE OF TOWNSVILLE.

In 1962 the Methodist Church approached the Presbyterians and proposed joint action. By 1964, approval had been given by the governing bodies of both Churches to the idea of a joint College. Its Council was formed on 23 November 1965, and it adopted the name The John Flynn College. In 1966 the College was incorporated under letters patent and an appeal for funds was conducted throughout North Queensland.

**1968** At the beginning of 1968, the first students moved into the original residential buildings, Harrison and Philp wings (Decks A to I).

**1977** The Methodist Church, the majority of the Presbyterian Church of Australia, and the Congregational Church combined to form the Uniting Church in Australia. A minority of Presbyterians determined to continue upon the Basis of Union of 1901. The College Constitution was revised to enable continued government of the College by the Uniting Church and Continuing Presbyterian Church.

**1979** Presbyterians Continuing broke their association with the College, leaving the College as a partnership of the Uniting Church and the James Cook University. With the building of Stewart Close in 1986 (Decks N & O), the Lutheran Church of Australia joined this partnership in the government and management of the College.

**1992** The College was further extended in 1992 with the opening of the three "cluster houses", Mackay, Martin and Rosendale Houses (Decks P to T).

**2005** At the commencement of 2005 a new 24 room building was opened by Mrs Traeger, widow of Mr Alfred Traeger. This building, aptly named Traeger House, (J and K Decks) has all its rooms air-conditioned with two rooms sharing an ensuite.

**2006** In 2006 the College again extended its capacity with the opening of a further 12 rooms. These rooms are air-conditioned with shared ensuites (Deck L).

**2012** Lachie Marsh House was opened by Mr Lachlan Marsh, former Principal (1993-2002) and Fellow of The John Flynn College in March 2012. Lachie Marsh House accommodates a further 19 students in air conditioned rooms, and a music room.

**2013** Caddies Place was opened in March 2013 and allows the College to offer air-conditioned rooms to an additional 12 students. Caddies Place was opened by Rev Graham Caddies, Chair of The John Flynn College Council.

**2014** In January, Wigney Lodge was renovated and divided into two separate living spaces and accommodates our Resident Support Officer.

**2015** The construction of the extended dining room commenced in September 2015. Part of the works included the renovation and extension of the bathroom facilities at the back of the old dining area. The air conditioned space will also double as a multi-purpose area for student resident activities (social/ academic/ cultural).

**2016** The Aubrey Baker Room was named, opened and dedicated on 23 July. Rev Aubrey Baker oversaw the establishment of the College from 1966-1968.

**2018** Kitchen and 'Old-Dining-Area' renovations in the Sir George Fisher Building completed for the start of the 2018 academic year. Staff Offices (including Reception) and the Junior Common Room relocated within the same project. The development included the establishment of additional study/tutorial rooms and the expansion of the business centre. Other works included five new student rooms in Lower M Deck and new accommodation apartments (to house senior staff members and their families) on the southern boundary of the College.

**2019** Split system air-conditioners installed in all room on Harrison and Philp Wings. Front entrance wall refurbishes and driveway behind kitchen upgraded.

**2022** Electronic locking system across entire college installed. Major IT upgrade completed.

*IN 2024, THE COLLEGE OFFERS  
251 FULLY CATERED STUDENT ROOMS.*

# VISION, MISSION AND VALUES

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## COLLEGE VISION

A world class university residential community

## COLLEGE MISSION

A safe, caring, learning community where its members are supported to grow holistically.

The John Flynn College has its foundations firmly based on Christian values:

- Safe environment
- Inclusive family
- Vibrant life
- Ethical leadership
- Caring for our world
- Lifelong learning

The John Flynn College was founded to provide accommodation and tuition for men and women studying at James Cook University. It aims to provide its residents with much more than a convenient place of residence. It is an institution founded on the spirit of liberal education, and so endeavours to draw students from all faculties of the University in the expectation that this will promote the interchange of ideas and values.

The College seeks to perpetuate the sort of spirit that John Flynn possessed: to be forward-looking and creative on one hand and to be practical and down to earth on the other. It aims to develop a community in which its members may share a full life of study, discussion, and social and sporting events.

Although it is affiliated with the Uniting and Lutheran Churches, the College welcomes to its membership men and women of all cultures and faiths, on the understanding that they, in turn, accept the values, standards, and traditions which underlie the founding of the College.

As a general rule, admissions are made on the basis of academic merit, good character and need. Membership of the College is open to staff or student members of the James Cook University or of another educational institution approved by The John Flynn College Council.

Each year residents come to the College from many different countries to take advantage of what The John Flynn College has to offer. The Australians have a responsibility to make the International Residents welcome and the International students have a responsibility to enrich their lives by meeting with other nationalities. If you do not participate in activities offered by the College, you not only lose your opportunity to learn, you deprive others of their chance to learn. If all you want is a place to eat, sleep and study you are in the wrong place. Other colleges/halls or other forms of accommodation may suit you better!

The College Council takes great pride in the academic achievement of the residents at The John Flynn College and as such, we at the College expect the highest standards of conduct and behaviour from our residents. In the interdependent community fostered by the College, young people may mature as competent, creative agents of their future directions within society. It is our aim that Valedictorians of The John Flynn College will graduate as confident and responsible citizens contributing to Australia and beyond.

# FLYNN OF THE INLAND

The College is named after The Very Reverend John Flynn, O.B.E., and D.D (1880-1951), perhaps one of the most famous and revered of Australians. As a young student, John Flynn became interested in the lonely places of the inland and northern Australia. His ministry at Beltane in South Australia convinced him that the Christian Faith was irrelevant on the frontiers of Australia if it did not concern the whole life of men and women, body, mind and spirit.

He persuaded the Presbyterian Church to establish the Australian Inland Mission, with padres patrolling the isolated areas, bush nurses placed at strategic centres, and established seaside homes and welfare centres for outback children. By means of patience, determination and persuasive appeal, he gathered around him a team of men and women whose purpose was to cast a "mantle of safety" over the inland and the north, using the then newly developed techniques of radio, and air services. By skilful publicity and political lobbying, Flynn also awakened an interest in development and investment in the centre and north.

After his death, several memorials were built, the best known being the "great cathedral" he had envisaged for the centre, the Flynn Memorial Church at Alice Springs. His work continued in such practical projects as the building of the "Old Timers' Home" in Alice Springs, new hospitals at centres such as Cone and Port Headland, St Phillip's College, Alice Springs, The John Flynn College in Townsville, and in the creation of the United Church of Northern Australia.

*"John Flynn, Apostle to the Inland" by W. Scott Cheat is an excellent biography of Flynn. (London: Hotter and Stoughton, 1963).*

## THE JOHN FLYNN COLLEGE PRAYER

*O God, our Father, you gave to your servant John Flynn,*

*The gifts of courage, faith and cheerfulness and sent him forth to cast a mantle of  
safety over the isolated places of Australia;*

*Grant we ask You, a like Spirit to this College, founded in thankfulness for his work.*

*Further in all things the purpose of the College, that it might be a true community  
in seeking the truth, which alone can make men free;*

*And, if it be Your Holy Will, let it abide as a centre of light and learning.*

*Through Jesus Christ, our Lord. Amen*

# THE JOHN FLYNN COLLEGE

## Motto

"You shall know the truth" John 8:32

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# THE JOHN FLYNN COLLEGE

## Colours

Light Blue and Dark Blue.

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# THE JOHN FLYNN COLLEGE

## Emblem

THE JOHN FLYNN COLLEGE EMBLEM SIGNIFIES THE VARIOUS TRADITIONS WHICH HAVE HELPED TO CREATE THE COLLEGE.

The Shield reflects the architecture of the Flynn memorial church in Alice Springs which commemorates the ministry of The Rev John Flynn. The shape of the shield is that of the Church. The azure-blue field depicts the dawn sky of Central Australia illuminated by the stars of the Southern Cross. White against pastel blue suggests the contrast of the blue of the winter noon day sky with its scudding clouds. The arrow-shaped pediments and subscripts symbolise both the boomerang of the original Australians and the aircraft wing of the Flying Doctor's mercy craft in pastel and white.

The centre of the badge combines the symbols of the three Reformation traditions which the College represents. The burning bush of the Presbyterians is in vivid red while the 'outline' is in claret; the dove of the Methodists represents the Holy Spirit, depicted in white and touched with pastel blue against the Latin cross of the Lutherans, in white.



# OUR MANAGEMENT AND STAFF

THE COLLEGE GOVERNANCE IS OVERSEEN BY COLLEGE COUNCIL CONSISTING OF THE FOLLOWING MEMBERS: EIGHT (8) APPOINTED BY THE QUEENSLAND SYNOD OF THE UNITING CHURCH IN AUSTRALIA, TWO (2) BY THE QUEENSLAND SYNOD OF THE LUTHERAN CHURCH, THE PRINCIPAL OF THE COLLEGE, ONE APPOINTED BY THE UNIVERSITY COUNCIL, THE PRESIDENT OF THE STUDENTS' ASSOCIATION, AND A SENIOR RESIDENTIAL STAFF MEMBER.

## COLLEGE PRINCIPAL

The administration of the College is placed in the hands of the College Principal who is responsible to the Council for all aspects of leadership and administration of the College. As Head of the College, the Principal has the authority to make rules and regulations concerning resident behaviour; to exercise and/or to delegate the exercise of discipline; and has sole discretion over admission.

The College Principal lives on College and is available both in and out of office hours. He can provide assistance with both academic and personal problems, but also likes to hear of students' joys and successes.

## ADMINISTRATION

The College Principal is assisted in the day to day management of the College by the Deputy Principal, Executive Chef, Manager, Finance and HR, Administration Officers, Resident Support Officers and all other staff (including Residential Staff). The College Office is open from 8.30am to 4.30pm (Monday – Friday). The Staff are able to provide a range of services during office hours which include but not limited to change for dryers and spare keys for residents who have locked themselves out of their rooms during office hours. All staff are pleased to be able to lend a friendly ear and provide whatever assistance they can.

## DEPUTY PRINCIPAL

The Deputy Principal assists the Principal in the areas of finance, HR, marketing, facilities, student administration, pastoral care, academic services and student discipline. The Deputy Principal works closely with all staff and supports the Resident Support Officers, Academic Support team, the Residential Assistant team and the Student Association Executive.

## RESIDENT SUPPORT OFFICERS (RSOS)

Resident Support Officers are appointed each year. The Resident Support Officer team are on College to give guidance and support to the Residential Assistants when required. They are responsible for providing and coordinating chaplaincy within the college and also for strengthening linkages with local churches. RSOs are contactable outside business hours and are available to provide pastoral care to all residents.

## SENIOR RESIDENTIAL ASSISTANTS AND RESIDENTIAL ASSISTANTS (SRAS & RAS)

Senior Residential Assistants and Residential Assistants are appointed annually by the College Principal to assist in academic and pastoral care of residents of the College. They live throughout the College to assist and support the College Principal and Deputy Principal in the student management of the College and to be responsible for the oversight and care of residents. Each Senior Residential Assistant and Residential Assistant is expected to establish and maintain an effective relationship with each of the residents with whom they live, to identify any problems that may arise and to liaise with the College Principal or Deputy Principal about such problems when necessary.

Senior Residential Assistants and Residential Assistants are the College Principal's representatives within the College community and as such their authority in maintaining the values and behavioural standards of the College are to be respected and followed at all times.

Six Senior Residential Assistants have been appointed for 2024. A further seventeen (17) Residential Assistants and five (5) Reserve Residential Assistants have also been appointed. These students will be located on every deck within the College.

## DUTY TUTOR

(PH: 0417 427 330)

A Residential Staff member is on duty outside office hours (each night and each weekend of the academic year) to address emergencies. The Duty Tutor can be contacted by calling 0417 427 330. Duties primarily involve security, safety, fire evacuation, noise monitoring and regulation. The Duty Tutor acts on behalf of the College Principal in maintaining College values and behavioural standards after hours.

The Duty Tutor is the first point of contact for students who have medical or other difficulties that need attention outside office hours.

## ACADEMIC RESOURCE TEAM

All residents are expected to be involved in the Academic Resource programs and activities within the College.

The Academic Resource team consists of the Principal, Deputy Principal and Residential Tutors. The primary role of the Academic Resource team is to help ensure students achieve to the best of their academic ability. It is recommended that every First Year resident should have an interview with the College Principal or Deputy Principal in the first week or two of the academic year.

Residential Tutors are appointed annually and offer support, guidance and leadership to First Year residents of The John Flynn College for courses with high enrolments. Residents in their second or later years may also seek support through the Academic Resource Team.

## THE JOHN FLYNN STUDENTS' ASSOCIATION INC.

Each year the students elect from the student body a President, Vice President, Secretary, Treasurer, two (2) Social Representatives, two (2) Sports Representatives, two (2) Shop Representatives, two (2) Cultural

Representatives and two (2) First Year Representatives. This group organises and runs social, sporting and cultural activities for all College members.

The John Flynn College (JFC) Students' Association Inc. is an independent entity to The John Flynn College and is an association in its own right. As such it is responsible and liable for its actions and functions.

Student residents of the College become members of The JFC Students' Association Inc. and pay the requisite fee determined by the Association. The President of the Students' Association meets regularly with the College Principal and/or Deputy Principal to discuss student planning and issues affecting student life in the College.

### **This Association is responsible for:**

- promoting in every way possible cross-cultural and international understanding;
- representing members in all matters affecting their interests;
- promoting, controlling and regulating the cultural, sporting and social activities of the Association;
- Taking responsibility for maintaining the College's values in so far as it is within its power to do so.

The Principal acting on behalf of the College Council has the right of veto on any use of College facilities by the Students' Association that is deemed in breach of government, University or College policies.

## HOUSEKEEPING AND MAINTENANCE

The Housekeeping and Maintenance staff are responsible for the overall cleanliness and maintenance of the College.

## EXECUTIVE CHEF

The Executive Chef provides leadership and effectively manages issues relating to the Chefs, Catering Assistants and all Kitchen/Dining Room activities.

## CATERING TEAM

The Executive Chef is supported by a team of three (3) qualified chefs, a weekend cook and six (6) catering assistants.

The Catering team ensures that residents are provided with three nutritional meals per day, and the efficient operation of the Dining Room.

# Admission TO COLLEGE

ADMISSION TO THE COLLEGE IS FOR THE FOLLOWING DATES IN 2024:

## TWO SEMESTER CONTRACTS

### Study Period 1

#### Commencement date

New Students: Sunday 11/02/24

Returning Students: Wednesday 14/02/24

#### Expiration date

24hrs after the Student's final exam for Study Period 1 or 10am on 15/6/24, whichever is sooner

### Study Period 2

#### Commencement date

Sunday 21/07/24

#### Expiration date

24hrs after the Student's final exam for Study Period 2 or 10am on 16/11/24, whichever is sooner

## TRIMESTER CONTRACTS

### Trimester 1

#### Commencement date

Sunday 20/01/24

#### Expiration date

24 hrs after the students final exam for Trimester 1 or 10am on 27/04/24 whichever is sooner

### Trimester 2

#### Commencement date

Sunday 19/05/24

#### Expiration date

24 hrs after the students final exam for Trimester 2 or 10am on 24/08/24 whichever is sooner

### Trimester 3

#### Commencement date

Saturday 15/09/24

#### Expiration date

24 hrs after the students final exam for Trimester 3 or 10am on 14/12/24 whichever is sooner

Staying outside of these dates require College approval and will incur additional charges.

Re-admission to the College in any year is not automatic.

The College Principal may refuse to re-admit, or may dismiss or impose a temporary suspension of membership upon students whose lack of academic progress or conduct is unacceptable.

Re-admission is conditional upon successful academic performance and payment of all monies by the due dates.

## CHECKING IN

ALL RESIDENTS MUST HAVE COMPLETED THE ONLINE TRAINING MODULES BEFORE CHECK IN.

### Two Semester Contracts

#### Study Period 1

New residents can check in between 9am and 5pm on Saturday 10/2/24 by attending College Administration. However, new residents cannot stay at the College the night of Saturday 10/2/24. Sunday 11/2/24 is the new students' first day on College. A letter will be sent to all new students about the format of this day (e.g. check in times and compulsory meetings on the day).

Returning residents can check in between Wednesday 14/2/24 and Sunday 18/2/24 by attending College Administration or contacting the Duty RA.

#### Study Period 2

Residents can check in on Sunday 21/7/24 by contacting the Duty RA.

### Trimester Contracts

New residents can check in between 9am and 5pm on Saturday 20/1/24 by attending College Administration. However, new residents cannot stay at the College the night of Saturday 20/1/24. Sunday 21/1/24 is the new students' first day on College. A letter will be sent to all new students about the format of this day (e.g. check in times and compulsory meetings on the day).

#### Trimester 2

Residents can check in on Sunday 19/05/24 by contacting the Duty RA.

#### Trimester 3

Residents can check in on Sunday 15/09/24 by contacting the Duty RA.

## CHECKING OUT

### Study Period 1

It is a condition of contract that all residents must check out 24hrs after their last exam or by 10am Saturday 15 June 2024 (whichever is sooner).

Residents must completely vacate their room and pack all personal belongings including personal furniture. Assistance is provided to remove and return all packed personal belongings.

Residents must leave their room in the same condition as it was when they checked in. Any damage should be reported to College Administration. All rubbish should be removed. All fans, lights and air conditioners should be turned off. Fees apply for non-compliance.

### Study Period 2

It is a condition of contract that all residents must check out 24hrs after their last exam or by 10am Saturday, 16 November 2024 (whichever is sooner).

Residents must completely vacate their room and remove all personal belongings including personal furniture.

Residents must leave their room in the same condition as it was when they checked in. Any damage should be reported to College Administration. All rubbish should be removed. All fans, lights and air conditioners should be turned off. Fees apply for non-compliance.

### Trimester Contracts

#### Trimester 1

It is a condition of contract that all residents must check out 24hrs after their last exam or by 10am Saturday, 27 April 2024 (whichever is sooner).

Residents must completely vacate their room and pack all personal belongings including personal furniture. Assistance is provided to remove and return all packed personal belongings.

Residents must leave their room in the same condition as it was when they checked in. Any damage should be reported to College Administration. All rubbish should be removed. All fans, lights and air conditioners should be turned off. Fees apply for non-compliance.

#### Trimester 2

It is a condition of contract that all residents must check out 24hrs after their last exam or by 10am Saturday, 24 August 2024 (whichever is sooner).

Residents must completely vacate their room and pack all personal belongings including personal furniture. Assistance is provided to remove and return all packed personal belongings.

Residents must leave their room in the same condition as it was when they checked in. Any damage should be reported to College Administration. All rubbish should be removed. All fans, lights and air conditioners should be turned off. Fees apply for non-compliance.

#### Trimester 3

It is a condition of contract that all residents must check out 24hrs after their last exam or by 10am Saturday, 14 December 2024 (whichever is sooner).

Residents must completely vacate their room and pack all personal belongings including personal furniture. Assistance is provided to remove and return all packed personal belongings.

Residents must leave their room in the same condition as it was when they checked in. Any damage should be reported to College Administration. All rubbish should be removed. All fans, lights and air conditioners should be turned off. Fees apply for non-compliance.

## STORAGE

Storage is supplied on site during the breaks between study periods/semester and during the end of year break.

Advice will be sent to residents by email regarding procedures and allowances prior to SWOTVAC and Examinations. Personal furniture will not be stored except for small bar fridges, desk chair, small book cases and clothes air-driers.

Storage limits of 4 large and 2 small book boxes apply.

## EARLY RETURN

Application for early return to College must be made by contacting College Administration. Approval will only be given for circumstances such as placement, attendance at lectures or other appropriate reasons. Additional charges apply. Residents are not permitted to bring their belongings, or set up their room, prior to their approved check in date.

## LATE DEPARTURE

Application to stay beyond the approved check out date must be made by contacting College Administration. Approval will only be given for circumstances such as placement, attendance at lectures or other appropriate reasons. Additional charges apply.

## ABSENCE FROM COLLEGE

Residents who are absent from college overnight are asked to notify their Residential Assistant.

## MEAL REBATES

A refund on the food component amount charged as part of semester fees is available for residents away for lecture recess or clinical placement for periods of six consecutive nights or longer. To receive a meal rebate, residents must

- Apply in writing to College Administration prior to leaving the College for lecture recess or placement

The lecture recess meal rebate is only available for the duration of the lecture recess and cannot be extended into the study weeks prior to or directly after the lecture recess.

## PAYMENT OF FEES

Fees must be paid in advance by the dates and payment methods stipulated in the 2024 fee schedule (see appendix). Domestic students may elect one of the following three payment options. International students may only elect options A or B.

**Option A:** Pay annual fees in full in advance. A discount of \$550 applies if paid by direct deposit by the due date.

**Option B:** Pay study period fees at the beginning of semester / trimester in full in advance. A discount of \$270 applies if paid by direct deposit by the due date.

**Option C:** Pay fees fortnightly in advance. No discounts apply.

Residents who fall behind in fee payments should contact the College Principal to discuss their options.

Contractual admission to the college is for the entire academic year. If a resident decides to permanently leave college prior to the end of the academic year, the resident is obliged to continue to pay fees until the end of the academic year.

## MOVING ROOMS

Residents may request to move rooms throughout the academic year. A room move during the academic year will incur a fee of \$100 to cover cleaning and administration costs. This fee may be waived by the College Principal if the move is for wellbeing issues.

# MY SUPPORT

The John Flynn College and James Cook University have a large range of pastoral, mental health, behaviour and financial support options available for John Flynn College residents. See the appendix for the My Support poster that details all available support options.

# ACCOMMODATION AND FACILITIES

## STUDY-BEDROOMS

Individual study-bedrooms are arranged in groups of 12 or fewer, called "Decks". The term "Deck" is in reference to Captain James Cook's ship the Endeavour. Each deck shares a common lounge/kitchenette area and bathroom facilities. Both male and female residents live on all decks and, as far as possible; there is a mix of year levels and academic disciplines on each.

Your study-bedroom is, more than anywhere else at The John Flynn College, your own private area. However, you must realise that after you leave someone else will live in your room and is entitled to find the room in as good a condition as when you moved in.

Rooms are allocated by the College Principal or his nominee and may not be changed without his permission. Room allocation is based largely, but not entirely, on seniority. Returning students are given the opportunity to nominate their room preferences for the following year before second semester exams. However in some instances, it is not possible to satisfy all requests, and the decision of the College Principal will be final.



### **Room Key**

The key to your room is your responsibility. Losing your key or failing to return it at the end of the semester or year may mean it is necessary to completely change the lock. The cost of replacing the key or the lock will be charged to you. This applies to electronic and hardware keys and locks.

### **Cleaning**

Study bedrooms will be cleaned weekly and residents are asked to have their bedroom in a tidy condition so housekeeping staff can access all floor areas, desk and sink tops. Sheets will also be changed weekly.

### **Room Entry and Inspections**

While the College Management acknowledges that what a resident does in their study-bedroom is the resident's business, it is the responsibility of the College's Management to see that no laws are violated or actions take place that go against the interest of The John Flynn College or its residents. For these reasons, the College Management has the right to enter any study-bedroom or other room at any time if it is felt to be necessary in the interest of individual safety and that of other residents.

The College Principal reserves the right to inspect any student room by giving 24 hours notice. A formal notice of inspection detailing concerns will be posted under the bedroom door or by email.

The College holds the right for its representatives or its contractors to enter a room, after giving reasonable notice where possible except in the case of an emergency, to inspect and to effect maintenance.

### **Contents**

The College provides all basic furnishings, including a desk, study chair (only on request), built-in cupboard, bed, and bed linen. Residents should consider providing their own doona or blanket however College bedspreads can be made available upon request. Residents are expected to provide their own pillow, pillowcase, towels and toiletries.

No bed (i.e. double, queen, futon etc) other than the king single bed supplied by the College is permitted. Residents may bring their own mattress for medical reasons. King single beds are provided in all rooms, with the exception of L-Deck, which have double beds.

The items supplied in your room are your responsibility. You must pay for any damaged or missing items. In addition, any damage to the walls or surfaces in the room, including the windows, is your responsibility.

### **Personal contents insurance**

The College cannot provide insurance cover for resident's personal items kept in rooms and therefore encourages all residents to take out personal contents insurance. The College will not be responsible for any damage or loss, however caused, to any private property whatsoever located on College premises or within resident's rooms.

The College does not accept responsibility for any damage to or loss of property (including but not limited to motor cars, motor cycles and bicycles) brought to College or within its premises.

Thefts should, in all cases, be reported to College Administration who will advise any further action.

### **Air conditioning**

All rooms on College are air-conditioned. Residents are reminded that when the air-conditioner is operating, all doors and windows must be closed to ensure efficient operation. Units must not be left running when the room is left vacant for long periods as this is a waste of electrical energy and is also damaging to the environment.

### **Internet**

Unlimited high speed WiFi is provided. The college has two networks. The Eduroam network should be used for all mobile devices, laptops and PCs. To access Eduroam, use your JCU login details. The Flynninternet network should be used for static devices such as printers and Xbox. Flynninternet connection details are unique to each building and will be provided upon check in.

### **Fridge**

Personal refrigerators are only allowed with the permission of the College Principal and must not exceed 120 litre capacity (small bar fridge). An annual charge is made to residents who have their own refrigerators.

## **LOUNGES AND KITCHENETTES**

Common rooms with lounges, dining table, TV and kitchenettes are provided on each deck. Basic appliances (fridge, kettle, microwave) are also provided.

## BUSINESS CENTRE AND TUTORIAL ROOMS

Wireless Internet Access is available in the Business Centre, Dining Hall, ABR, Conference Room, Tutorial Room and Tutorial Shed.

Computers with internet access and multi-function printers (print, copy, scan) are available for use in the Business Centre. A binding machine, staplers and hole punchers are also available.

The tutorial rooms are available for tutorials and group study.

## WASHING AND IRONING FACILITIES

Laundry facilities are available at the rear of the ground floors on Harrison and Philp Wings, Stewart Close, Lachie Marsh House, Caddies Place and Traeger House. The washing machines cost \$3.00 per load and can be activated via paywave. Driers are also available at nominal cost. Washing machines and driers may not be used before 8.00am or after 9.00pm; they must not be left unattended for more than 30 minutes.

Ironing boards are provided for the use of residents. For safety reasons residents are advised to provide their own irons.

Approved clothes airers may be used to dry clothing in rooms or on balconies. Clothes should not be hung on balcony railings. Clothes lines are provided at the back of Harrison Wing, and next to the laundry on Philp Wing. There are also lines within the Cluster building courtyards, Traeger House, Lachie Marsh House and Caddies Place.

# RECREATIONAL FACILITIES

## JCR (JUNIOR COMMON ROOM)

The Junior Common Room (JCR) is located in the Sir George Fisher (Administration) Building. A pool table, table tennis and flat screen TV is provided and maintained by The JFC Student Association Inc.

## RESIDENT KITCHEN

A fully equipped kitchen is available for use. It can be accessed through the door on the rear of the building between administration and the staff entrance. The kitchen is set up as you would find your kitchen at home. The kitchen should never be left unattended when the appliances are in use. Residents using the kitchen facility are responsible for leaving the kitchen in a clean and tidy state.

## FITNESS CENTRE, TENNIS, SQUASH

All residents at the John Flynn College have free academic year membership to the JCU Fitness Centre, Tennis and Squash courts, which are located within walking distance to the college.

## SPORTING FACILITIES

The John Flynn College has a beach volleyball court located at the top of the Quad.

University sporting facilities adjacent to The John Flynn College include tennis, squash, beach volley ball, basket ball and netball courts, and sports ovals. There are numerous University sporting clubs as well as regular inter-college sporting events each year.

There are mountain biking and hiking tracks right behind Wigney Lodge.

## MUSIC ROOM

There is a sound resistant music room located at the rear of Lachie Marsh house. Contact College Administration for access.

# MEALS AND DINING

The College provides breakfast, lunch and dinner, 7 days a week during semester periods.

All meals should be eaten in the Dining Hall, except in the case of illness. Dining rights are not transferable.

Residents with dietary requirements must notify College Administration.

A lunch bar is available during breakfast for residents who will not be returning to College for lunch.

Late meals will be provided for residents who cannot return to College for dinner due to lectures or organised sporting commitments. To obtain a late meal, the resident should complete a sticker on the servery clip board indicating their name and desired meal option. The Chef will plate up the meal and place it in the late meal fridge.

## MEAL TIMES

	Breakfast		Lunch		Dinner
	Cold	Hot	Cold	Hot	Hot
Mon–Thurs	7am-9am	7:30am-8:30am	11am-1:30pm	11:30am-1:15pm	6pm-7pm
Friday					5:30pm-6:30pm
Sat–Sun P/Hol	7:30am-11am	8:30am-9:30am	11am-1pm	11:30am - 1pm	

## GUESTS

Residents may invite a guest for a meal however a fee is payable. Complete the casual meal book at the servery and hand the receipt to the chef prior to your guest being served.

## FORMAL DINNERS

Formal Dinners are held from time to time and residents are required to respond to invitations in a timely manner. Dress is smart semi-formal clothes (equivalent to that you would wear to a good restaurant). On occasions, males are asked to wear a collared long sleeved, buttoned shirt and tie.

# MISCELLANEOUS

## AFTER HOURS LOCK-UP

The Duty RA checks and locks all deck common room doors between 11pm and 12am each night. It is the responsibility of residents entering after these hours to secure the door behind them.

## BICYCLES AND TRANSPORT

In accordance with fire regulations, bicycles are not to be kept on the decks, corridors or on pathways. Please make use of the bicycle racks outside some decks or the lockable bike enclosures. Please register your bike with College Administration.

Public transport is readily available, with a bus service to the campus during the day approximately every 20 minutes. There is also a less frequent night service. The Douglas campus is 12 km from the city centre, and 3.8 km from the nearest shopping centre (although the campus does have shops and services, e.g. Chemist, coffee shop, post office etc). Many students share cars, some ride motor bikes, while bicycles are very popular. The College Principal's permission is necessary to keep a vehicle or bike at the College, and these must be kept in the defined areas.

## CARNIVAL IS OVER

Carnival is Over is a long standing tradition at Flynn to ensure the provision of the most conducive study environment for everyone leading up to and including examination period. The following conditions are in place from the Sunday before week 13 until the Saturday after exam period:

- No gatherings on College (including in rooms and on balconies)
- No alcohol to be consumed in common rooms / common areas
- No noisy activities
- No overnight guests
- Residents returning from a night in town must be quiet and respectful when they return home

## SECURITY CAMERAS

Security cameras are installed throughout the college. Most cameras are positioned around the perimeter, car parks and entries of the College. Cameras also overlook the Quad, ABR patio, entrance to administration, JCR and ABR. These cameras have been installed to improve resident safety, protect assets, and prevent nuisance behaviour. Cameras have been positioned in such a way that resident privacy is not compromised. Recorded footage is automatically deleted after 28 days.

## CORRESPONDENCE WITH THE COLLEGE COUNCIL

If residents of the College wish to communicate positive and/or negative matters to the College Council, the correct process to follow is to provide a dated and signed letter addressed and attention to the College Council Secretary in a sealed envelope clearly marked 'Private and Confidential'. Residents are to then hand the sealed letter to the College Administration who will ensure the letter is given to the College Council.

## ELECTRONIC ACCESS

All bedrooms (except for a few) are fitted with electronic access. You will be given an electronic access key that will allow you to enter your bedroom and all common rooms. It will also allow you to enter the Junior Common Room, Aubrey Baker Room, Business Centre, Tute Shed and Boardroom.

## ILLNESS AND INJURIES

If an accident or injury occurs, notify emergency services by dialling 000 if appropriate. Where practical, notify College Administration, Duty RA, Resident Support Officer and the College Principal immediately.

First aid kits are for emergency use only. They are located on each deck.

The JCU Health Medical Centre is located in the Clinical Practice Building. Most Doctors bulk bill JCU students who have a Medicare card. Contact 4781 4495 to make an appointment

If anyone is ill, the Duty RA, Resident Support Officer, and the College Principal are to be advised. Residents may arrange with College Administration or the Duty RA for the provision of meals for anyone confined to bed. Residents contracting communicable diseases or suffering extended illness may be required to seek hospital admission or return home, as the College does not possess isolation facilities or nursing resources.

If a College Member is diagnosed with or hospitalised with an infectious disease it is essential that the College Administration is advised immediately.

## INTERVIEWS WITH THE COLLEGE PRINCIPAL/DEPUTY PRINCIPAL

The College Principal and Deputy Principal are readily available to meet with all residents throughout the year when the need arises. It is advisable to make an appointment; however both the College Principal and the Deputy Principal have an "open door" policy and can often talk with residents who just drop in. All residents are expected to have an interview with the College Principal and/or Deputy Principal at least once during the year. The College Administration will advise all new residents of a time for their initial interview with the College Principal.

It is an expectation that all residents comply with a request from the Principal and Deputy Principal to meet with them.

## MAIL

Mail is delivered Monday to Friday and placed in the Pigeon holes in the business centre for residents to collect. Registered mail and parcels are kept at Administration, with an email sent to the student notifying them that a package has arrived and is available to be collected.

## MAINTENANCE

If you observe anything around college that needs fixing, please lodge a maintenance request through the current student portal.

## PARKING

Residents wishing to park in the College grounds must register their vehicle with Administration and obtain a parking permit. Parking spots are available in the main student car park at the back of the College (blue permit), beside and behind Traeger House (red permit) and between Mackay and Rosendale Houses (yellow permit). The main drive way, visitors car park, and delivery road near the kitchen and loading area east of Harrison Wing are out of bounds for parking.

Residents will be allocated a parking permit according to the following:

**Blue:** Harrison Wing (A-F), L Deck, Stewart Close (N-O decks) and Martin House (R-S decks)

**Red:** Philp Wing (G-I Decks), Traeger House (J-K Decks) and Lachie Marsh House (MU/ML decks)

**Yellow:** Mackay House (P-Q Decks), Rosedale House (T Deck) and Caddies Place (U Deck)

The visitor car parking facility on the main roundabout is reserved for people visiting the College on business. This does not include visitors of students. Note that any vehicle parked in the visitor parking between 8.00am - 4.00pm, or at any time across the delivery and loading areas will incur an automatic fine of \$10.

Residents wishing to leave their vehicles at the College during semester breaks must:

- Leave their vehicle in the allocated car park as advised by College Administration, and
- Leave a spare key for the vehicle with the College office in case it needs to be moved.

The College does not accept responsibility for any damage to or loss of vehicles and bicycles left at the College.

## PARTIES

Permission will not be given under any circumstances for parties of any description on College. It is suggested that residents wanting to have a birthday party or other gathering make arrangements for an alternative venue due to liability and security issues.



However from time to time Residential Assistants may apply in writing to the College Principal or his nominee for a deck BBQ. In such instances the College Principal or his nominee will assess the level of organisation and grant approval or otherwise.

## PETS

The University is a fauna reserve and a Veterinary Research Station. No birds, reptiles, spiders or animals may be kept at College by student residents. Fish tanks are not permitted.

## VISITORS

In accordance with the College Child Protection Policy guests under the age of 18 years or over the age of 25 years old are not permitted to stay overnight without the express, written permission of the College Principal.

The College realises that residents may sometimes wish to have a guest stay overnight. Mattress and sheets are available. Requests to College Administration should be made at least 24 hours prior to the guest's arrival, unless extenuating circumstances can be justified.

Legal requirements and safety demand that we know the names of everyone who resides in the College at any given time. If you have an overnight guest their name must be registered with Administration. After hours the Duty RA will record the visitor's names on the Duty RA Report. No visitor is permitted to stay overnight at the College if their name is not registered. Guests can stay a maximum of three nights and will be charged \$10.00 each night plus \$10.00 per meal. Extensions of the three night limit are rare and will be at the discretion of the College Principal.

No overnight guests are allowed during O-Week, study vacations or during examination periods.

## VALEDICTORIANS, GRADUATES, AND FAREWELL AWARD RECIPIENTS

Students leaving the college after three or more years are recognised by the College Council, staff and residents at the annual Valedictory and Awards Dinner, usually held in October.

The criterion for Valedictorian of The John Flynn College was revised by the College Council during 2012 when it was minuted that Valedictorian of The John Flynn College be based on Academic completion and the award of Graduate of The John Flynn College be based on time. Other students leaving are also recognised. Criteria are as follows:

### 1. Criteria for Valedictorian of the John Flynn College

- expect to graduate at the end of this Academic Year (copy of Academic Transcript to be provided); and
- must be a current resident member and have been a resident member of The John Flynn College for at least five semesters.

### 2. Criteria for Graduate and other Farewell Award recipients

- cannot remain in residence to complete their degree due to compulsory clinical placement, transfer to another campus, or other reasons; and
- must be a current resident member and have been a resident member of The John Flynn College for at least five semesters.

Council agreed that Graduates could apply to be Valedictorian of The John Flynn College on completion of their degree and return to College for a Presentation Ceremony.

# FLYNN COMMUNITY STANDARDS

AS A RESIDENT OF THE JOHN FLYNN COLLEGE YOU UNDERTAKE TO UPHOLD THE VALUES OF THE COLLEGE AND TO ENSURE YOUR CONDUCT ALWAYS SHOWS CONSIDERATION AND RESPECT FOR OTHER PEOPLE AND PROPERTY.

THESE STANDARDS ARE DESIGNED TO ALLOW MAXIMUM PERSONAL FREEDOM WITHIN THE BOUNDS OF VALUES BASED COMMUNITY LIVING IN AN ACADEMIC ENVIRONMENT. AS A RESIDENT OF THE JOHN FLYNN COLLEGE YOU ARE REQUIRED TO UPHOLD THE FOLLOWING STANDARDS.

## SAFETY

It is your right to be safe while living at John Flynn. It is your legal obligation to

- take reasonable care for your own health and safety; and
- take reasonable care that your actions or omissions don't adversely affect the health and safety of someone else; and
- comply with all safety and fire instructions given to you; and
- report anything that may put the safety of you or another person at risk.

## GENERAL SAFETY

- Cooking appliances such as toasters, air fryers, sandwich makers and electric frypans are not allowed in accommodation buildings.
- Fairy lights, lanterns and decorative lights are not allowed in accommodation buildings.
- Candles and diffusers are not allowed in accommodation buildings.
- Personal electrical appliances such as hair straighteners, bar fridges etc. must be kept in good working order.
- Climbing and traversing over balcony railings and building ledges is not allowed.
- Inflatable and wading pools are not allowed on college due to pool fencing legislation.
- All deck corridors, walkways and doorways must be kept clear (e.g. no boxes, shoes, clothes racks, furniture or other items).

- Rooms, kitchenettes, fridges and common rooms must be kept clean and hygienic at all times. Rubbish bins are to be emptied when full.
- Food must be removed from accommodation buildings before it begins to decay.
- If you observe anything that appears unsafe, please notify College Administration or the Duty RA immediately.

## FIRE SAFETY

- You must familiarise yourself with your nearest fire exit by referring to the evacuation diagrams on the back of your bedroom door. This diagram depicts the emergency evacuation point (near the volleyball court at the end of the Quad).
- You must evacuate to the emergency assembly point when the alarm in your building sounds or when you are directed to evacuate by a fire warden.
- When evacuating, leave the building via the closest but safest exit in a calm and orderly manner. When you evacuate, please leave your bedroom door open to indicate you have evacuated.
- If an alarm sounds, you should ensure the Duty Residential Assistant (RA) or a member of staff has been notified.
- Do not return to the building until given the all clear by the Chief Fire Warden.
- You must not tamper with any fire equipment, detectors or signage. Statutory fines apply.
- You must participate in fire drills as required by the Fire and Evacuation Procedure.
- You must participate in the General Evacuation Induction delivered by your RA.
- Only fight a fire if trained and if safe to do so.
- If a resident causes a fire alarm to activate either carelessly or recklessly, the resident will be charged for the Fire Service call out fees.

## ROOMS

- Keep your room in a reasonable state of cleanliness and hygiene.
- You are responsible for emptying your room bin.
- On room clean day, tidy your room so housekeeping staff can access all floor areas, desk and sink tops.
- On room clean day, strip the sheets off your bed and leave them outside your door.

- Your room is a single room. It is not permitted to share your room with a partner.
- Overnight guests must be approved by the College. A small fee is payable.
- Small fridges may be kept in rooms. Fridges must not exceed 120 litre capacity (small bar fridge). They must be kept clean and hygienic. A fee is payable.
- You must not enter another residents room without their permission.
- You are responsible for the security of your room.
- You are responsible for your room key.
- Personal wireless routers (including wireless printers) are not permitted. These cause disruption and security risks to the JCU internet service.
- Care for the environment. Don't operate your air conditioner when you're not in your room. Close your windows and doors when your air conditioner is on.
- You must leave your room at the end of the year in the same condition you found it.
- You are free to personalise your room however nails, drawing pins, screws, glow in the dark stickers, adhesive hooks, etc. are not permitted on walls/ceilings.
- Residents are not permitted to remove furniture from their room.

## COMMON ROOMS / AREAS

- You and your deck members are responsible for keeping your common room and kitchenette clean and tidy.
- You are responsible for cleaning your own dishes and putting them away.
- Common room bins are emptied on weekdays. If the bin is full, deck members are responsible for emptying the bin in the dumpster bins at the back of the kitchen.
- The duty RA will lock your common room between 11pm and 12am each night. If you open the common room door after it is locked, you are responsible for locking it again.
- Residents are not permitted to remove furniture from the common rooms or any other common area (e.g lounges from common rooms and ABR patio cannot be removed).
- First aid kits are for emergency use only. Please don't take bandaids, strapping tape etc for non-emergency use.
- Vehicles must not be driven on any college ground

area except for roads and car parks.

- No items may be affixed to balcony railings (e.g dry bars, hammocks, clothes lines).
- All damage to college property must be reported to College Administration or the Duty RA.

## LAUNDRY FACILITIES

- Washing machines can only be used between 8am and 9pm.
- Remove your clothes from the washing machines/dryers within 30 minutes of the cycle finishing.

## DINING ROOM

### Hygiene

- Use the hand sanitiser before entering the food service area.
- Avoid coughing, sneezing and playing with your hair in the food service area.
- Use tongs and other food serving utensils to serve food. Do not use your hands.
- Place tongs and food serving utensils on the side of the service containers, not inside the containers.
- Only use tongs and food serving utensils for the food item they are placed in. Don't use one utensil for multiple containers.
- Drinks and condiments are not to be taken to dining room tables but must be returned to the fridge as soon as you have served yourself.

### Dress

- Footwear must be worn.
- Tidy dress is expected (no pyjamas, dressing gowns, swimming costumes, etc).

### Etiquette

- Staff will serve dinner from the hot bain marie. Once all residents have been served the chef will allow seconds at their discretion. Seconds may be taken when the serving utensils have been turned to the dining room side of the bain marie.
- All crockery and cutlery are to be taken to the dish wash area and stacked appropriately when you finish your meal. Plates are to be scraped and cups emptied before stacking.
- Place only slices of bread into the toaster. Any other food item creates a fire hazard.
- Crockery cutlery and other equipment cannot be removed from the dining hall. Residents who remove crockery, cutlery and other equipment from the dining hall will incur a \$10 fine.

- Residents are expected to eat in the dining hall. Residents cannot bring their own takeaway plates/containers to the servery area. Only one meal may be taken from the servery area.
- Residents should not enter the kitchen without permission from kitchen staff.
- Knives, sauces and honey are not to be used on the sandwich press. Meat or meat products are not to be cooked on the vegetarian sandwich press.
- If you empty a condiment or other food item, please tell a staff member so they can replenish the item.
- Deck milk may only be taken by Residential Assistants.
- The breakfast sandwich bar is only for residents who are not returning to college for lunch. An automatic fine of \$10 will occur when residents take a breakfast sandwich bar lunch away and then return for lunch on the same day.

#### **Guests**

- Dining room rights are not transferable. You may invite a guest for a meal however a fee is payable. Complete the casual meal book at the servery and hand the receipt to the chef prior to your guest being served. An automatic fine of \$10 will occur (on top of the charge for the meal) when the guest meal procedure is not followed.

## **SMOKING / VAPING**

Smoking and vaping is not permitted anywhere on The John Flynn College.

## **ALCOHOL**

The College's full alcohol policy is located at the end of this handbook.

#### **General Principles**

- When serving and consuming alcohol, residents and visitors should maintain a safe environment and respect for other people.
- Any alcohol related behaviour that is not permitted at a licensed premises is not permitted at The John Flynn College.

#### **General Standards**

You must not become unduly intoxicated or disorderly whilst at College.

You must not disturb a resident's quiet and peaceful enjoyment of the College.

Residents under the age of 18 years are not permitted to drink alcohol on The John Flynn College premises.

It is prohibited to:

- Haze, coerce, bully, harass or engage in any kind of activity that requires an individual to consume alcohol against their will, and/or at a nominated time/circumstance, and/or at an accelerated rate
- engage in binge drinking (this includes but is not limited to skulling) of any sort;
- keep or use any apparatus designed for the over-indulgence of alcohol (this includes but is not limited to beer bongs);
- organise and/or engage in any drinking games where drinking alcohol is a consequence (this includes but is not limited to flip cup, beer pong, funnelling);
- mix in a container a range of drinks and/or provide a common source of alcohol for the consumption by one or more persons (this includes but is not limited to goon bins);
- keep large amounts of alcohol in residential rooms or any other part of the College;
- collect empty bottles of alcohol;
- possess or use any apparatus for the brewing or distillation of alcoholic beverages;
- manufacture alcoholic beverages (e.g. home brew) on the College premises or to bring 'home brew' into the College for personal use or for sharing with other residents/persons;
- bring a 'keg' of beer onto the College grounds
- drink alcohol prior to or while spectating or engaging in any intercollegiate competition.

#### **Storage and Consumption of alcohol in bedrooms and balconies**

Subject to the provisions of the alcohol policy:

- Residents are permitted to store small amounts of alcohol in their bedrooms for personal consumption.
- Residents are permitted to drink alcohol in their rooms/balconies.
- When someone is consuming alcohol in a resident's room/balcony, only four people (including the resident) are allowed in the room/balcony.
- Residents may play music but only to a level that another residents' quiet and peaceful enjoyment of the College is not affected.
- Residents are permitted to drink alcohol on balconies until 10pm each night.

#### **Consumption of alcohol in deck common rooms**

Subject to the provisions of the alcohol policy:

- Residents are permitted to drink alcohol in deck common rooms until 10pm each night.

- When someone is consuming alcohol in a deck common room, only the total number of deck members are allowed in the common room. For example, if a deck has 12 deck members, only 12 people may be in the deck common room when someone is consuming alcohol.
- Residents may play music but only to a level that another residents' quiet and peaceful enjoyment of the College is not affected.

#### **Consumption of alcohol in the Junior Common Room**

Subject to the other provisions of this policy:

- residents are permitted to drink alcohol in the Junior Common Room until 10pm on Sunday – Thursday and 12am Friday - Saturday.
- Residents may play music but only to a level that another residents' quiet and peaceful enjoyment of the College is not affected.

#### **Consumption of alcohol in other areas of the College**

- A resident must not consume alcohol or possess an open container of alcohol in any other area of the College unless authorised in writing by the College Principal.

## **ILLCIT DRUGS**

The John Flynn College has a zero tolerance approach to the possession, sale, supply or use of illicit drugs.

Possession, sale, supply or use of illicit drugs at The John Flynn College is prohibited.

Possession, sale, supply or use of an implement which could be used for the preparation, storage, digestion, smoking or injection of an illicit drug is prohibited.

Residents who have been prescribed medical cannabis should meet with the Principal or Deputy Principal to discuss this. Residents should present a valid prescription or letter from a medical practitioner to the Principal or Deputy Principal. The resident and Principal or Deputy Principal will discuss ways in which the resident can safely and privately administer the prescription, whilst having regard for our very sensitive fire alarm system and the consideration of other residents. Residents who have been prescribed medical cannabis should discuss alternative administration methods with their medical practitioner, and where possible avoid the methods of smoking or vaping.

## **HARASSING OR VIOLENT BEHAVIOUR**

Harassment, hazing, bullying, sexual harassment, sexual assault and other violent behaviour is not acceptable under any circumstances. The John Flynn College is committed to, and responsible for, providing a safe and respectful environment for all residents, free from harassment and violence.

The Bullying, Discrimination, Harassment and Sexual Misconduct Policy can be found at the end of this handbook.

## **SOCIAL MEDIA**

The Social Media Policy can be found at the end of this handbook. The John Flynn College reinforces that the same high standards of communication, behaviour and conduct are expected online as those standards that are expected personally in the workplace and/or in the residential college environment.

The following expectations apply to resident's use of social media where there is an identifiable connection with the College:

1. Residents are to act in good faith and to uphold the good reputation of the College when initiating or responding to Social Media.
2. Residents will not disclose confidential information or information which may bring the College into disrepute, on Social Media.
3. Residents are to respect the privacy of others and at all times to comply with the College's Information Privacy Policy and related legislation.
4. At all times while engaged in Social Media, residents will act in accordance with the College's Codes of Conduct, the Bullying, Discrimination, Harassment and Sexual Misconduct Policy, and other applicable policies, procedures and charters of the College.
5. Residents will not post content that is illegal, harassing, hateful, racist or harmful to an individual or group's reputation (either personal or professional), including but not limited to, posts that contain:
  - profanity;
  - spurious or derogatory comments;
  - sexually explicit language or images;
  - copyrighted material (without lawful excuse);
  - defamatory content; or
  - another person's information (including phone numbers and email addresses).



## USE OF INFORMATION TECHNOLOGY

All residents must comply with the College Digital Technologies Acceptable Use Policy. It can be found at the end of this handbook.

## RECORDING AND DISTRIBUTION OF IMAGES

The capturing, recording, saving or distribution of inappropriate photographs, videos or other type of media (whether in digital or other format) of an individual, without that person's knowledge and/or consent, is a serious breach of the College's Resident Conduct Policy and may constitute grounds for immediate dismissal from the College. Actual or suspected instances of this type of conduct will, in addition to being dealt with by the College, be referred to both the Police and the University.

## FIREARMS, WEAPONS, EXPLOSIVES

Firearms, weapons and explosives are not permitted at the John Flynn College. This includes but is not limited to firecrackers, whips, hunting knives, swords, bow and arrows.

## DEALING WITH Noise

In the tropical environment, windows and doors are left open for comfort for most of the year, so noise can be particularly troublesome. Several elementary, common sense principles should govern the general behaviour of all members of the College community regarding quietness:

- (a) Most importantly, a resident's conduct (or the conduct of his/her guest(s) should at no time interfere with the studies or general comfort of fellow students
- (b) At all times and in undertaking any activity, be it sporting, social, group study or whatever, it is the responsibility of the residents involved to take due consideration of any other residents who may be affected. This particularly applies to TVs, musical instruments and other electrical devices.
- (c) During examination periods it is an absolute requirement that noise be minimal around the College.
- (d) This is a residential college and some noise (eg. from movement or low level talking) may be unavoidable at times.

## NOISE PROCEDURES

Here are the steps you should follow when you find noise levels around you are disturbing:

1. If you feel comfortable approach the noisemaker/s and politely ask them to reduce it. College Residents are usually very considerate so the noise should stop immediately.
2. If the noise level continues contact your Residential Assistant or the Duty RA on 0417 427 330.
3. If the noise level is not reduced and the person making the noise persists then the College Principal should be contacted.

## NOISE GUIDELINES

These guidelines should be interpreted as guidelines only. The Duty RA, Resident Support Officer and/or the Deputy Principal, may, in their absolute discretion, make determinations contrary to the below:-

1. All noise (bar low level noise) is to cease in Common Rooms and grounds by 10pm;
2. No gatherings are to occur past 10pm on veranda's, common rooms, balconies, and/or College grounds and may only occur in the Junior Common Room (JCR) and/or students' respective rooms;
3. Individual students do not have a right to broadcast their music choices across a deck. As a general courtesy to all, please use headphones when listening to music in your private room.

Should more than three noise complaints be recorded in the course of one week, from one deck, the Principal shall enforce a stricter curfew than that described in clause 1.

# APPENDIX

2024

# A. MY SUPPORT: SUPPORT OPTIONS AVAILABLE TO ALL RESIDENTS

URGENT SUPPORT

IF YOU OR SOMEONE YOU KNOW ARE IN IMMEDIATE DANGER CALL EMERGENCY SERVICES

Townsville Mental Health Crisis Support (ACT)

1300MH CALL (1300642255) 24/7

Townsville Sexual Assault Service

4775 7555

Lifeline

13 1114 (24/7 + online chat)

Statewide Sexual Assault Helpline

1800 010 120

Suicide call back service

1300 659 467 (24/7 + online chat)

13Health

13 432 584 (for non urgent medical help)

JCU Security

4781 5555 (24/7)

Duty RA

0417 427 330 (24/7)

Caiti Mace

0477 803 561 (24/7)

Jack Mace

0497 994 947 (24/7)

Ashlee Walsh

0427 666 689 (24/7)

Mark Mackenzie

0435 885 362 (24/7)

Sally Chilcott

0418 266 545 (24/7)

Mike Strips

0402 840 240 (24/7)

ACADEMIC & CAREER SUPPORT

College Academic Tutors

JCU Careers and Employment Service

JCU Student Mentor Program

JCU Learning Centre

JCU International Student Support

JCU Peer Assisted Study Sessions

JCU Student Success Officers

JCU Accessibility Services

JCU Indigenous Student Services

Studiosity

MY SUPPORT

psych support

SELF REFER OR MEET WITH OUR GUIDANCE AND SUPPORT OFFICER TO WORK OUT THE BEST PATHWAY FOR YOU.

JUSTINE BAULCH

FLYNN'S PREFERRED PSYCHOLOGIST

3 sessions reimbursed by the college (see over)

JCU COUNSELLING & WELLBEING

Up to 10 free sessions provided by JCU counsellors or psychologists

AUSTRALIAN COUNSELLING SERVICE (ONLINE VC)

3 free sessions (see over)

JCU HEALTH GENERAL PRACTICE

WWW.JCUHEALTH.COM.AU

Bulk billed for JCU Students

SOMEONE TO TALK TO

Someone from your deck family or the wider college family

Resident Support Officers

Guidance and Support Officer

Your deck Residential Assistant

Deputy Principal

Principal

The Duty RA

Contact Officer

Senior Residential Assistant

RedFrogs

Local Churches

JCU Multifaith chaplaincy

JCU Sexual Misconduct Officer

FINANCIAL + ADVOCACY SUPPORT

College scholarship, bursaries & hardship support

JCU Financial Support

JCU scholarships, bursaries and grants

JCUSA Advocacy Support

<b>Academic Tutor</b>	Discipline specific tutors are available to provide you with weekly tutoring. Contact the Deputy Principal for more information
<b>Australian Counselling Service</b>	The Australian Counselling Service provides online mental health care for a range of concerns. Therapists are at an advanced stage in their training and are familiar with contemporary best practice modalities such as Cognitive Behaviour Therapy (CBT), Solution-Focused Therapy, Acceptance and Commitment Therapy (ACT), and more. <a href="http://www.waccounselling.com.au/registration/phrflynn">www.waccounselling.com.au/registration/phrflynn</a> . Register as a John Flynn College resident to receive three free sessions
<b>Contact Officer</b>	Contact Officers are a first point of contact if you have experienced harassment of any kind (e.g. bullying, or hazing). They provide a safe, confidential environment where you can express your concerns and receive advice about what your options are. Check the Flynn current resident portal for contact officer details
<b>Deck RA</b>	Your deck RA is there to keep an eye on you and to be your big brother or sister. They're there for you if you need advice, when you just need someone to talk to or if you need help resolving conflict
<b>Deputy Principal</b>	The Deputy Principal is available anytime for a confidential chat about your wellbeing, mental health, and any of those tricky life issues. The Deputy Principal is also available if you need academic support and guidance or if you've experienced or witnessed harassment of any kind. Contact the Deputy Principal direct by phone or email, through administration or the Duty RA.
<b>Duty RA</b>	Available anytime after hours, on weekends and public holidays for support in emergency situations. Phone 0417427330 or look for the RA in the Duty RA shirt.
<b>Guidance and Support Officer</b>	The GSO is a registered Psychologist who provides mental health guidance, referral and support. Make an appointment with the GSO by contacting administration or a Residential Assistant.
<b>JCU Accessibility Services</b>	A free and confidential support service for all registered JCU students, who identify as having a short or long term disability, injury, illness or health condition. They provide information and practical advice about the support available at JCU and ensure access to appropriate adjustments and services. More info: <a href="https://www.jcu.edu.au/student-equity-and-wellbeing/accessibility">https://www.jcu.edu.au/student-equity-and-wellbeing/accessibility</a>
<b>JCU Careers and Employment Service</b>	JCU Careers and Employment provides appointments for career planning and decision making, job application and job search assistance to JCU students and graduates for up to 12 months after the completion of their studies. More info: <a href="https://www.jcu.edu.au/careers-and-employment">https://www.jcu.edu.au/careers-and-employment</a>
<b>JCU Counselling and Wellbeing Service</b>	JCU Counselling and Wellbeing Service is a free and confidential service provided to students currently enrolled and actively engaged at JCU Australia. The Service is provided by highly qualified Counsellors with backgrounds and experience in Psychology, Social Work, Counselling and Occupational Therapy. JCU Counselling and Wellbeing Service offers brief intervention support, up to ten sessions per student. More info: <a href="https://www.jcu.edu.au/student-equity-and-wellbeing/wellbeing/counselling">https://www.jcu.edu.au/student-equity-and-wellbeing/wellbeing/counselling</a>
<b>JCU Financial Support</b>	There are a number of financial support options available to you to help with the costs of studying. These range from student loan programs to help with subject fees, to grants or scholarships that award you money to help pay for study materials and textbooks. More info: <a href="https://www.jcu.edu.au/students/fees-and-financial-support/financial-support">https://www.jcu.edu.au/students/fees-and-financial-support/financial-support</a>
<b>JCU Health General Practice</b>	<a href="http://www.jcuhealth.com.au">www.jcuhealth.com.au</a> . Bulk billing is available to students of JCU who hold a current Medicare card.
<b>JCU Indigenous Student Services</b>	The Indigenous Academic Support Advisors have an in-depth understanding of the challenges students usually face during their higher education studies, especially students from Australian Aboriginal and Torres Strait Islander backgrounds. They will also help with academic coaching, such as tutoring, helping you develop strategies to identify areas of improvement in your studies; staying on track with your studies; supporting you to create an effective study plan, and suggesting alternative ways to improve your academic progress. More info: <a href="https://www.jcu.edu.au/ierc/our-staff/indigenous-academic-student-services">https://www.jcu.edu.au/ierc/our-staff/indigenous-academic-student-services</a>
<b>JCU International Student Support</b>	The JCU International Student Support team can be contacted for information and advice about support services for international students studying at James Cook University. Services include international student mentor programs, international student orientation, assistance with emergencies, overseas student health cover. More info: <a href="https://www.jcu.edu.au/international-students/life-at-jcu/student-services-and-support">https://www.jcu.edu.au/international-students/life-at-jcu/student-services-and-support</a>
<b>JCU Learning Centre</b>	JCU Learning Centre offers online and face-to-face access to academic learning development. Whether you are looking for assistance with time management, mathematics, basic statistics, planning your assignment, editing your academic communication, the Learning Centre is your 'one-stop-shop' for academic learning development. More info: <a href="https://www.jcu.edu.au/students/learning-centre">https://www.jcu.edu.au/students/learning-centre</a>
<b>JCU Multifaith Chaplaincy</b>	Provides a chaplaincy centre with prayer and worship rooms, pastoral care for personal, spiritual and faith related support, interfaith engagement, and connection with faith communities. More info: <a href="https://www.jcu.edu.au/student-equity-and-wellbeing/multifaith-chaplaincy">https://www.jcu.edu.au/student-equity-and-wellbeing/multifaith-chaplaincy</a>
<b>JCU Peer Assisted Study Sessions</b>	PASS is a free academic support program. PASS provides a casual, friendly and active learning environment where students can work together to better understand the content and learning objectives for a subject. The study sessions focus on integrating course content (what to learn) with academic reasoning and study skills (how to learn). More info: <a href="https://www.jcu.edu.au/students/learning-centre/pass">https://www.jcu.edu.au/students/learning-centre/pass</a>
<b>JCU Sexual Misconduct Officers</b>	Provide a single point of contact for a person who has been subject to Sexual Harassment or Sexual Assault. An SMO will support people to access specialist services, facilitate precautionary measures, and provide support with making a report or complaint. More info: <a href="https://www.jcu.edu.au/safety-and-wellbeing/sexual-harassment-and-sexual-assault/sexual-misconduct-officers">https://www.jcu.edu.au/safety-and-wellbeing/sexual-harassment-and-sexual-assault/sexual-misconduct-officers</a>
<b>JCU Student Advocacy</b>	The JCU Student Association offers free, confidential and non-judgmental support services for students. The Student Advocacy and Welfare Officers in Townsville and Cairns can help with information, advocacy and referral on a range of student support issues. They also help with academic support issues including exams and assessment, appeals, interpreting University policies and procedures, and academic misconduct. More info: <a href="https://www.jcu.edu.au/tsv-student-support/">https://www.jcu.edu.au/tsv-student-support/</a>
<b>JCU Student Mentor Program</b>	The JCU Student Mentor Program matches new undergraduate students with a student mentor during O-Week. Mentors are experienced second or third-year students from a similar course or study area to you, who can answer your questions and help you settle into university life. More info: <a href="https://www.jcu.edu.au/students/support/student-mentor-program">https://www.jcu.edu.au/students/support/student-mentor-program</a>
<b>JCU Student Success Officer</b>	JCU Student Success Officers provides personalised support to across the student lifecycle to both undergraduate and postgraduate students. More info: <a href="https://www.jcu.edu.au/students/support/student-success-officers">https://www.jcu.edu.au/students/support/student-success-officers</a>
<b>Justine Baulch</b>	Justine is the College's preferred psychologist, not only because of her clinical skill, but also because of her ability to relate well to young people. Justine's rooms are located off campus, near Castletown Shopping Centre. Justine works with young adults presenting with a wide range of needs including depression, anxiety, panic, substance abuse problems, trauma, relationships difficulties and family separation. To book an appointment with Justine, call her on 0423 550 055. Leave a message if she doesn't answer, as she's probably in session. Once you've booked an appointment, see a GP to obtain a Mental Health Treatment Plan. That way, you'll be eligible for a Medicare Rebate. Justine charges \$60, but with the Medicare rebate, this comes down to a gap of \$6710. The college will then reimburse you \$6710 for each of your first three sessions with Justine. Just keep your receipts and email them to <a href="mailto:Alison.www.jbpsychology.com">Alison.www.jbpsychology.com</a>
<b>Local Churches</b>	There are so many great churches in Townsville. Contact our Resident Support Officers if you want to get connected with one of them
<b>Principal</b>	The Principal is available anytime for a confidential chat about your wellbeing, mental health, and any of those tricky life issues. The Principal is also available if you need academic support and guidance, if you're having trouble paying your fees, or if you've experienced or witnessed harassment of any kind. Contact the Principal direct by phone or email, through administration or the Duty RA.
<b>Red Frogs</b>	Red Frogs are regular guests in the Flynn community and are available to provide you with chaplaincy services, connect you with a local church and/or just be an independent friend to have a chat with. Contact Redfrogs through our Resident Support Officers.
<b>Resident Support Officer</b>	RSOs live on site and are just that little bit older and wiser. They're available for a confidential chat when you've got one of those tricky life issues that you're not sure how to deal with. They can meet you on/off college and are available after hours. Contact them via email, or by contacting administration or the Duty RA.
<b>Senior RA</b>	Senior RAs are senior residents who are there for you if you need advice, when you just need someone to talk to or if you need help resolving conflict. Check the Flynn current resident portal for SRA details
<b>Studiosity</b>	If you need help outside of hours you can connect to Studiosity. A real life tutor will be waiting online to help you with academic writing, referencing, sentence structure, study skills, exam preparation, online search skills, numeracy, statistics, accounting, and more. Your Tutor can be found through LearnJCU.

# FEE SCHEDULE & KEY DATES

## ANNUAL ACCOMMODATION FEES

	Traditional 2 semester	Trimester
Standard Room	\$18,480	\$21,648
Studio (cluster) Room	\$19,355	\$22,673
Shared Ensuite Room	\$20,440	\$23,944
Private Ensuite Room	\$20,860	\$24,436

## DISCOUNTS

### One upfront payment

Annual accommodation fees paid upfront via direct deposit  
Due 12/01/24 for trimester contracts and 02/02/24 for traditional 2 semester contracts \$ 550

### Two equal upfront payments (traditional 2 semester)

Annual accommodation fees paid in two equal upfront payments by 02/02/24 and 12/07/24 via direct deposit  
Discount of \$135 applied to each payment \$ 270

### Three equal upfront payments (trimester)

Annual accommodation fees paid in three equal upfront payments by 12/01/24, 10/05/24 and 06/09/24 via direct deposit  
Discount of \$90 applied to each payment \$ 270

### Girraween Avenue discount

Discount for living at our property on Girraween Avenue (a modern 5 bedroom house just a few hundred metres from college) 10%

## GENERAL FEES

Administration Fee	
New Student	\$ 550
Returning Student	\$ 250
Student Association Fee	\$ 200
Building Fund	\$ 100

## ADDITIONAL CHARGES

(if applicable)

Bar Fridge Electricity	\$ 170
Replacement key	\$ 5
Room move fee	\$ 100
Excess storage fee	\$ 200
Furniture disposal fee	\$ 75
Casual Meals	\$10
Overnight guest per night	\$20

## FORTNIGHTLY PAYMENTS VIA DIRECT DEBIT

(if not paying in upfront payments)

DOMESTIC  
RESIDENTS  
ONLY

	Traditional 2 semester contracts		Trimester contracts	
	Initial payment by 02/02/24	Then 18 continual fortnightly payments (see payment schedule overleaf)	Initial payment by 12/01/24	Then 21 continual fortnightly payments (see payment schedule overleaf)
Standard Room	\$1848	\$924	\$1882.43	\$941.22
Studio (cluster) Room	\$1935.50	\$967.75	\$1971.57	\$985.78
Shared Ensuite Room	\$2044	\$1022	\$2082.09	\$1041.04
Private Ensuite	\$2086	\$1043	\$2124.87	\$1062.43

## KEY DATES

Traditional 2 Semester Contracts	Check In	Check Out	Trimester Contracts	Check In	Check Out
Semester 1 New Students	11/02/24	24hrs after last exam*	Trimester 1	21/01/24	24hrs after last exam*
Semester 1 Returning Students	14/02/24	24hrs after last exam*	Trimester 2	19/05/24	24hrs after last exam*
Semester 2	21/07/24	24hrs after last exam*	Trimester 3	15/09/24	24hrs after last exam*

\*Residents may apply to stay before, between and after semesters/trimesters and pay the normal nightly rate

# PAYMENT SCHEDULES

Does not include general fees or additional charges

TRADITIONAL TWO SEMESTER PAYMENT SCHEDULE					
	Due Date	Standard	Studio	Shared Ensuite	Private Ensuite
Initial Payment	02-Feb-24	\$ 1848	\$ 1935.5	\$ 2044	\$ 2086
2nd Payment	23-Feb-24	\$ 924	\$ 967.75	\$ 1022	\$ 1043
3rd Payment	08-Mar-24	\$ 924	\$ 967.75	\$ 1022	\$ 1043
4th Payment	22-Mar-24	\$ 924	\$ 967.75	\$ 1022	\$ 1043
5th Payment	05-Apr-24	\$ 924	\$ 967.75	\$ 1022	\$ 1043
6th Payment	19-Apr-24	\$ 924	\$ 967.75	\$ 1022	\$ 1043
7th Payment	03-May-24	\$ 924	\$ 967.75	\$ 1022	\$ 1043
8th Payment	17-May-24	\$ 924	\$ 967.75	\$ 1022	\$ 1043
9th Payment	31-May-24	\$ 924	\$ 967.75	\$ 1022	\$ 1043
10th Payment	14-Jun-24	\$ 924	\$ 967.75	\$ 1022	\$ 1043
11th Payment	28-Jun-24	\$ 924	\$ 967.75	\$ 1022	\$ 1043
12th Payment	12-Jul-24	\$ 924	\$ 967.75	\$ 1022	\$ 1043
13th Payment	26-Jul-24	\$ 924	\$ 967.75	\$ 1022	\$ 1043
14th Payment	09-Aug-24	\$ 924	\$ 967.75	\$ 1022	\$ 1043
15th Payment	23-Aug-24	\$ 924	\$ 967.75	\$ 1022	\$ 1043
16th Payment	06-Sep-24	\$ 924	\$ 967.75	\$ 1022	\$ 1043
17th Payment	20-Sep-24	\$ 924	\$ 967.75	\$ 1022	\$ 1043
18th Payment	04-Oct-24	\$ 924	\$ 967.75	\$ 1022	\$ 1043
19th Payment	18-Oct-24	\$ 924	\$ 967.75	\$ 1022	\$ 1043
		\$ 18,480	\$ 19,355	\$ 20,440	\$ 20,860

TRIMESTER PAYMENT SCHEDULE					
	Due Date	Standard	Studio	Shared Ensuite	Private Ensuite
Initial Payment	12-Jan-24	\$ 1882.43	\$ 1971.57	\$ 2082.09	\$ 2124.87
2nd Payment	26-Jan-24	\$ 941.22	\$ 985.78	\$ 1041.04	\$ 1062.43
3rd Payment	09-Feb-24	\$ 941.22	\$ 985.78	\$ 1041.04	\$ 1062.43
4th Payment	23-Feb-24	\$ 941.22	\$ 985.78	\$ 1041.04	\$ 1062.43
5th Payment	08-Mar-24	\$ 941.22	\$ 985.78	\$ 1041.04	\$ 1062.43
6th Payment	22-Mar-24	\$ 941.22	\$ 985.78	\$ 1041.04	\$ 1062.43
7th Payment	05-Apr-24	\$ 941.22	\$ 985.78	\$ 1041.04	\$ 1062.43
8th Payment	19-Apr-24	\$ 941.22	\$ 985.78	\$ 1041.04	\$ 1062.43
9th Payment	03-May-24	\$ 941.22	\$ 985.78	\$ 1041.04	\$ 1062.43
10th Payment	17-May-24	\$ 941.22	\$ 985.78	\$ 1041.04	\$ 1062.43
11th Payment	31-May-24	\$ 941.22	\$ 985.78	\$ 1041.04	\$ 1062.43
12th Payment	14-Jun-24	\$ 941.22	\$ 985.78	\$ 1041.04	\$ 1062.43
13th Payment	28-Jun-24	\$ 941.22	\$ 985.78	\$ 1041.04	\$ 1062.43
14th Payment	12-Jul-24	\$ 941.22	\$ 985.78	\$ 1041.04	\$ 1062.43
15th Payment	26-Jul-24	\$ 941.22	\$ 985.78	\$ 1041.04	\$ 1062.43
16th Payment	09-Aug-24	\$ 941.22	\$ 985.78	\$ 1041.04	\$ 1062.43
17th Payment	23-Aug-24	\$ 941.22	\$ 985.78	\$ 1041.04	\$ 1062.43
18th Payment	06-Sep-24	\$ 941.22	\$ 985.78	\$ 1041.04	\$ 1062.43
19th Payment	20-Sep-24	\$ 941.22	\$ 985.78	\$ 1041.04	\$ 1062.43
20th Payment	04-Oct-24	\$ 941.22	\$ 985.78	\$ 1041.04	\$ 1062.43
21st Payment	18-Oct-24	\$ 941.22	\$ 985.78	\$ 1041.04	\$ 1062.43
22nd Payment	01-Nov-24	\$ 941.22	\$ 985.78	\$ 1041.04	\$ 1062.43
		\$ 21,648	\$ 22,673	\$ 23,944	\$ 24,436

The annual fees and fee payment schedule do not include the general fees or additional charges outlined overleaf.

**Administration Fee:** (Non refundable) covers administrative expenses associated with admission. This fee is normally paid upon lodging your application.

**Student Association Fee:** collected on behalf of the Student Association and helps to promote a community spirit within the College through cultural, sporting and social events.

**Building Fund Fee (Voluntary):** The College as a tax deductible gift recipient has included in this year's fee schedule a request for a \$100 contribution (\$50 per semester) to the College building and refurbishment fund.

**Electricity for bar fridge** - Some students like to keep their own bar fridge in their room. Fridges are purchased at the student's expense. This fee covers the electricity cost for the bar fridge.

**Replacement Fob** - All locks are electronic, this charge covers the cost to replace a fob if a student loses their fob.

**Room move fee:** Residents who request to move rooms during the course of the academic year will be charged \$100 to cover cleaning and administration costs. This fee may be waived by the College Principal if the room move is for genuine wellbeing issues. The charge does not apply for room moves from one academic year to the next.

**Storage** - The college will supply students with a maximum of 4 large boxes and 2 small book boxes during vacation periods. The expectation is that the boxes are then returned to the college administration office once the student arrives back and unpacks. If the boxes are not returned the student is charged \$5 per box.

Students are charged the following for storage over and above the approved storage limit;

- Fridge: \$5
- Items that are not packed away in boxes: \$5 each
- Excessive items left in room: \$200

**Furniture disposal fee** - Personal furniture items such as futons and arm chairs not removed by the resident will incur a disposal fee of \$75 per item.

**Vacation Residency:** Your contract does not include accommodation before, after or between semesters. If a student needs to reside at the college for academic or other reasons then they will need to apply for vacation residency with the College prior to the end of the study period. The extra nights are then charged at a nightly rate based on the room type they are continuing to stay in.





## Student Code of Conduct

### 1. INTENT

This Student Code of Conduct provides a clear statement of the College's expectations of students in respect of academic, personal and professional behaviour. All students must meet these standards of behaviour as they participate in College's activities and when they interact with other students, staff, and other members of the College Community. This Code provides a structure for the development and management of student conduct in order to promote high levels of professional behaviour and ethical standards within the College and to resolve breaches of the Student Code of Conduct fairly, promptly and efficiently.

### 2. PRINCIPLES

Students living at The John Flynn College are expected to:

- allow others to pursue their studies, research, duties, community engagement and other lawful College activities, in an environment of Academic Freedom, critical and open inquiry where every person has the right to hold an opinion without interference and has the right to freedom of expression which includes the freedom to seek, receive and impart information and ideas of all kinds;
- act in a manner where tolerance, honesty, inclusivity and respect are the basis of the College community and where every person has the right of peaceful assembly and to associate with others;
- act in a reasonable and sustainable manner to ensure that College facilities, property and services are used appropriately and available to other students to share and utilise and which minimises environmental impact; and ensure that the reputation of the College is upheld.

### 3. SCOPE

All students living at The John Flynn College in respect of all actions and activities (including inaction or inactivity) relating to, or impacting on, the College or its students and staff, affiliates, volunteers, contractors or visitors. This includes on-campus activities, College or student-related activities at other sites (including, for example, during placements, field trips, social events, sporting events, or online).

### 4. DEFINITIONS

<b>General Misconduct</b>	Means any conduct which is contravenes the obligations and expectations identified in the Code of Conduct. This includes but is not limited to: <ul style="list-style-type: none"><li>• any behaviour which causes physical or psychological harm;</li><li>• removal, theft, intentional damage, tempering, vandalism, illegal use of, any inappropriate use of, or restriction of access to University property or equipment; and</li><li>• non-compliance with College Policy and the reasonable direction of Staff or Authorised Persons of the College particularly where the safety and wellbeing of others is at risk.</li><li>• Refer to the Student Misconduct Procedure</li></ul>
<b>Representative (or Support Person)</b>	A representative (also referred to as a support person) is a person to assist, accompany and support a complainant, respondent or interviewee in their participation in matters relating to this policy and supporting procedures. A representative may be a friend or family member and not a practicing solicitor or barrister.
<b>College Community</b>	College Community means the members of the Council, the Staff, the Students and Affiliates of the College, as well as those all people

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associated with the College, or who use the College campus or facilities for work, study, living and socialising, or other authorised activity.

## **5. OBLIGATIONS AND EXPECTATIONS**

### **Obligation of personal responsibility**

Students will:

- read and comply with their contractual conditions and the College's standards, policies, procedures and ethical requirements;
- read and comply with College Handbook
- take responsibility for their own behaviour;
- raise issues or concerns with the College in a timely manner; and
- take responsibility for seeking support and/or assistance when required

### **Obligation to act with honesty and integrity**

Students will:

- uphold integrity;
- conduct themselves appropriately when representing the College within the University and wider community;
- abide by relevant ethical requirements;
- not do anything which may bring the College into disrepute including by making or publishing false or misleading statements relating to the College;
- avoid using the College's name, crest or resources for private or business purposes without appropriate authorisation;
- report a breach of this Code of Conduct if they reasonably believe that they have observed a breach; and
- not engage in unlawful behaviour.

### **Obligation of respect and fairness**

Students will:

- treat other students, staff, and volunteers with respect and fairness;
- avoid discriminatory conduct on grounds such as gender, sexuality, race, ability, cultural and social background, religion, age or political conviction;
- be responsible for what they write and disseminate through all forms of social media maintaining respect for their audience and respect for copyright;
- not engage in conduct which may objectively be considered as harassment or bullying, or which is otherwise disruptive or intimidating;
- not engage in conduct which may objectively be considered as disorderly, threatening or violent
- respect the privacy of others in the collection, use or access of personal information whilst undertaking studies;
- not disclose information identified as confidential concerning any matter relating to the College;
- avoid disrupting or interfering with any activity of the College;
- consider their responsibilities and the consequences of their actions when exercising their freedom of expression;
- support legitimate academic debate;
- not impair the rights of others to participate in any legitimate College activity; and
- not encourage, persuade or incite others to engage in conduct or behaviour constituting misconduct in accordance with College policies and procedures.

### **Obligation to ensure safety and to respect property**

Students will:

- not endanger, or potentially endanger, the safety or health of others;
- not cause harm to others, including students and staff, whilst on College premises or College related activities;
- not use, possess or supply a prohibited weapon or any prohibited substance at College premises;
- use College property or resources, including communication technology resources, cooperatively, legally, ethically responsibly and appropriately;
- respect the property rights of others, including students and staff, whilst on College premises; and
- comply with any reasonable request or directions from College staff with regard to safety or compliance with standards, policy, procedure or ethical requirements.

## **6. COMPLIANCE WITH THE STUDENT CODE OF CONDUCT**

Where uncertain about this Code of Conduct's application or interpretation, students should consult the College Principal.

Failure to comply with the Code may lead to disciplinary action, and in serious cases may lead to termination of residency and/or criminal prosecution.

### **Breaches of the Code of Conduct**

Students are expected to uphold the Student Code of Conduct or they will be subject to relevant policy and procedures for breaches of the Code. Where a breach of the College policies and procedures also breaches the law, the College may also report the criminal activity to the police.

The College has a duty of care to ensure a safe learning environment for all members of the College community and is obliged to take immediate action where a student's behaviour is inappropriate. Authorised persons can arrange for the immediate removal of students causing disturbances that hinder or interfere with any lawful activities conducted on the College grounds.

The College may, to prevent breaches of this Code, issue directions to a student regarding their future behaviour consistent with the requirements of this Code.

The College reserves the right to administer the relevant policy or procedure and proceed with the investigation/inquiry even if the student withdraws from the College, is no longer enrolled, or subsequently fails to meet the definition of a resident while a disciplinary matter is pending.

### **Decision making**

Matters relating to student conduct will be determined by the College Principal

### **Reporting misconduct**

A report on student misconduct may be made through a variety of mechanisms including directly to the College Principal or Deputy Principal, or by using the online form.

The report of misconduct must:

- provide sufficient details of the alleged misconduct; and
- describe clearly the obligations that are alleged to have been breached.

Other Policies of the College also set out expectations of behaviour (e.g. the Social Media Policy, Bullying, Discrimination, Harassment and Sexual Misconduct Policy, IT Policy, College Handbook). Any

breach of the conduct aspects of those Policies are managed through the procedures stipulated. The nature of the alleged misconduct determines the procedure to be used.

Any person that makes an allegation of misconduct which is frivolous, false, or has malicious purposes in raising the alleged misconduct may themselves be subject to misconduct procedures.

### **Procedural fairness**

Students responding to an allegation of misconduct can expect:

- a copy of, all relevant documents relating to the alleged misconduct;
- to have a reasonable opportunity to appear before the person considering the matter to answer the allegations;
- to be accompanied by a Representative or Support Person in any meetings with the person considering the matter; and
- support such as counselling/ or advocacy, this may include academic and other support.

### **Confidentiality**

Matters relating to allegations and hearings associated with breaches of the Student Code of Conduct will be treated as confidential in the strictest privacy as applicable noting the College may have notification obligations to external agencies.

## **9. REVIEW**

This policy will be reviewed annually

## **10. COMMUNICATION**

This policy will be included in the Student Handbook and Residential Assistant Handbook for the information of students and staff.

## **11. SUPPORT**

Employees and students that require support to apply this policy and/or associated policies and procedures may seek the support of:

- The College Principal
- The Deputy Principal

## **12. ASSOCIATED LEGISLATION AND INSTRUMENTS**

- Student Code of Conduct
- JCU Sexual Assault Procedure (for students)
- JCU Sexual Harassment Procedure (for students)
- Bullying, Discrimination and Harassment Procedure
- Social Media Policy
- IT Policy

## **13. ENDORSEMENT**

Endorsed by the College Principal on 27/10/2023



# Alcohol Policy

## 1. PURPOSE

The purpose of this policy is to:

- Promote the safe and responsible consumption of alcohol by residents and visitors of the John Flynn College
- Maintain people's privacy and safety, and the good order of the College
- Empower residents to make a free and educated choice about the consumption of alcohol.

## 2. SCOPE

This policy applies to all residents and visitors of The John Flynn College.

## 3. DEFINITIONS

In accordance with section 9A of the Liquor Act 1992, a person may be taken to be **unduly intoxicated** if the person's speech, balance, coordination or behaviour is noticeably affected as a result of the consumption of liquor.

**Disorderly behaviour** is defined as behaviour that is disorderly, threatening, violent, indecent, offensive or insulting. It includes but is not limited to vandalism, public urination, vomiting, excessive noise, hazing, invading people's privacy, or behaviour that creates a disturbance or nuisance.

## 4. GENERAL PRINCIPLES

When serving and consuming alcohol, residents and visitors should maintain a safe environment and respect for other people.

Any alcohol related behaviour that is not permitted at a licensed premises is not permitted at The John Flynn College.

## 5. EDUCATION

All first-year students must participate in an education program on alcohol awareness and harm minimisation. Records of attendance will be kept on the College's database.

All residents must participate in an online education program on alcohol awareness and harm minimisation. Records of completion will be kept on the College's database.

## 6. POLICY

A person must not become unduly intoxicated whilst on The John Flynn College premises.

If a person is unduly intoxicated whilst on The John Flynn College premises, the person must not consume alcohol.

A person must not exhibit disorderly behaviour whilst on The John Flynn College premises.

A person must not disturb a resident's quiet and peaceful enjoyment of the College.

People serving and consuming alcohol must comply with all relevant legislation, JCU policy and procedure, and The John Flynn College policy and procedure.

People under the age of 18 years are not permitted to drink alcohol on The John Flynn College premises.

On The John Flynn College premises, it is prohibited to:



## Alcohol Policy

- Haze, coerce, bully, harass or engage in any kind of activity that requires an individual to consume alcohol against their will, and/or at a nominated time/circumstance, and/or at an accelerated rate
- engage in binge drinking (this includes but is not limited to skulling) of any sort;
- keep or use any apparatus designed for the over-indulgence of alcohol (this includes but is not limited to beer bongs);
- organise and/or engage in any drinking games where drinking alcohol is a consequence (this includes but is not limited to flip cup, beer pong, funnelling);
- mix in a container a range of drinks and/or provide a common source of alcohol for the consumption by one or more persons (this includes but is not limited to goon bins);
- keep large amounts of alcohol in residential rooms or any other part of the College;
- collect empty bottles of alcohol;
- possess or use any apparatus for the brewing or distillation of alcoholic beverages;
- manufacture alcoholic beverages (e.g. home brew) on the College premises or to bring 'home brew' into the College for personal use or for sharing with other residents/persons;
- bring a 'keg' of beer onto the College grounds or have a keg provided at any College function, including functions by the Student Association, on or off the College campus, unless approved in writing by the College Principal;
- sell liquor, either directly or indirectly;
- promote alcohol and alcohol-related sponsors within the College, unless approved by the College Principal as a sponsor;
- drink alcohol prior to or while spectating or engaging in any intercollegiate competition;
- Serve any type of stimulus drink containing high levels of caffeine or similar product in conjunction with the service of alcohol; and
- Serve spirits (except with written approval from the College Principal).

Residents and their visitors must clean up alcohol containers, spillages and any other mess.

### Storage and Consumption of alcohol in bedrooms and balconies

Subject to the other provisions of this policy:

- Residents are permitted to store small amounts of alcohol in their bedrooms for personal consumption
- Residents are permitted to drink alcohol in their rooms/balconies
- When someone is consuming alcohol in a resident's room/balcony, only four people (including the resident) are allowed in the room/balcony
- Residents may play music but only to a level that another residents' quiet and peaceful enjoyment of the College is not affected
- Residents are permitted to drink alcohol on balconies until 10pm each night.

### Consumption of alcohol in deck common rooms

Subject to the other provisions of this policy:

- residents are permitted to drink alcohol in deck common rooms until 10pm each night.
- when someone is consuming alcohol in a deck common room, only the total number of deck members are allowed in the common room. For example, if a deck has 12 deck members, only 12 people may be in the deck common room when someone is consuming alcohol.
- Residents may play music but only to a level that another residents' quiet and peaceful enjoyment of the College is not affected

### Consumption of alcohol in the Junior Common Room

Subject to the other provisions of this policy:

- residents are permitted to drink alcohol in the Junior Common Room until 10pm on Sunday – Thursday and 12am Friday - Saturday.





## Alcohol Policy

- Residents may play music but only to a level that another residents' quiet and peaceful enjoyment of the College is not affected

### Consumption of alcohol in other areas of the College

A person must not consume alcohol or possess an open container of alcohol in any other area of the College unless authorised in writing by the College Principal.

### Functions and events organised by the Student Association

An event management plan must be developed for any function or event held by the John Flynn College Student Association that involves the consumption of alcohol (whether on or off site). The event management plan must contain harm minimisation strategies to reduce the risk of harm caused by the over consumption of alcohol. Such harm minimisation strategies must include:

- The provision of water and non-alcoholic drinks
- The provision of light and mid strength alcoholic drinks (for events where alcohol is served)
- The provision of food
- Set times where alcohol may be consumed
- Clearly marked boundaries where alcohol may be consumed
- The supervision of the event by four sober Student Association Executive members, at least one of which has a Responsible Service of Alcohol certificate
- The service of alcohol only by people with a Responsible Service of Alcohol certificate
- The presence of a licensed security officer (for on-site events)
- Strategies to identify unduly intoxicated and disorderly people, to care for them and to prevent them from consuming more alcohol
- Strategies to ensure compliance with this policy (for onsite events)
- Strategies to prevent underage drinking
- Strategies to prevent excessive consumption of alcohol including strategies to prevent
  - Hazing, coercion, bullying, harassment to engage in any kind of activity that requires an individual to consume alcohol against their will, and/or at a nominated time/circumstance, and/or at an accelerated rate
  - binge drinking (this includes but is not limited to skulling) of any sort;
  - the use of any apparatus designed for the over-indulgence of alcohol (this includes but is not limited to beer bongs);
  - drinking games where drinking alcohol is a consequence (this includes but is not limited to flip cup, beer pong, funnelling)

As a further harm minimisation strategy, the Student Association should engage the Red Frogs organisation to provide supervision and support during events.

The provision and sale of alcohol on site should be managed by the Principal (or his qualified nominee) only.

Commercial bar rates should be charged for all alcohol sold at College events

Where any non-accidental property damage, including alcohol related property damage occurs during or around the time of an event run by the student association, the cost of replacement will be charged to the Student Association where the alleged offender cannot be identified

## 7. ALCOHOL FREE PERIODS

The college will impose an alcohol-free period during O week or as determined by the College Principal.

The college will also impose an alcohol-free period from midnight on the Sunday before week 13 of each semester until the end of semester. During this time, residents may only consumer alcohol in their rooms.

## 8. CARE OF UNDULY INTOXICATED OR DISORDERLY PERSONS



## Alcohol Policy

A person who finds another person who is unduly intoxicated or disorderly on College premises must notify the Residential Assistant on duty.

Where a person is disorderly, the Residential Assistant on duty must either

- intervene to prevent further disorderly behaviour (if safe to do so) and/or
- notify the After-Hours Support Officer who will manage the situation

In extreme circumstances it may be appropriate to request the assistance of the Queensland Police Service.

Where a person is unduly intoxicated, if safe, the Residential Assistant on duty should:

- render first aid and contact the Queensland Ambulance Service if appropriate
- ensure the person does not consume more alcohol
- ensure the person is adequately monitored by a sober person
- contact the After-Hours Support Officer for assistance if required

### 9. DEALING WITH BREACHES OF THIS POLICY

Breaches of this policy will be dealt with in accordance with the College's discipline policy.

### 10. COMMUNICATION

This policy will be included in the College Handbook that will be provided electronically to all residents.

### 11. LEGISLATION AND OTHER INSTRUMENTS

- Liquor Act 1992
- James Cook University 'Alcohol Consumption on University Property' Policy
- Discrimination and Harassment Policy and Procedure

### 12. ENDORSEMENT

Endorsed by the College Principal on 27/10/2023



## Bullying, Discrimination, Harassment and Sexual Misconduct Policy

### 1. INTENT

The intent of this policy is to ensure that all students, staff and volunteers work, study, live and socialise in an environment that is based on inclusivity and respect, and free from discrimination, bullying, harassment, including hazing and vilification, and sexual misconduct. The intent of the policy is to also ensure that students, staff and volunteers understand The John Flynn College's (the College) required accountabilities, and complaint handling principles, including the necessity to afford natural justice to affected persons.

### 2. SCOPE

This policy applies to all members of the Council, staff, students, and volunteers of The John Flynn College while engaged in conduct or activities undertaken as part of their study, work, living and socialising which is associated with the College. The policy extends to wherever that conduct or activity takes place.

### 3. DEFINITIONS

#### ***Accommodations***

Are actions that the JCU or the College can take to allow a person who has made a Report or Complaint of Bullying, Discrimination, Harassment or Sexual Misconduct to continue to study, work, live and/or socialise, and feel safe. Accommodations may include:

- changes to class scheduling, assessment, reporting lines (including HDR supervisory arrangements), or on-campus accommodation;
- the provision of short-term emergency housing;
- temporary or long-term work or workplace reassignment.

Accommodations can be made in response to any report of Bullying, Discrimination, Harassment or Sexual Misconduct and do not constitute a form of disciplinary action involving a Respondent.

#### ***Alternative Dispute Resolution***

Alternative Dispute Resolution (ADR) refers to methods that sit outside of judicial mechanisms, such as mediation, conciliation, and arbitration as ways to settle disputes. Depending upon the gravity of the report or complaint the College may use ADR in resolving issues relating to discrimination, bullying and harassment. The College does not use mediation, conciliation or arbitration processes in addressing reports or complaints of sexual misconduct.

#### ***Bullying***

Bullying is *unreasonable* behaviour *repeatedly* directed towards a person or group of people that creates a risk to health and safety:

- *Unreasonable* behaviour is behaviour that a reasonable person, having regard for the circumstances, would see as unreasonable. It includes behaviour that is victimising, humiliating, intimidating or threatening.
- *Unreasonable* behaviour is *repeatedly* directed if it is directed towards the same person or group more than once, (even if it is not necessarily the same behaviour on each occasion).

Reasonable directions issued by a staff member who has authority to give that direction, including as part of performance management, do not constitute Bullying.

#### ***College Community***

College community means the members of the Council, the staff, the students and volunteers of the College.

### ***Complaint***

A complaint is a complainant's expression of dissatisfaction that their rights, existing interests and/or reasonable expectations under this Policy have been adversely and unjustifiably affected because of an action, decision or omission within the control or responsibility of the College.

A complaint involves providing detailed information seeking disciplinary action or other resolution against the respondent. A complaint is different to a report (which is defined below).

### ***Complainant***

A person(s) who makes a complaint under this Policy.

### ***Consent***

Consent means the free and voluntary agreement to conduct or acts given by a person with the cognitive capacity to do so. Consent cannot be given by a person under 16 years of age or by a person that is:

- subjected to threats, intimidation, or force;
- asleep or unconscious, or is so affected by alcohol or another drug as to be incapable of consenting;
- subjected to the exercise of authority;
- under false or fraudulent representations about the nature or purpose of the conduct or activity, including about the identity of other persons involved.)

Consent can be withdrawn at any point, including during the conduct or acts in question. A lack of resistance to the conduct or acts, or a failure to verbally object to the conduct or acts, does not constitute Consent. Consent to prior conduct or acts does not constitute Consent to future conduct or acts.

### ***Discrimination***

Discrimination occurs when a person is treated less favourably, including in their employment or education because of a personal characteristic or attribute, whether real or imputed, including the setting of a requirement, condition or practice that is unreasonable and that people with a particular attribute cannot meet. Discrimination based on any of the Personal Characteristics is prohibited. Personal Characteristics are any of the following characteristics/attributes:

- sex;
- relationship status;
- pregnancy;
- parental status;
- breastfeeding;
- age;
- race or ethnicity;
- impairment or disability;
- religious belief or religious activity;
- political belief or activity;
- trade union activity;
- lawful sexual activity;
- sexual orientation, gender identity, transgender status, or intersex status;
- family responsibilities;
- immigration status;
- association with, or relation to, a person identified on the basis of any of the above attributes.

The following conduct does not constitute Discrimination within the meaning of this Policy:

- a person is not offered a job because, notwithstanding that reasonable adjustments have been made, they cannot meet the inherent requirements of the job;

- the College has gained a lawful exemption, or the law otherwise permits the College, to target a job at a particular group of people to help redress disadvantages that group may have experienced in the past;
- the College lawfully implements specific equal employment opportunity or 'affirmative action' strategies, plans or programs designed to ensure genuine equal opportunities in the workplace, particularly in relation to groups that have been disadvantaged in the past.

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### ***Duty of care***

The College's duty of care requires all staff, and students to take reasonable care in order to avoid reasonably foreseeable harm that may arise. The safety and wellbeing of staff, students, volunteers and visitors is the first priority in any situation.

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### ***Equity Contact Officer(s)***

Equity Contact Officers can provide information and referral options for both students and staff regarding this Policy, and related procedures.

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### ***First Responder***

Any member of the College community may be a first responder. A first responder is a person who is the first to become aware (or is confided in by another) that a person has experienced or is currently experiencing an incident/s of sexual harassment or sexual assault.

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### ***Harassment***

Harassment is conduct directed towards a person, or a group of people on the basis of one or more Personal Characteristics that is done with the intention to offend, humiliate or intimidate that person or group or which a reasonable person would anticipate would offend, humiliate or intimidate that person or group.

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### ***Hazing***

Hazing is any action or situation, with or without the consent of the participants, which recklessly, intentionally, or unintentionally endangers the mental, physical, or academic health or safety of staff or students and can include the practice of rituals, challenges, and other activities as a way of initiating a person into a group including a new residential college, team, or club.

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### ***Incident Register***

The Incident Register is a confidential register that is maintained by the JCU Chief of Staff. All reports and complaints of sexual misconduct are recorded on the Incident Register to enable JCU to identify patterns in behaviours, or high-risk University activities or premises, and to monitor progress in eliminating sexual assault or sexual harassment.

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### ***Natural Justice***

Natural justice (also known as procedural fairness) is concerned with the procedures used by a decision-maker, rather than the decision that the decision-maker reached. It requires fair and transparent processes be used when making a decision. These processes will include:

- The right to be heard;
- The right to be treated without bias; and
- A decision is based on reliable, relevant and sufficient evidence.

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### ***Precautionary Measures***

Precautionary Measures are reasonable and proportionate measures, actions, or directions which the College or University may make on an interim-basis in relation to a member of the College or University Community who is alleged to have engaged in Sexual Misconduct in breach of the *Bullying, Discrimination, Harassment and Sexual Misconduct Policy*. Precautionary Measures include, but are not limited to:

- suspension of the Student or Staff Member from University land;

- a direction that the Student or Staff Member is to remain a certain distance away from the Complainant and/or any other person;
- a direction that the Student is to temporarily leave on-campus accommodation.

They may be implemented at any stage of a Report or Complaint process including before a final decision is made by an internal or external decision maker.

### ***Report (for Sexual Misconduct)***

A report is information provided to the College about an incident or suspected wrongdoing that the person making the report believes to be sexual misconduct. A report can be anonymous, and the person reporting is able to, but does not have to, identify the other person/people involved.

The College can provide support to a person making the report (if they have identified themselves) including accommodations and precautionary measures, and advice about making a complaint.

Reports are processed through the completion of a Sexual Misconduct Report Form and are recorded on the JCU Incident Register.

### ***Representative (or Support Person)***

A representative (also referred to as a support person) is a person to assist, accompany and support a complainant, respondent or interviewee in their participation in matters relating to this Policy and supporting procedures. A representative may be a friend or family member and not a practicing solicitor or barrister.

### ***Respondent***

A person(s) responding to a Complaint.

### ***Sexual Assault***

Any sexual act or behaviour without Consent. It includes but is not limited to:

- physical contact of a sexual nature, (e.g. groping, pinching, touching in a sexual way) done without Consent;
- sexual acts not involving penetration, done without Consent (e.g. forcing a person to touch the other person's genitals);
- performing sexual acts in front of another person without their Consent (e.g. masturbating in front of the other person);
- sexual acts involving penetration, (e.g. oral sex, inserting any object into the vulva, vagina or anus) done without Consent.

### ***Sexual Harassment***

Any unwelcome sexual advance, unwelcome request for sexual favours or other unwelcome conduct of a sexual nature that is done with the intention to offend, humiliate or intimidate another person, or which a reasonable person would anticipate would offend, humiliate or intimidate another person.

It includes but is not limited to:

- displays of sexually graphic materials including screensavers, posters, cartoons or messages left on noticeboards, desks or common areas;
- repeated invitations to develop a closer or intimate relationship after prior refusal;
- unwelcome remarks or insinuations about a person's sex or private life;
- comments of a sexually suggestive nature;
- offensive e-mails and text messages of a sexual nature;
- unwanted sexual attention using internet, social networking sites and mobile phones;
- revenge porn;
- indecent exposure;
- stalking;
- pressuring a Student or Staff member to engage in sexual behaviour, including for some



- educational or employment benefit; or
- making a real or perceived threat that rejecting sexual behaviour will carry a negative consequence for the person in education, accommodation, or University programme or activity.

### ***Sexual Misconduct***

Sexual Misconduct means Sexual Harassment or Sexual Assault.

### ***Sexual Misconduct Report Form***

The [Sexual Misconduct Report Form](https://www.jcu.edu.au/safety-and-wellbeing/sexual-harassment-and-sexual-assault) can be used to Report an incident of Sexual Assault or Sexual Harassment to JCU. It is available at <https://www.jcu.edu.au/safety-and-wellbeing/sexual-harassment-and-sexual-assault> and through the JCUSafe app.

### ***Sexual Misconduct Officers***

An individual(s) appointed to provide a single point of contact for a person who has made a Report or Complaint. These University officers can facilitate Accommodations and Precautionary Measures. Designated Sexual Misconduct Officers at the University include the Chief of Staff, and are appointed by the Chief of Staff.

### ***Trauma-Informed***

Trauma-Informed Approach means processes and practices that emphasise the physical, psychological and emotional safety of, and the importance of trust, choice and control for, persons who have experienced trauma, including trauma caused by experiencing or witnessing Sexual Assault or Sexual Harassment.

### ***Vilification***

Vilification is a public act that incites hatred towards, serious contempt for, or severe ridicule of, a person or group of persons on the ground of the race, religion, sexuality or gender identity of the person or members of the group. Examples include a threat of harm to a person or their property, or inciting others to threaten harm to a person or their property.

### ***Vexatious***

A complaint is deemed to be vexatious if it is:

- Dishonest or contains intentionally misleading information
- Malicious; pursued with undue persistence
- Has the intent to harass or cause delay or detriment, or
- Is pursued in a manner that threatens, menaces or harasses a member of the Council, the staff, the students or an affiliate of the University.

## **4. POLICY**

### **4.1. Commitment**

4.1.1. The College confirms that:

- The College is committed to the rights of all students, staff and volunteers to work, study, live and socialise in an environment that is based on inclusivity and respect.
- All people have a right to an environment free from discrimination, bullying, harassment, and sexual misconduct while engaged in activities undertaken as part of their study, living and work, or other association with the College.
- Discrimination, bullying, harassment, and sexual misconduct will not be tolerated under any circumstances.
- Natural justice principles apply to the implementation of this Policy as well as the handling of reports and complaints under this Policy.
- Except to the extent that disclosure is required, or authorised by legislation, confidentiality will be

maintained to the greatest possible extent, with communication limited to persons to whom disclosure is made (consistent with position and responsibility), or those with specific responsibility to assist in the resolution of the complaint.

#### **4.2. The College acknowledges that, with respect to Sexual Misconduct in particular:**

- The College's response to Sexual Assault is integrated with the specialist Sexual Assault Support Services. The College has referral protocols in place with the University and Sexual Assault Support Services and works together with the Services to meet the needs of Staff and Students. The College will provide additional and complementary support services.
- Sexual Assault and Sexual Harassment may be perpetrated or experienced by people of any sex, sexual orientation, gender identity or transgender status and may be a single incident or a persistent pattern of unwelcome behaviour.
- Gender inequality provides the underlying social conditions for Sexual Harassment and Sexual Assault. Sexual Assault and Sexual Harassment is overwhelmingly perpetrated by men, and women are overwhelmingly the victims.
- The wellbeing and needs of the person who has been subjected to sexual harassment or sexual assault are at the centre of the College's response.
- It is important to recognise that certain groups may be particularly vulnerable including:
  - young women
  - older women
  - Indigenous women
  - people from non-English-speaking backgrounds
  - people with disabilities
  - LGBTQIA+ people
  - people working or learning in non-traditional areas
  - women working in isolated areas.
- Sexual Harassment often occurs in relationships of unequal power or authority, although it may also take place between peers.
- The College takes a Trauma-Informed approach to dealing with Reports and Complaints regarding Sexual Misconduct. The College supports any person to make a decision about making a Report or Complaint. The College understands the decision to make a Complaint can be complex. The College will work with the University to ensure that there are single points of contact whenever possible. Individual wellbeing and the reduction of re-traumatisation and further harm are key drivers in any response to Sexual Assault.
- The College has adopted the JCU Sexual Misconduct procedure as the College's own procedure for incidents involving students.

#### **4.3. Prohibition of Bullying, Discrimination, Harassment, or Sexual Misconduct**

- 4.3.1. Members of the College Community must not engage in conduct that constitutes Bullying, Discrimination, Harassment, and Sexual Misconduct directed towards another member of the College Community; or which otherwise has the potential to affect their suitability to continue as a member of the College Community having regard to the wellbeing and safety of other members of the College Community,
- 4.3.2. Engaging in such conduct is a breach of this Policy.
- 4.3.3. Sexual Assault of a child (an individual under 18 years of age) is Child Sexual Abuse and constitutes a criminal offence with mandatory reporting requirements. All disclosures involving people under 18 years of age must be referred directly to the Principal immediately for reporting to Child Safety.

#### **4.4. Prevention Measures**

- 4.4.1. The College will use educative approaches for the prevention of discrimination, bullying, harassment, and sexual misconduct to inform members of the College community of their rights and responsibilities, to encourage the reporting of behaviour, practices or publications

that contravene this policy, and ensure the College's systems and processes are not discriminatory.

4.4.2. Completion of the JCU Respect online and face to face training is a condition of residency.

4.4.3. Completion of the JCU Respect online module is a condition of employment.

#### **4.5. Addressing Bullying, Discrimination and Harassment**

4.5.1. The College encourages any person who has experienced or witnessed Bullying, Discrimination or Harassment by, or directed towards, a member of the College Community to report the incident through the relevant Complaint process.

4.5.2. For Staff, Students and Affiliates (including volunteers), Bullying, Discrimination and Harassment matters are addressed through the Bullying, Discrimination and Harassment Complaint Procedure.

4.5.3. For members of Council, Bullying, Discrimination and Harassment matters are referred to the Chair.

#### **4.6. Addressing Sexual Misconduct**

4.6.1. The College encourages any person who has experienced or witnessed Sexual Harassment or Sexual Assault by, or directed towards, a member of the College Community to make a Report of the incident.

4.6.2. Sexual Misconduct matters are addressed through the Sexual Misconduct Procedure for Staff.

4.6.3. For students, Sexual Misconduct matters are addressed through the JCU Sexual Misconduct Procedure.

4.6.4. In all cases involving Sexual Misconduct, the College does not expect nor suggest that the person who is subject to Sexual Misconduct needs to address the behaviour directly with the alleged perpetrator. Processes related to Alternative Dispute Resolution, such as conciliation or mediation which may be used in response to Bullying, Discrimination and Harassment are not considered appropriate in cases of Sexual Misconduct.

4.6.5. There is a difference between making a Report and making a Complaint to the College or University for Sexual Harassment or Sexual Assault. As detailed in the JCU Sexual Misconduct Procedure, the College or University will provide options to victims of, and witnesses to, Sexual Misconduct who wish to notify the College or University of the event(s).

4.6.6. Sexual Misconduct Officers are an integral part of the College and University's response to Sexual Misconduct, supporting any person subjected to the Sexual Misconduct, who has received a disclosure of Sexual Misconduct, or who may have observed Sexual Misconduct, and can facilitate Accommodations in response to a Report or Complaint. Accommodations may be amended or removed at any time.

4.6.7. The Principal, Chief of Staff, or a Sexual Misconduct Officer, may implement Precautionary Measures in response to a Report or Complaint, and these may be amended or removed at any time.

4.6.8. All Reports and Complaints of Sexual Misconduct are recorded on the Incident Register managed by the Chief of Staff to enable JCU to identify patterns in behaviours, or areas of the University, and to monitor progress in eliminating Sexual Misconduct.

#### **4.7. Support Services and Resources (for Sexual Misconduct)**

4.7.1. The following support services and resources are available to members of the University and College Community who experience Sexual Assault and/or Sexual Harassment.

4.7.1.1. Specialist Sexual Assault Support Services

If you have been Sexually Assaulted and have not accessed the nearest hospital emergency department or Police, please contact the service that is local to you.

Full details of specialist Sexual Assault Support Services are maintained on the [JCU Safety and Wellbeing website](#) or the JCUSafe App.

- Staff including the Principal, Deputy Principal or Residential Assistants can provide pastoral care, support, and referral and also guidance on University and College policy and procedure.
- The University provides immediate support services, and these may be complementary to the specialised service delivery provided by the Sexual Assault Support Services.

Immediate support:

- **University Security** is available 24/7 to report any immediate security incident or behaviour via the JCUSafe App or 07 4781 5555, and they can coordinate any emergency services responses as necessary (Police, Ambulance).
- **Sexual Misconduct Officers** provide a single point of contact at JCU for a person who has been subjected to Sexual Assault or Sexual Harassment, or to any person supporting them. Sexual Misconduct Officers will facilitate access to the specialist Sexual Assault Services and can arrange Accommodations and Precautionary Measures so that a person is able to continue with their studies or work. Sexual Misconduct Officers also support anyone to make a Report, or Complaint to the University, and their full contact details at: <https://www.jcu.edu.au/safety-and-wellbeing/sexual-harassment-and-sexual-assault/sexual-misconduct-officers> or via the JCUSafe App.

4.7.2. The University has a range of support services for staff and students, particularly those in residential accommodation on campus including:

- **Staff Counselling.** Staff are able to seek confidential and free counselling service support from the Employee Assistance Program (EAP).
- **Student Counselling.** Students are able to seek general confidential counselling services and support from the Student Equity and Wellbeing staff. The services operate between the hours of 9am – 4pm. Contact 1800 246 446.
- **Equity Contact Officers (ECOs).** Staff and students are able to contact an ECO to discuss options for internal and external support and making a Report or Complaint to the University on Bullying, Discrimination and Harassment. ECOs also provide information and guidance on University policies and procedures.
- **JCU Student Association Advocates.** Students are able to contact a JCU Student Association Advocate and Welfare Officer who can provide free information, advocacy and referral on a range of issues relating to students. Contact: 1800 330 021.
- **College** staff including the Principal, Deputy Principal or Residential Assistants can provide pastoral care, support, and referral and also guidance on University policy and procedure.

4.7.3. Additionally, JCU's Safety and Wellbeing website provides a range of [online resources](#) to students and staff in relation to safety and wellbeing, including information on consent, sexual assault, and pathways to Report or make a Complaint to the College or University.

#### 4.8. Consequences of Breach

4.8.1. Breaches of this Policy by a member of the Council, a staff member, or a student will constitute a breach of discipline of the College, and the College may instigate disciplinary proceedings for the alleged breach of discipline.

4.8.2. In respect of Item 4.8.1 above, breaches of this Policy will be addressed through the College's disciplinary procedures prescribed for staff, and students (including the Student Code of Conduct Policy). Depending upon the severity and implications of the breach, sanctions may

include legal action, a formal warning, retraining, and/or other disciplinary action (such as suspension or termination of employment, or suspension or exclusion from the College).

#### **4.9. Accountabilities and responsibilities**

4.9.1. Every member of the College Community has the following obligations:

- To take reasonable care for their own health and safety
- To take reasonable care for the health and safety of others
- To comply with any reasonable instruction from the College, and
- To comply with all applicable Policies and Procedures.

4.9.2. A bystander who observes someone bullying, harassing, discriminating against, sexually harassing or sexually assaulting another person, should address the person offending at the time, if they are able to, and it is safe to do so. Bystanders should let the person subjected to the offence know that they have noticed and ask what they can do to help.

4.9.3. Some members of the College community have further obligations in respect of their positions or delegated authority that it is their responsibility to understand.

4.9.4. Principal, Deputy Principal, Executive Chef, Sous Chef, Team Leaders, Senior Residential Assistants, and Residential Assistants:

- Members of the College community in these positions have responsibility to ensure that, when an instance of bullying, harassment, discrimination or sexual misconduct is brought to their attention, they take appropriate action to address or remedy the situation expeditiously. They need to:
  - Ensure other members of the College community under their supervision, whether these be staff, or students are familiar with the College's policies and procedures regarding conduct, and undertake mandated training where required.
  - Discuss the College's Bullying, Discrimination, Harassment and Sexual Misconduct Policy, and related procedures at staff and student meetings, and check for understanding.
  - Ensure all staff are aware of the Code of Conduct
  - Ensure all students are aware of the Student Code of Conduct
  - Model exemplary behaviours in this regard themselves
  - Monitor workplace/college behaviours to ensure compliance with policies
  - Remove any inappropriate material, including sexually inappropriate material, from the work, living or study environment
  - Take appropriate and early action using relevant procedures when they observe instances of potential bullying, discrimination and harassment, or sexual misconduct, even without or prior to a report or complaint being made.
  - Follow up promptly and undertake appropriate action when a bullying, discrimination and harassment, or sexual misconduct matter is raised with them.
  - Advise and/or refer parties to relevant support services, policies and procedures.
  - Support the work of the Equity Contact Officers.
  - Maintain the confidentiality required by this policy, and
  - Seek the advice of the Sexual Misconduct Officers if an incident of sexual harassment or sexual assault is identified or reported.

4.9.5. The College Principal will facilitate the provision of education and information to discourage bullying, discrimination and harassment, and sexual misconduct for staff and students; and monitoring the effectiveness of this policy.

4.9.6. Equity Contact Officers:

- Equity Contact Officers (ECO) are identified members of the College community who have received training in these roles as required by the College Principal. Support provided by ECOs may include, but is not limited to:

- Assisting staff and students to clarify the outcome(s) they are seeking to the problem and provide information and/or referral to informal and formal resolution processes available
  - Providing staff and students with copies of the relevant College policies and procedures and the options available in those documents, including taking no further action, and
  - Advising or assisting the complainant or the respondent, but not both.
- An ECO must not:
    - Advocate, investigate, mediate or provide any resolution for a complainant or respondent
    - Assist staff or students where they may have an actual or perceived conflict of interest, and
    - Provide advice of a legal nature to any person.

#### **4.10. Sexual Misconduct Officers:**

- A Sexual Misconduct Officer will provide a single point of contact for a person who has made a report or complaint of sexual harassment or sexual assault. These officers can facilitate accommodations and precautionary measures.
- JCU Sexual Misconduct Officers have accountabilities and responsibilities under the Sexual Misconduct Procedure.
- College Sexual Misconduct Officers have accountabilities and responsibilities under the Sexual Misconduct Procedure.
- Designated Sexual Misconduct Officers at the University include the Chief of Staff.
- Designated Sexual Misconduct Officers at the College are the College Principal and the Deputy Principal.

### **5. REVIEW**

This policy will be reviewed annually.

### **6. COMMUNICATION**

This policy will be included in the Student Handbook, Employee Handbook and Residential Assistant Handbook for the information of students and employees.

### **7. SUPPORT**

Employees and students that require support to apply this policy and/or associated policies and procedures may seek the support of:

- The College Principal
- The Deputy Principal

### **8. ASSOCIATED LEGISLATION AND INSTRUMENTS**

- Student Code of Conduct
- JCU Sexual Misconduct Procedure (for students)
- Sexual Misconduct Procedure for Staff
- Bullying, Discrimination and Harassment Complaint Procedure
- Social Media Policy
- Information Technology Policy

### **9. ENDORSEMENT**

Approved by the College Council on 20 November 2023





# Bullying, Discrimination and Harassment Complaint Procedure

## 1. INTENT

This procedure outlines how students, staff and volunteers raise a complaint with The John Flynn College alleging discrimination, harassment and/or bullying under the Bullying, Discrimination, Harassment and Sexual Misconduct Policy (the Policy). The College is committed to the rights of all students, staff and to work in an environment that is based on inclusivity and respect.

This Procedure is not to be used for Complaints regarding Sexual Harassment or Sexual Assault. Students, Staff and Volunteers should refer to those separate Procedures under the Policy.

## 2. SCOPE

This procedure applies to all students, staff and volunteers while engaged in activities undertaken as part of their study, work, living and socialising at or with the College. This procedure extends to wherever that activity takes place. The scope of the procedure includes but is not limited to:

- The John Flynn College campus;
- The James Cook University campuses and study centres;
- Sporting and recreational clubs and facilities to the extent that they fall within the College/University Community;
- Managed digital environments; and
- Activities and situations related to College business that are not conducted on College premises, including but not limited to:
  - field trips
  - placements and internships
  - conferences
  - student camps
  - inter-University events
  - parties and other social functions.

## 3. DEFINITIONS

The meaning of terms used in this procedure are as per the Bullying, Discrimination, Harassment and Sexual Misconduct Policy.

## 4. PROCEDURE

### 1. Support

1.1 The College has a number of students and staff who act as Equity Contact Officers (ECOs), who provide support, information and referral and are the first point of contact for students and staff and volunteers who have concerns or questions about discrimination, harassment or bullying. Refer to the College Handbook for the ECOs contact details.

1.2 The College and James Cook University has a broad range of support options for students. Refer to the My Support poster in the College Handbook.

### 2. Making a Complaint

2.1 Any student, staff or volunteer who believes they have experienced or witnessed behaviour which contravenes the Policy may make a Complaint under this procedure.

2.2 At any stage of the process under this procedure, a student, staff or volunteer may seek the assistance and support of a Representative.

2.3 Prior to making a Complaint under this procedure, a Complainant is strongly encouraged to speak with an Equity Contact Officer. This helps to ensure concerns are raised in an appropriate way and that the correct process is followed, including to:

- a) clarify whether the alleged behaviour may constitute a breach of the policy (or whether it should be dealt with under an alternative policy/procedure);
- b) provide information about the policy and procedure; and
- c) referral to complaint resolution options and support programs available to both the Complainant and the Respondent.

2.4 There are three options provided under these procedures for responding to a Complaint of Discrimination, Bullying, Harassment, and/or Vilification:

- a) an informal complaint process,
- b) a formal complaint process, or
- c) referral to an external body.

2.5 A student, staff or volunteer is not required to exhaust informal attempts at resolution before formal action commences. Complainants have the right to formalise their Complaint at any stage.

2.6 If a Complaint is made, either as an informal complaint or a formal complaint, and where the seriousness of the alleged behaviour becomes apparent (e.g. misconduct/serious misconduct), at any time during the complaints processes it may be referred to the College Principal for consideration under the relevant Misconduct Procedure.

### 3. Informal Complaints Process

3.1 An informal Complaint process is recommended where:

- a) The alleged behaviour is/was not violent and addressing it with the Respondent will not create an unsafe circumstance for the Complainant; and/or
- b) the Complainant simply wants to make it clear that the behaviour is unwanted and wants it to cease.

3.2 In the first instance the Complainant, if they feel safe to do so, is encouraged to initiate a conversation letting the Respondent know that their behaviour is impacting the Complainant and/or others and request that it stops.

3.3 The Complainant may approach their Residential Assistant, Senior Residential Assistant, supervisor or next level manager to request support to address the behaviour.

3.4 Potential outcomes of an informal process may include, but not limited to:

- a) an apology;
- b) an agreement between the parties on acceptable behaviour;
- c) resetting expectations of behaviour for all parties by the supervisor or next level manager;

- d) undertaking internally provided training programs;
- e) participation in Alternative Dispute Resolution (ADR) as per section 6 below; and/or
- f) refer the matter as per section 7 of this procedure.

3.5 The informal Complaint process will be carried out in good faith and according to the principles of natural justice. Complaints that are frivolous, vexatious, misconceived or lacking in substance will be rejected if a preliminary investigation of the facts indicates this. Where a Complaint is found to be vexatious or has been made in bad faith, disciplinary action may be taken against the Complainant.

#### 4. Formal Complaints Process

4.1 A Complaint may be made under the formal Complaint's process regardless of whether an informal Complaints process has been instigated earlier.

4.2 The formal Complaints process option may be appropriate where:

- a) informal attempts at resolution have failed, or have not been pursued;
- b) the Complainant is alleging that the inappropriate behaviour being complained about is victimisation or reprisal action as the result of an earlier Complaint;
- c) the Complaint involves allegations which could constitute misconduct or serious misconduct or a breach of code of conduct.

4.3 A student, staff or volunteer can initiate a formal Complaint relating to a breach of the Policy by writing to the College Principal or Deputy Principal. Where a Complaint is against the College Principal, student, staff or volunteer can initiate a formal Complaint by writing to the College Council Chair.

4.4 The response to a formal Complaint may include:

- a) a method of Alternative Dispute Resolution; or
- b) investigation (see section 5); or
- c) refer the matter as per section 7 of this procedure.

4.5 The formal Complaint process will be carried out in good faith and according to the principles of natural justice. Complaints that are frivolous, vexatious, misconceived or lacking in substance will be rejected if a preliminary investigation of the facts indicates this. Where a Complaint is found to be vexatious or has been made in bad faith, disciplinary action may be taken against the Complainant.

#### 5. Formal investigation process

5.1 If the College Principal or College Council Chair determines a formal investigation is necessary, an appropriate investigator will be appointed.

5.2 To afford Natural Justice to both the Complainant and Respondent, the investigator will ensure that:

- a) the Complainant and Respondent receive information about the standard of conduct expected during an investigation process, including confidentiality;
- b) the Respondent is fully apprised of the allegations against him or her;

- c) all issues are investigated;
- d) all participants in the investigation are informed of information relevant only to their participation in the investigation;
- e) the Complainant and the Respondent have the right to be heard and be treated impartially and without bias;
- f) the Complainant, Respondent and any interviewees are afforded the right to a Representative at discussions or interviews throughout the process;
- g) the investigation report is confidential and will not be released to any parties, unless required under law, but may be used to form allegations as part of any disciplinary processes.

5.3 For the purpose of conducting an effective investigation, all parties acknowledge that information relating to the investigation could contain confidential, sensitive or personal information or material. Information could include interviews, statements, emails, phone records, text or data messages, forming part of the investigation report and as such, shall not be made available to anyone other than to the Respondent or Complainant (on a confidential basis) where reasonably necessary to afford natural justice to the parties in accordance with clause 5.2.

5.4 The investigator will generally make a finding about the allegation of behaviour which may be in breach of the Policy, in which case the Complainant and the Respondent will be notified in writing whether the allegation/s is/are substantiated or not and the reason for this determination.

5.5 Other parties involved in the investigation will receive communication to confirm their involvement has concluded or the investigation process has concluded.

5.6 On completion of an investigation, and if the allegations are substantiated, the College Principal or College Council Chair will determine appropriate actions, which may include but are not limited to:

- a) the Complainant and the Respondent participate in an Alternative Dispute Resolution (ADR);
- b) training;
- c) resetting expectations of behaviour by the supervisor; or
- d) other options as deemed appropriate to the circumstances; or
- e) refer the matter as per section 7 of this procedure.

## 6. Alternative Dispute Resolution

6.1 Alternative Dispute Resolution may help the Complainant and Respondent resolve a complaint or reach an agreement, and can occur at any stage of the complaint management process.

6.2 Participation in Alternative Dispute Resolution in an informal or formal Complaint management process is voluntary and must be agreed to by both the Complainant and the Respondent.

6.3 Alternative Dispute Resolution may include:

- a) **Mediation:** a process in which the Complainant and the Respondent, with the assistance of an independent dispute resolution practitioner (the mediator) negotiate in an endeavour to come to a mutually agreed resolution. The mediator has no advisory or determinative role.
- b) **Facilitation:** a process in which the parties (usually a group), with the assistance of an independent dispute resolution practitioner (the facilitator) identify problems to be solved, tasks to be accomplished or disputes issues to be resolved. Facilitation may conclude there, or it may continue

to assist the parties to develop options, consider alternatives and endeavour to reach an agreement. The facilitator has no advisory or determinative role.

c) **Conciliation:** a process in which the Complainant and the Respondent, with the assistance of an independent dispute resolution practitioner (the conciliator), identify the issues, develop options, consider alternatives and endeavour to reach an agreement. The conciliator may have an advisory role on the dispute or the outcome of its resolution, but not a determinative role.

## 7. Referral to external bodies

7.1 While students, staff and volunteers are strongly encouraged to use internal complaint management options outlined in this Procedure, students, staff and volunteers have the right to seek advice from and/or lodge a Complaint with an external body, which may include the Queensland Police, the Fair Work Commission, Queensland Anti-Discrimination Commission and Workplace Health and Safety Queensland.

## 8. Records

8.1 Records relating to a Complaint are not held on a student or staff members file. These records are held on a confidential file, and may include the Complaint form and submission, investigation report and related material such as records of interview and witness statements, the determination and reasons by the investigator, and any other material provided during the course of the investigation.

8.2 Any records relating to corrective actions taken as a result of a substantiated breach of the policy (e.g. disciplinary action) will be held on a student or staff member's confidential file.

8.3 The College will collect de-identified data for statistical purposes, to enable and inform initiatives and programs in order to create a safe and inclusive workplace for all.

## 9. Confidentiality

9.1 Any party involved in a matter relating to the Policy and this Procedure (including Complainant, Respondent, witnesses, interviewees and Representatives) have a responsibility to treat a Complaint and all information and associated processes as confidential.

9.2 Information provided by the Complainant or the Respondent will be treated as confidential and will be provided only to those who have a need for the information for the purposes of managing the complaint in the course of their residency or employment with the College or when it is required in the course of investigating or resolving the Complaint.

## 10. False Allegations and/or Vexatious Complaints

10.1 Reports (whether oral or in writing) made in bad faith and/or including false information in the course of an investigation may lead to allegations of Misconduct/Serious Misconduct and result in disciplinary action against the person.

10.2 If the Complaint is found to be Vexatious, the College may take action against the Complainant under the College's misconduct procedures.

## 9. REVIEW

- This policy will be reviewed annually

## 10. COMMUNICATION

This policy will be included in the Student Handbook, Employee Handbook and Residential Assistant Handbook for the information of students and staff

#### **11. SUPPORT**

Employees and students that require support to apply this policy and/or associated policies and procedures may seek the support of:

- The College Principal
- The Deputy Principal
- Equity Contact Officer

#### **12. ASSOCIATED LEGISLATION AND INSTRUMENTS**

- Student Code of Conduct
- JCU Sexual Misconduct Procedure (for students)
- Sexual Misconduct Procedure for Staff
- Bullying, Discrimination Harassment and Sexual Misconduct Policy
- Social Media Policy
- Digital Technologies Acceptable Use Policy

#### **13. ENDORSEMENT**

Endorsed by the College Principal on 27 October 2023



# Sexual Misconduct Procedure

## Intent

This procedure outlines how the University will manage Reports and Complaints of Sexual Assault and Sexual Harassment, and should be read in conjunction with the [Bullying, Discrimination Harassment and Sexual Misconduct Policy](#).

This Policy addresses HESF Standards 2.2: Diversity and Equity, 2.3 Wellbeing and Safety, and 2.4 Grievances and Complaints.

## Scope

This procedure applies to all members of the JCU Community for any incident of Sexual Assault or Sexual Harassment regardless of where (University premises or elsewhere) or when, the incident occurred.

## Definitions

Except as otherwise specified in this Procedure, the meaning of terms used in this Procedure are as per the [Bullying, Discrimination, Harassment and Sexual Misconduct Policy](#) and the [University's Learning and Teaching Policy Glossary and the Human Resources Policy Glossary](#).

## Procedure

### 1. Responding to Sexual Assault

- 1.1 Every person in the University Community should respond compassionately to any person who discloses they have experienced, or who are experiencing Sexual Assault, respect privacy and confidentiality, assist the person to seek support, and be aware of how to Report (see Appendix 1).
- 1.2 Any member of the University Community may be a Bystander. A Bystander includes a person who observes someone Sexually Assaulting another person. A Bystander should call 000 in an emergency situation. A Bystander can intervene at the time, if they are able, and it is safe to do so. Bystanders should let the person subjected to the behaviour know that they've noticed, and let them know they will do what they can to help.
- 1.3 The safety, wellbeing and needs of the person who has been subjected to Sexual Assault are at the centre of JCU's response. To the fullest extent possible the wishes of the person subjected to Sexual Assault should be respected, and strict confidentiality applies at all times. Care must be taken not to dismiss a matter as trivial.
- 1.4 Any allegation of Sexual Assault must be immediately responded to in accordance with this Procedure. The contact details for crisis and specialist Sexual Assault Services and University support are identified in the Policy, and are available on the JCUSafe App.
  - 1.4.1 If the member of the University Community is Sexually Assaulted on a field trip, placement, or any location remote to a University campus, then the State-wide Sexual Assault Helpline should be called, or if interstate, then call 1800 RESPECT (1800 737 732).
  - 1.4.2 If overseas, field trip supervisors/support Staff should contact Chubb Assistance immediately who will guide them through the relevant country's medical/police system. The Chief of Staff, as the University's Critical Incident Coordinator and Sexual Misconduct Officer, will also assist with consular support and return to Australia as necessary.
  - 1.4.3 To ensure safety and wellbeing, this may require returning the person subjected to the Sexual Assault to their home location (if remote to the campus or overseas). As a Precautionary Measure the alleged perpetrator may also be brought back to their home location. If in residential accommodation on campus, alternative accommodation may also be required. These Precautionary Measures, if required, will be coordinated through a Sexual Misconduct Officer.

- 1.5 The University's response to Sexual Assault is integrated with specialist Sexual Assault Support Services. These community-based specialist Sexual Assault Support Services provide independent and expert support to Staff and Students of the University who are victims of Sexual Assault. The University will provide additional and complementary support services.
- 1.6 The JCU Respect Online Module, the University's Safety and Wellbeing Website and the JCU Respectful Relationships Workshops provide information on recognising Sexual Misconduct, responding to disclosures, referral to appropriate support services and reporting to the University. Supervisors and Managers have a responsibility to address Sexual Assault immediately if they become aware of Sexual Assault, and seek the advice of a Sexual Misconduct Officer.

## **2. Responding to Sexual Harassment**

- 2.1 The University recognises that persons subjected to Sexual Harassment often directly address the behaviour at the time that it happens. The University has no expectation or suggestion however, that the person who is subject to Sexual Harassment should have to address the behaviour directly with the person who is/has sexually harassed them.
- 2.2 Every person in the University Community should respond compassionately to any person who discloses they have experienced or are experiencing Sexual Harassment, respect privacy and confidentiality, assist the person to seek support, and be aware of how to Report (see Appendix 2).
- 2.3 Supervisors and Managers have a responsibility to address Sexual Harassment immediately if they are made aware, and seek the advice of a Sexual Misconduct Officer.

## **3. Sexual Misconduct Reports and Complaints to JCU**

- 3.1 Any person can provide information to the University that an incident of Sexual Misconduct has happened. All people, at any time, can pursue processes external to the University, including reporting to Police.
- 3.2 There is a difference between making a Report and making a Complaint to the University. A Report lets the University know that an incident has happened and enables support to be provided to the person affected (See Section 4 below and the Policy). A Complaint may only be made in relation to conduct of members of the University Community and is a process that involves an investigation and possible disciplinary outcomes (see Section 5 below). Typically, a Report is made before a Complaint is made but it is possible to make a Complaint in the first instance.
- 3.3 The University will respect an individual's decision on whether they will make a Complaint to the University. Reports and Complaints are kept strictly confidential except in exceptional and very limited circumstances, where required by law, or where there is an immediate and serious risk to any individual's health and safety. In such circumstances, the University may do one or both of the following:
  - 3.3.1 resolve to elevate the Report to a Complaint, in which case the individual who has been subjected to the incident has the right not to participate in any subsequent Investigation provided that this action would not result in a denial of natural justice to the Respondent; and/or
  - 3.3.2 notify relevant third parties, including but not limited to the Queensland Police Service or child protection authorities.
- 3.4 A member of the University Community may have a Representative (or Support Person) present when attending any meetings relating to Sexual Misconduct, and any Report or Complaint. If the Complainant or Respondent are unable to attend campus, alternative methods of contact can be arranged.

## **4. Making a Report**

- 4.1 Any person can make a Report through the online Sexual Misconduct Report form or by contacting a Sexual Misconduct Officer directly, their full contact details are at: <https://www.jcu.edu.au/safety-and-wellbeing/sexual-harassment-and-sexual-assault/sexual-misconduct-officers> or via the JCUSafe App. Staff members who receive a disclosure (whether verbally, written, or informally) must make a Report. The Chief of Staff will enter the report in the Incident Register and ensure the University is responding effectively.

- 4.2 Reports may be submitted anonymously using the Sexual Misconduct Report Form, and the person making the Report is able to, but does not have to, identify the other person/people involved. The University's actions in response to any Report may be limited by the detail provided.
- 4.3 Upon receipt of a Report, a Sexual Misconduct Officer will work with the person making the Report, and/or make direct contact with the Staff member or Student who has been subjected to Sexual Assault or Sexual Harassment if they have been identified in the Report, to provide advice on support mechanisms available, including that provided from the specialist Sexual Assault Support Services and that provided by the University. Sexual Misconduct Officers can provide information on the University's policy and procedures, including consideration on whether Accommodations and/or Precautionary Measures may be required.
- 4.4 Making a Report does not start an investigation, but it does mean the Sexual Misconduct Officer can advise the person subjected to Sexual Assault or Sexual Harassment of the support options available, their options to make a Complaint, and be the person's primary point of contact through the Complaint process.
- 4.5 **For Sexual Harassment only:** The Sexual Misconduct Officer can discuss possible options and resolutions with the person who has been subjected to Sexual Harassment to consider which may include:
  - 4.5.1 the supervisor, manager, Director, College Dean or Director Human Resources (for Staff only) reiterating expectations about appropriate respectful behaviour with the other person/people;
  - 4.5.2 the requirement for other person/people to undertake internally provided training programs;
  - 4.5.3 an apology being made by the other person/people to the person who has been subjected to sexual harassment;
  - 4.5.4 a Complaint being made if unresolved to the satisfaction of the person subjected to the sexual harassment.
- 4.6 If a member of Staff is undertaking a conversation with the person about whom a Report is received, the Chief of Staff and/or Director HR (for Staff respondents only) can provide support to Staff in conducting those conversations appropriately.

## 5. Precautionary Measures

- 5.1 The Director Human Resources or Director Student Services (where relevant), in consultation with Sexual Misconduct Officers, may impose Precautionary Measures in response to a Report or Complaint, or at any time there is a concern for the health and safety of the parties. Precautionary Measures may only be put in place if they are reasonable and proportionate, having regard to:
  - 5.1.1 the nature of the allegation of Sexual Misconduct made against the Respondent; and
  - 5.1.2 the safety and wellbeing of the Complainant, Staff and Students at the University generally.
- 5.2 Before imposing Precautionary Measures, the Director Human Resources or Director Student Services (where relevant) will make a reasonable effort (having regard to the seriousness and urgency of the need for the Precautionary Measures) to provide the Respondent with an opportunity to explain why the proposed Precautionary Measures ought not to be imposed.
- 5.3 Precautionary Measures will end, subject to section 11 or 12 of this Procedure:
  - 5.3.1 28 days after the Precautionary Measures have been imposed, if no allegation letter is given to the Respondent in that time;
  - 5.3.2 if an allegation letter is given to the Respondent within 28 days of the Precautionary Measures, then at the conclusion of the disciplinary process.
- 5.4 Precautionary Measures may be amended or removed at any time by the Director Human Resources or Director Student Services, in consultation with the Sexual Misconduct Officer. The person allegedly

subject to that conduct will be notified in writing of the change in Precautionary Measures at least 7 days before the Precautionary Measures are amended or removed.

## **6. Making a Complaint**

- 6.1 Any person can make a Complaint about conduct of Students, Staff members, Affiliates or members of Council, which may amount to Sexual Misconduct in breach of the *Bullying, Discrimination, Harassment and Sexual Misconduct Policy*.
- 6.2 A Complaint can be made regardless of:
  - 6.2.1 where the conduct occurred;
  - 6.2.2 when the conduct occurred;
  - 6.2.3 whether the conduct occurred in the person's capacity as a member of the University Community.
- 6.3 There are no time limitations for making a Complaint to the University.
- 6.4 When a person subjected to Sexual Assault or Sexual Harassment indicates that they are prepared to make a Complaint, the Sexual Misconduct Officer will coordinate and confirm with the Chief of Staff that:
  - 6.4.1 the appropriate support services have been engaged;
  - 6.4.2 any safety or other risks associated with the Complaint investigation processes are identified and mitigated;
  - 6.4.3 consider whether any Accommodations are already in place or should be amended or removed;
  - 6.4.4 consider whether to put in place Precautionary Measures, or direct another relevant person to consider whether to put in place Precautionary Measures,
  - 6.4.5 where the Complaint was not made by the individual directly affected, that the directly affected individual is advised of the Complaint and is able to talk about the Complaint and the anticipated process that the University will take to consider it;
  - 6.4.6 the Complainant has been made aware of and understands the Complaint process and possible implications for them, before progressing a Complaint;
  - 6.4.7 any requirement for the University to notify an external body, i.e., where Public Interest Disclosures or the Crime and Corruption Commission (where the Respondent is an employee) is met; and
  - 6.4.8 any Respondent in a Complaint process has been provided the support of a Sexual Misconduct Officer and advised of other support services available to them.
- 6.5 For the purposes of these procedures, a Staff member or Affiliate responding to an allegation(s) of Sexual Misconduct is referred to as a Staff Respondent and a Student responding to allegation(s) of Sexual Misconduct is referred to as a Student Respondent.
- 6.6 Where a Student is also employed by the University or where a Staff member or Affiliate may also be a Student or a Council Member, the Sexual Misconduct Officer will make an assessment as to the role the Respondent was undertaking at the time of the incident(s) the Complaint refers to.
- 6.7 Where an allegation of Sexual Misconduct is to be made through a Complaint for a Staff Respondent it will be referred by the Chief of Staff to the Director Human Resources as a possible breach of the *Bullying, Discrimination, Harassment and Sexual Misconduct Policy*, and for investigation of misconduct/serious misconduct (as detailed in the JCU Enterprise Agreement).
- 6.8 Where an allegation of Sexual Misconduct is to be made through a Complaint for a Student Respondent it will be referred by the Chief of Staff to the Director Student Services for investigation as a possible breach of the *Bullying, Discrimination, Harassment and Sexual Misconduct Policy*.
- 6.9 Where an allegation of Sexual Misconduct is to be made through a Complaint against a Council member Respondent it will be referred by the Chief of Staff to the Chancellor for investigation (see section 9) as a

possible breach of the *Bullying, Discrimination, Harassment and Sexual Misconduct Policy* constituting misconduct under the Council Code of Conduct.

- 6.10 In making a Complaint, relevant information will be required from the Complainant as part of the Preliminary Inquiry (see section 9), in order that an investigation and possible disciplinary action or other resolution can be taken.
- 6.11 A written Complaint may be submitted anonymously. If a Complaint is made anonymously, then the University may be unable to contact the Complainant, undertake the immediate response measures set out in section 1 or 2 of this Procedure, or progress a disciplinary process in respect of that Complaint.

## **7. Effect of concurrent criminal proceedings**

- 7.1 If the Director Student Services or Director Human Resources becomes aware that the allegations which are the subject of the Complaint are also the subject of a concurrent investigation by the police or criminal proceedings:
  - 7.1.1 the processes set out in this Procedure will be paused;
  - 7.1.2 the Director Student Services or Director Human Resources may determine that any Precautionary Measures in place at that time remain in place until the conclusion of the investigation by the police or criminal proceedings, and confirm this in writing with the Respondent.
- 7.2 If for whatever reason the concurrent criminal proceedings conclude, the processes set out in this Procedure may recommence.

## **8. Reports or Complaints made by third parties**

- 8.1 Third Parties (ie a person not part of the University Community) may also make Reports or Complaints of Sexual Misconduct by a JCU Staff member, Student, Affiliate or Council member, where the Sexual Misconduct is alleged to have occurred whilst engaged in activities undertaken as part of their study, research, work and socialising associated with JCU.
- 8.2 The University may be unable to proceed with an investigation involving anonymous or third party Reports or Complaints if there is a lack of information from the individual who was directly subjected to the Sexual Assault or Sexual Harassment, or where proceeding would not allow for Procedural Fairness.
- 8.3 If the University is unable to proceed with an investigation involving anonymous or third party allegations, the Report or Complaint will be retained by the Chief of Staff, will be kept strictly confidential, and access to it will be limited.

## **9. Investigating a Complaint**

- 9.1 The Director Student Services and Director Human Resources as relevant are responsible for ensuring Complaints are investigated.
- 9.2 **Preliminary Inquiry.** On receipt of a referral from the Chief of Staff, the Director Human Resources or the Director Student Services may appoint another person, who may be a person within the University or an external person, to investigate the Complaint and undertake a preliminary inquiry with the Complainant to determine the relevant aspects of the Complaint, including potential witnesses and other information that may be available including outcomes expected of the Complaint.
- 9.3 The Director Human Resources is able to issue reasonable and lawful directions to Staff and Affiliates to engage with the investigator.
- 9.4 The Preliminary Inquiry will include an interview with the Complainant and other relevant people identified. This Preliminary Inquiry is to determine whether sufficient information is available to prepare a letter of allegation(s).
- 9.5 The person undertaking the Preliminary Inquiry has all the powers necessary to carry out that function, including but not limited to:
  - 9.5.1 requesting that the University provide certain documents or information;

- 9.5.2 interviewing witnesses, including the Complainant; and
- 9.5.3 requesting that witnesses provide certain documents or information.
- 9.6 Excepting clause 9.3 above, the person investigating the Complaint does not have power to compel any person to attend an interview or to produce documents or information.
- 9.7 The investigator will make recommendation(s) to the Director Human Resources, or the Director Student Services as relevant, on the extent and nature of the allegations to be put to the Respondent..
- 9.8 Where a Preliminary Inquiry determines that there is insufficient information to progress the Complaint, it will be closed and the Complainant notified. The University will continue to provide support, including Accommodations to the Complainant. This decision to close a Complaint can be appealed (see section 13).
- 9.9 If the Preliminary Inquiry determines there is sufficient information and that allegations can be put to the Respondent to progress the Complaint, the Director Human Resources or Director Student Services as relevant will consider the Investigation Report recommendations and use their discretion to determine whether to proceed with an Allegation Letter and the nature of any such allegations. Where the Respondent is a Staff member, this will be in accordance with the Misconduct/Serious Misconduct clause in the Enterprise Agreement.
- 9.10 **Support to Complainant.** The Sexual Misconduct Officer assigned to the Complaint will keep the Complainant regularly informed of any investigative or disciplinary process commenced in relation to the Complaint. The Complainant is entitled to be accompanied by a support person (such as a family member or friend) in any meetings, interviews, or similar conducted as part of the process set out in this Procedure
- 9.11 **Support to Respondent.** A Sexual Misconduct Officer (being not the same Sexual Misconduct Officer who has assisted or is assisting the Complainant) will act as a point of contact for the Respondent throughout the complaint process described in this Procedure. The Respondent is entitled to be accompanied by a support person (such as a family member or friend) in any meetings, interviews, or similar conducted as part of the process set out in this Procedure. The Respondent is not entitled to be accompanied by a legal representative in any meetings, interviews, or similar conducted as part of the process set out in this Procedure.

## 10. Allegation Letter

- 10.1 Once the Complaint has been investigated, the Director Student Services or Director Human Resources has discretion to determine whether to further progress the Complaint via allegations.
- 10.2 If the Director Student Services or Director Human Resources determines to progress the Complaint, they will provide the Respondent with an allegation letter which:
  - 10.2.1 identifies the conduct which the Respondent is alleged to have engaged in;
  - 10.2.2 states that the conduct is alleged to constitute Sexual Misconduct in breach of the *Bullying, Discrimination, Harassment and Sexual Misconduct Policy*;
  - 10.2.3 states the date by which the Respondent can provide a written response to the allegations, which will be considered in determination of the Complaint;
  - 10.2.4 states that:
    - a. if the Respondent admits the alleged conduct and that it amounts to Sexual Misconduct in breach of the *Bullying, Discrimination, Harassment and Sexual Misconduct Policy*:
      - i. the Director Student Services will proceed to determine the appropriate penalty in accordance with section 11 of this Procedure; or
      - ii. the Director Human Resources will proceed to make recommendations to the relevant Deputy Vice Chancellor in accordance with section 12 of this Procedure;



- b. if the Respondent denies the alleged conduct and/or denies that the conduct amounts to Sexual Misconduct in breach of the *Bullying, Discrimination, Harassment and Sexual Misconduct Policy*:
    - i. the Director Student Services will proceed to determine the Complaint in accordance with section 11 of this Procedure;
    - ii. the Director Human Resources will proceed to determine the Complaint in accordance with the misconduct/serious misconduct clause in the Enterprise Agreement;
- 10.2.5 describes the support available to the Respondent;
- 10.2.6 provides the Respondent with copies of relevant documents considered by the Director Student Services or Director Human Resources as relevant in determining to progress the Complaint.
- 10.3 For the avoidance of doubt, the allegations put to the Respondent in an allegation letter issued pursuant to this section need not be limited to by the matters raised in the Complaint.
- 10.4 The Respondent will be afforded Natural Justice and guidance on the response to the written allegations including timeframes and supports available, and have the right to have a Representative (Support Person) with them during any meeting required as part of the Complaint process.
- 10.5 **Further Inquiry.** On receipt of the Respondent's written response to the allegations, further clarifications may be required by the Director Human Resources or Director Student Services with the Complainant or Respondent before making a determination or finding. This further inquiry/clarification may be sought via interview or in writing.
- 10.6 Timeframes for investigating and making a determination on a Complaint will be as expeditious as possible, taking into account the needs of the Complainant and Respondent.
- 11. Outcomes of Complaints – Disciplinary Process – Students**
- 11.1 The Director Student Services determines allegations of Sexual Misconduct made against Students.
- 11.2 The disciplinary process set out in this section must be conducted in accordance with Procedural Fairness.
- 11.3 The Director Student Services must determine, on the balance of probabilities, whether:
  - 11.3.1 the conduct alleged in the allegation letter occurred; and
  - 11.3.2 if so, whether that conduct constitutes Sexual Misconduct in breach of the *Bullying, Discrimination, Harassment and Sexual Misconduct Policy*.
- 11.4 If the Director Student Services determines that, on the balance of probabilities, the Respondent has engaged in conduct which amounts to Sexual Misconduct in breach of the *Bullying, Discrimination, Harassment and Sexual Misconduct Policy*, the Director Student Services must determine an appropriate and proportionate penalty, including but not limited to:
  - 11.4.1 a written warning or reprimand;
  - 11.4.2 a reasonable direction, including to undertake counselling, undertake remedial activities; or take action or behave in a specified way;
  - 11.4.3 require the Student to refrain from having any, or any specified, contact with any particular Student(s) or Staff member(s) for such period of time as deemed necessary or appropriate;
  - 11.4.4 a suspension, including from specified parts of the University or the University as a whole for a specified time; and
  - 11.4.5 expulsion.
- 11.5 The Director Student Services will notify the Respondent in writing of their determination (and reasons for the determination, if it is adverse to the Respondent) as soon as possible.

- 11.6 The Director Student Services has the power to make all directions necessary and incidental to their function to determine allegations of Sexual Misconduct, including but not limited to making directions necessary to:
- 11.6.1 afford the Respondent Procedural Fairness in the disciplinary process;
  - 11.6.2 conduct or request that another person conduct further investigations; and
  - 11.6.3 issue an amended allegation letter, which must comply with the requirements set out in section 10 above.

## **12. Outcomes of Complaints – Disciplinary Process – Staff**

- 12.1 The Director Human Resources determines allegations of Sexual Misconduct made against Staff. Sexual Misconduct if proven may constitute serious misconduct.
- 12.2 The disciplinary process set out in this section must be conducted in accordance with Procedural Fairness, and the misconduct/serious misconduct clause in the Enterprise Agreement.
- 12.3 The Director Human Resources must determine, on the balance of probabilities, whether:
- 12.3.1 the conduct alleged in the allegation letter occurred; and
  - 12.3.2 if so, whether that conduct constitutes Sexual Misconduct in breach of the *Bullying, Discrimination, Harassment and Sexual Misconduct Policy*; and
  - 12.3.3 if so, whether the conduct constitutes misconduct or serious misconduct.
- 12.4 The Director Human Resources will make a recommendation regarding appropriate disciplinary action to the relevant Deputy Vice Chancellor who will determine whether or not disciplinary action will be taken, and if disciplinary action is taken, what the action is.

## **13. Appealing University decisions**

- 13.1 A Student may appeal any determination made by the Director Student Services in accordance with the University's [Student Review and Appeals Policy](#) and [Complaint and Conduct Decisions Appeal Procedure](#).
- 13.2 A Staff Member or Affiliate Respondent may, with the exception of a censure, prepare a written submission to the Vice Chancellor as to why the determination made by the relevant Deputy should not be imposed in accordance with the JCU Enterprise Agreement.

## **14. Privacy and Confidentiality**

- 14.1 Investigations and outcomes of Complaints and any disciplinary proceedings are confidential and private to the parties involved. All participants in the process set out in this Procedure, including persons contacted as part of investigation of a Complaint and the Respondent, must respect and maintain confidentiality, and confidentiality directions may be provided in writing by the Director Student Services or Director Human Resources as relevant.
- 14.2 A breach of privacy or confidentiality directions in relation to Complaints processes set out in this Procedure are considered a breach of the applicable Codes of Conduct.

## **Related policy instruments**

[Bullying, Discrimination, Harassment and Sexual Misconduct Policy](#)  
[Sexual Harassment Procedure](#)  
[Staff Code of Conduct](#)  
[Student Code of Conduct](#)  
[Conflict of Interest Policy](#)  
[Higher Degree by Research Requirements](#)  
[Honorary Appointments Policy](#)  
[ICT Acceptable Use Policy](#)  
[James Cook University Enterprise Agreement](#)

[Social Media Policy](#)  
[Student Review and Appeals Policy](#)  
[Student Complaints Policy](#)  
[WHS-PRO-015 Field Trip Procedure](#)

## Schedules/Appendices

Appendix 1: Guideline for Responding to Disclosures of Sexual Assault  
Appendix 2: Guideline for Responding to Disclosures of Sexual Harassment

## Other related documents

[Statement of Commitment to the Elimination of Sexual Harassment and Sexual Assault](#)  
[JCU Sexual Harassment and Sexual Assault website](#)

## Related documents and legislation

### Commonwealth Laws

[Age Discrimination Act 2004](#)  
[Australian Human Rights and Equal Opportunity Commission Act 1986](#)  
[Disability Discrimination Act 1992](#)  
[Disability Standards for Education 2005](#)  
[Fair Work Act 2009](#)  
[Racial Discrimination Act 1975](#)  
[Sex Discrimination Act 1984](#)  
[Workplace Gender Equality Act 2012](#)

### Queensland State Laws

[Anti-Discrimination Act 1991](#)  
[Criminal Code Act 1899](#)  
[Criminal Law Amendment Act 1993](#)  
[Crime and Corruption Act 2001](#)  
[Disability Services Act 1992](#)  
[Human Rights Act 2019](#)  
[Industrial Relations Act 2016](#)  
[Work Health and Safety Act 2011](#)  
[Workers Compensation and Rehabilitation Act 2003](#)

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## Administration

NOTE: Printed copies of this procedure are uncontrolled, and currency can only be assured at the time of printing.

### Approval Details

Policy Domain	Corporate Governance
Policy Custodian	Vice Chancellor
Approval Authority	Council
Date for next Major Review	05/05/2028

### Revision History

Version	Approval date	Implementation date	Details	Author
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23-1	05/05/2023	12/05/2023	Amendments to clarify investigation of complaints and processes	Chief of Staff
21-1	15/09/2021	15/09/2021	Administrative amendment to update references and links to policies	Policy Officer
18-3	27/08/2018	27/08/2018	Administrative amendment to update phone no.	Quality, Standards and Policy Officer
18-2	02/08/2018	03/08/2018	Administrative amendments to correct grammar and clarify language	Chief of Staff
18-1	05/07/2018	09/07/2018	Procedure established	Vanessa Cannon, Chief of Staff

Keywords	sexual harassment, violence, abuse, assault, consent, disclosure, sexual misconduct
Contact Person	Chief of Staff

## Appendix 1 - Guidelines for responding to disclosures of sexual assault

A resource for staff and students in responding to a person who discloses they have been sexually assaulted.

It is important to remain compassionate, respectful, and supportive.



JAMES COOK  
UNIVERSITY  
AUSTRALIA

# 1

### Attend to Safety

Determine whether there are any immediate risks to the person's wellbeing and safety. For immediate assistance of police or ambulance call 000 For on-campus security call 1800 675 559

# 2

### Listen and be supportive

- It can be very hard for someone to disclose sexual assault. Give the person your full attention. Speak calmly, let them tell you at their own pace, without interrupting or asking direct questions about the experience. Silences are okay. Letting someone take charge of what they disclose enables them to reclaim some control.

### Believe them

- Do not ask 'why' questions – these questions carry blame and judgement. Validate the person's experience by acknowledging their distress. Saying 'I am sorry for what has happened' is heard as 'I believe you'; saying 'What happened to you is never okay' is heard as 'This is not your fault', saying 'I will do what I can to find help' is heard as 'You are not alone'

### Maintain confidentiality

- Treat what is shared with you confidentially, do not share with others without permission.

# 3

### Refer to support

- Connect in with the specialist Sexual Assault Services - free and confidential

The specialist Sexual Assault Services will meet the person in a safe and private place, and offer ways to help manage the physical and emotional effects of sexual assault. They can explain and assist with legal and medical options - including any emergency health care or forensic examinations, and any decisions about reporting to Police. They can assist with access to the support JCU can provide to continue with studies or work. They will ensure the person's decisions are communicated and respected.

#### Specialist Services:

Townsville Sexual Assault Support Service (07) 47757555 (connect after hours by calling 4759 9711)  
Cairns Sexual Assault Service (07) 40313590 (connect after hours by calling 4226 0000 Cairns Hospital)

Tablelands Sexual Assault Service (07) 4091 4036 (9am - 5pm)  
Mackay Women's Sexual Assault Service (07) 4953 1788

Brisbane - BRISCC (07) 3391 0004

#### Queensland Health services:

Thursday Island - Women's Support Service (Sexual Health Clinic) (07) 4069 0413

Mackay Sexual Health and Assault Services (07) 4968 3919

Royal Brisbane & Women's Hospital Sexual Assault Response Team (07) 3646 5207

Phone help lines: National 24 hours: 1800 RESPECT (1800 737 732)

Queensland Sexual Assault line (DV Connect) 7.30am - 11.30pm: 1800 010 120

### Refer to support

- Connect with a Sexual Misconduct Officer - assistance to continue work or study

JCU has dedicated Sexual Misconduct Officers who provide a single point of contact. They can assist with working out what support a person needs to continue with studying or working. Support can include safety plans, emergency housing, or changes to class scheduling, assessment, or work reporting lines. Support can be provided without identifying the other person/people involved. Sexual Misconduct Officers are Vanessa Cannon, Chief of Staff (07) 47814078 or mob 0419 245 992 | Nola Kuilboer, Executive Officer (07) 4781 4929 or mob 0415 163 290 | Damian Dunne, Diversity & Equity Consultant, HR (07)42321136 or mob 0436 645630 or e: smo@jcu.edu.au

# 4

### Reporting Options

To make a report or complaint to JCU contact the Sexual Misconduct Officers or use the report form on the JCU Safe App or at [www.jcu.edu.au/safety-and-wellbeing](http://www.jcu.edu.au/safety-and-wellbeing). It is possible to make an anonymous report to JCU, and it is possible to make a report to JCU without identifying any other person/people involved.

To report a sexual assault to Queensland Police - <https://www.police.qld.gov.au/programs/adultassault/report> You can make an anonymous report to Police.

# 5

### Take Care of Yourself

It can be difficult to support someone who has disclosed to you. Confidential support is available to you from a Sexual Misconduct Officer, or the Helplines/Services listed above. Students can also speak to a counsellor at Student Equity and Wellbeing 1800 246 446, staff can call EAP Lifeworks 1800 604 640.

24 February 2023

[www.jcu.edu.au/safety-and-wellbeing](http://www.jcu.edu.au/safety-and-wellbeing)

## Appendix 2 - Guidelines for responding to disclosures of sexual harassment

A resource for staff and students in responding to a person who discloses they have been sexually harassed.

It is important to remain compassionate, respectful, and supportive.

1

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2

**Listen and be supportive** - It can be very hard for someone to disclose sexual assault. Give the person your full attention. Speak calmly, let them tell you at their own pace, without interrupting or asking direct questions about the experience. Silences are okay. Letting someone take charge of what they disclose enables them to reclaim some control.

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5

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24 February 2023

[www.jcu.edu.au/safety-and-wellbeing](http://www.jcu.edu.au/safety-and-wellbeing)



# JCU Inter-Collegiate Code

This code applies to all residents of the JCU Affiliated Colleges and Halls of Residence.

## Harassment and Discrimination

1. The JCU Halls of Residence and Affiliated Colleges assert and affirm their responsibility for the maintenance of residential communities of students of the University which are free of discrimination and harassment.
2. The Colleges and Halls of Residence are bound under the JCU's [Bullying, Discrimination, Harassment and Sexual Misconduct Policy](#) and by State and Commonwealth Law in these matters.
3. All Affiliated Colleges and Halls of Residence will ensure that instruction on the JCU's [Bullying, Discrimination, Harassment and Sexual Misconduct Policy](#) is made a mandatory part of Orientation Week programs for all new residents.
4. Any complaints arising from alleged acts of discrimination or harassment will be dealt with under JCU's [Bullying, Discrimination, Harassment and Sexual Misconduct Policy](#).
5. Senior RAs of Colleges and Halls will take action to prohibit any form of institutionalised harassment of new or continuing student residents through songs, chants, "initiation" ceremonies or required uniforms or items of clothing of a degrading nature.
6. All Colleges and Halls will ensure that this code is reproduced each year in the College/Hall Resident Code of Conduct or other relevant publication and distributed to all residents prior to or on arrival.

## Student access to other Colleges and Halls

1. Members of Colleges and Halls may not enter onto the grounds or into the buildings of Colleges or Halls other than that in which they are enrolled, unless:
  - 1.1 They are there at the invitation of a bona fide resident of that College or Hall and in the company of their host or hostess, or
  - 1.2 They are a member of a specified group from other Colleges and Halls who have been invited as a group, or
  - 1.3 They are attending a function or activity at that College or Hall to which there is a general invitation.
2. If members of a College or Hall wish to visit another College or Hall, they are required to contact their potential host to arrange an invitation and arrange to be met on arrival.
3. During the time that they are present at the other College or Hall, visitors must abide by the rules of that College or Hall, all applicable JCU policies and any instructions that they are given by any member of the staff of the institution including any member of Residential Staff such as Residential Assistants.
4. Hosts will always be held to be responsible for the conduct and behaviour of their visitors including being responsible for the financial costs and penalties arising from any breach of rules or any damage, whether accidental or wilful.
5. Residents of College or Halls must not attempt to enter another College or Hall when under the influence of alcohol.

6. Acts of vandalism or theft (whether the intention is to permanently deprive or “souvenir” with the intention to return) committed by a visitor to a College or Hall will render the visitor liable to exclusion from the College or Hall at which they are enrolled.
7. The Senior RAs of College and Halls will impose penalties up to exclusion from residence on any member of their College or Hall who is found to be guilty of offences under this code in another College or Hall.



# Digital Technologies Acceptable Use Policy

## 1. PURPOSE

The John Flynn College seeks to provide its Authorised Users with secure and timely access to Information Technology (IT) Services to facilitate learning and teaching, and other functions of the College.

This Policy is intended to:

- provide a clear statement of responsibilities for all Authorised Users of College IT Services, including what constitutes acceptable and unacceptable use;
- outline the provision, modification and removal of access to College IT Services;
- emphasise the collective responsibility of all Authorised Users to uphold the College's secure Digital Environment; and
- express the commitment of the College to maintaining secure, effective and reliable IT Services.

## 2. SCOPE

This policy applies to all residents and staff of The John Flynn College.

## 3. DEFINITIONS

**Acceptable Use** - Refers to the appropriate and permitted use of the College's digital technologies and digital technology assets.

**Authentication Credentials** - Refers to the unique identifiers such as user identification and password, or username and passcode, used to verify a user's identity and authorise access to the College's Digital Technologies, Digital Technology Assets, Digital Resources, and Data and Information Assets. These credentials play a critical role in maintaining the security of these assets by ensuring that only authorised individuals or entities have access.

**Authorised Users** - These are individuals or entities that have been granted permission (authentication credentials) by the College (or University) to access and use its Digital Technology Assets, Digital Resources, Data and Information Assets, and Digital Communications Systems within the College's Digital Environments. Authorised Users are expected to comply with the College's policies and guidelines while accessing and using these assets and systems. They play a crucial role in maintaining the security of these assets by using them responsibly and reporting any security issues they encounter.

**Breach(es)** - Any action that breaches this Policy, whether intentional or unintentional. This includes but is not limited to Unauthorised access to or use of Digital Technologies, Digital Technology Assets, or Data and Information Assets, misuse of resources, inappropriate behaviour, and other actions or omissions that breach this Policy.

**Data Protection** - This pertains to the measures and safeguards implemented to prevent unauthorised access to, or manipulation of, the College's Data and Information Assets and Digital Technology Assets. It involves maintaining data integrity by preventing corruption and loss, and ensuring that, in the event of a data breach or loss, the data can be restored. Data protection strategies often include encryption, backup and recovery procedures, data masking, and other security techniques. The goal of data protection is to deliver a comprehensive approach to securing sensitive data and digital technology assets from a variety of threats, including data breaches, data corruption, and data loss, within the College's Digital Environment.

**Digital Communications System** - These are the digital platforms and technologies that enable the exchange, transmission, and reception of information between individuals or groups. This includes, but is not limited to, email systems, messaging platforms, voice and video systems and collaborative



## Digital Technologies Acceptable Use Policy

workspaces. While these systems do handle information as part of their function, they are primarily designed to facilitate communication and collaboration in a digital environment.

**Digital Environment** - This term refers to the specific settings or contexts where digital technologies are deployed for the College. This includes devices, software, services, network architecture, as well as physical and virtual environments where digital technology assets are used and managed. It represents the overall landscape of digital technology use for the College.

**Digital Infrastructure** - This term refers to the foundational infrastructure of digital and network systems that support the entire digital technology environment. This includes hardware (like servers and networks), software, and services that are critical for the functioning and operation of all other digital technology assets. This infrastructure forms the backbone of the College's digital operations, enabling the use and management of digital technologies.

**Digital Operations** - Refers to the activities that involve the use and management of digital technologies at the College. This includes but is not limited to everything from deploying new software, managing databases, maintaining network infrastructure, to ensuring the security of digital assets. It encompasses the operational aspects of managing and utilising digital technologies to support the College's functions and objectives.

**Digital Resources** - Refers to the resources that are consumed or utilised when using digital technologies. This includes network bandwidth, internet access, storage space on servers or in the cloud, processing power of computers and servers, access to software applications and services, and more. These resources are what enable the operation and use of digital technologies for the College.

**Digital Technologies** - Is a broad term that encompasses both IT (Information Technology) and ICT (Information and Communication Technology). It refers to electronic tools, systems, devices, and resources that generate, store, or process data. This includes a wide range of devices and systems such as computers, software, networks, and the Internet.

**Digital Technology Assets** - Is a broad term that encompasses all the different types of digital assets whether physical or virtual and are used to support digital operations. This includes but is not limited to computers, servers, data centres, software, and network services. These assets are specifically related to technology and are used to enable the operation and use of digital technologies for the College.

**Multi-Factor Authentication (MFA)** - This is a security measure that requires Authorised Users to provide two or more types of evidence (or factors) to authenticate their identity when accessing the College's Digital Technology Assets, Data and Information Assets, and Digital Communications Systems. Factors can include something the user knows (like a password), something the user has (like a physical token or a smartphone), or something the user is (like a fingerprint or other biometric data).

**Personal Information** - Has the same meaning as the Privacy Policy.

**Physical Security** - refers to the safeguards implemented to protect the College's hardware and facilities, such as servers, computers, data centres, and labs. These measures range from perimeter security to maintenance protocols, aiming to prevent unauthorised access, theft, and damage to these critical assets.

**Security Incident** - Any event violating the College's security policies or posing a risk to its digital technology assets (physical or digital), ranging from Unauthorised Access or use of systems or data to theft of devices containing sensitive information, malware infections, or denial of service attacks.

**Sensitive Information** - Has the same meaning as the Privacy Policy.



## Digital Technologies Acceptable Use Policy

**Third-Party Service Providers** - These are individuals or organisations that are authorised under a written agreement to provide specific digital technologies-related services or functions to or on behalf of the College (or University). This includes contractors, suppliers, consultants, partners, vendor who are engaged to conduct work, research, or studies. They are expected to comply with the College's policies and guidelines while delivering their services.

**Unacceptable Use** - Refers to the prohibited use of the College's digital technologies and digital technology assets.

**Unauthorised Access** - refers to actions or usage that has not been officially permitted or sanctioned by the College. This includes, but is not limited to, accessing or using Digital Technologies, Digital Technology Assets, or Data and Information Assets without explicit permission, or in a manner that exceeds granted permissions. Unauthorised Access actions are in breach of Information Security policies and may result in disciplinary action.

**Violation** - Any action or behaviour by an authorised user that breaches the stipulations laid out in this Policy.

## 4. POLICY

### 4.1 Acceptable Use of College IT Services

- 4.1.1 Access and Communication: Authorised Users may access and communicate information and utilise Digital Technology Assets for legitimate business and administrative purposes that align with the College's mission and objectives.
- 4.1.2 Collaboration and Sharing: Authorised Users may engage in collaboration and sharing through College-supported tools and platforms, provided the content adheres to the College's policies, procedures and guidelines.
- 4.1.3 Personal Development: Authorised Users may access Digital Resources for personal development, such as skill-building, professional networking, or educational resources, within reasonable limits and without interfering with College's Digital Operations.
- 4.1.4 Research and Innovation: Authorised Users may use Digital Resources to conduct research, develop new projects, or engage in innovative activities, provided such activities comply with applicable laws, ethical guidelines, and College policies.
- 4.1.5 Social Media and Online Communities: Authorised Users may participate in social media and online communities for professional and academic purposes, ensuring they uphold the College's reputation and respect others' privacy, confidentiality, and intellectual property rights. Refer to the Social Media Policy.
- 4.1.6 Software and Applications: Authorised Users may use and install software and applications on College devices, provided they have appropriate licenses, comply with terms and conditions, and have obtained necessary approvals from relevant College authorities.
- 4.1.7 Data Storage and Backup: Authorised Users must store, backup, and retrieve College-related data using College-approved storage solutions where provided, to ensure the security and privacy of sensitive information.
- 4.1.8 Remote Access: Authorised Users may access College Digital Resources remotely, including but not limited to College-owned computers, personal devices, and mobile devices, provided security protocols are adhered to. Remote access must be established through secure connections, such as Virtual Private Network (VPN), and



## Digital Technologies Acceptable Use Policy

must utilise multi-factor authentication and secure passwords to protect the College's Digital Resources and Data and Information Assets, and must have secure and up-to-date software to mitigate security risks and vulnerabilities.

- 4.1.9 Limited Personal Use: Authorised Users may engage in Limited Personal Use of Digital Technologies provided it does not interfere with their job duties, consume excessive Digital Resources, or violate any College policy, legal requirements, or ethical guidelines. Limited Personal Use of College Digital Communication Systems and Digital Resources is a privilege.
- 4.1.10 Compliance with Legal Jurisdictions: All use of College Digital Technologies and Digital Resources must comply with laws and regulations applicable in the location from where the resources are being accessed, as well as with all relevant College policies.

### 4.2 Unacceptable Use of Digital Technologies

- 4.2.1 Unauthorised Access and Misuse: Authorised Users must not access, alter, or share data of Digital Technology Assets without proper authorisation, or use College Digital Technologies for Unauthorised purposes, such as hacking, phishing, or circumventing security. This includes not accessing, storing, or distributing inappropriate, offensive, or menacing material.
- 4.2.2 Harassment and Discrimination: Authorised Users must not engage in any form of harassment, discrimination, or offensive behaviour within the Digital Environment, or through the use of the College Digital Technology Assets and Digital Resources. This includes sending inappropriate messages, images, or materials, or creating hostile online environments. Refer to the Bullying, Discrimination, Harassment and Sexual Misconduct Policy.
- 4.2.3 Copyright Infringement and Intellectual Property Violations: Authorised Users must not violate copyright laws, licenses, or other intellectual property rights by downloading, distributing, or using College materials, such as software, documents, images, or music through Digital Technologies.
- 4.2.4 Disruptive Activities: Authorised Users must not engage in activities that disrupt the normal functioning of Digital Technologies, such as spreading malware, spamming, intentionally causing system failures, or introducing or distributing security threats like viruses or harmful malware.
- 4.2.5 Unethical or Illegal Activities: Authorised Users must not use Digital Technologies to engage in unethical or illegal activities, such as fraud, identity theft, or accessing prohibited content.
- 4.2.6 Misrepresentation and Impersonation: Authorised Users must not misrepresent their identity or impersonate others using Digital Technologies, or use College Digital Resources to create fake accounts, profiles, or websites.
- 4.2.7 Excessive Personal Use: Authorised Users must not engage in personal use of Digital Technologies that consumes significant Digital Resources, interferes with job duties or academic performance, or violates College policies or legal requirements.
- 4.2.8 Unauthorised Commercial Use: Authorised Users must not use Digital Technologies for personal financial gain or non-College commercial activities, such as promoting businesses, soliciting customers, or engaging in Unauthorised sales or advertisements.
- 4.2.9 Compromising Privacy and Confidentiality: Authorised Users must not disclose, share, or misuse Personal Information and Sensitive Information, or attempt to





## Digital Technologies Acceptable Use Policy

access or intercept such information without proper authorisation when using Digital Technologies.

- 4.2.10 **Offensive Material Restrictions:** Authorised Users are prohibited from accessing, transmitting, storing, or displaying offensive materials, including pornography, except when required for legitimate academic or research purposes that have received College approval.
- 4.2.11 **Unauthorised Surveillance:** Unauthorised surveillance or interception of electronic communications by any party other than the College's authorised personnel for legitimate purposes such as security and compliance, is strictly prohibited.
- 4.2.12 **Misuse of College Credentials:** Authorised Users must only use College-provided credentials (i.e., email addresses and passwords) for appropriate College-related activities. They should not be used for personal activities such as online shopping, social media, or any other non-college related activities.

### 4.3 Software Licences

- 4.3.1 All software provided by the College is licensed primarily to the College (or University), however approval may be granted to Authorised Users for use at home or other locations on non-College owned computers during the course of work or study with the College.
- 4.3.2 Authorised Users must adhere to the terms and conditions of these licenses. Any Unauthorised use or failure to comply with contractual obligations and terms of use stated in the software license agreements may lead to the revocation of access. Unauthorised duplication or distribution of licensed software is prohibited.
- 4.3.3 Upon termination of employment or completion of study, or upon notification by the College of its termination of the software license agreement, Authorised Users must discontinue use and un-install the software from non-College owned computer(s).

### 4.4 Access and Authentication

- 4.4.1 Access to the College's Digital Resources is granted based on the role and responsibilities of each Authorised User.
- 4.4.2 Authorised Users must strictly prohibit the sharing of their Authentication Credentials with others or attempting to gain Unauthorised Access to Digital Resources. It is essential to emphasise the importance of individual accountability and the strict prohibition against sharing Authentication Credentials to maintain the integrity and security of College Digital Resources.
- 4.4.3 Authorised Users must maintain secure passwords, regularly update them and avoid using easily guessable passwords.
- 4.4.4 All Authorised Users must use Multi-Factor Authentication (MFA) where supported.
- 4.4.5 Authorised Users are granted access to College Digital Resources for legitimate College purposes. Such access should be used responsibly and must not be used to infringe upon others' rights or to violate any laws or College policies. The College reserves the right to restrict or revoke access if this policy is breached.
- 4.4.6 Authorised Users must ensure the password used for accessing College Digital Resources is distinct from their personal accounts, including non-college email accounts, online shopping accounts, and social media platforms, to preserve the integrity and security of College resources.

### 4.5 Monitoring and Privacy



## Digital Technologies Acceptable Use Policy

- 4.5.1 The College reserves the right to monitor, access, log and analyse the activities of Authorised Users, and conduct reviews and audits as necessary.
- 4.5.2 The College reserves the right to block or filter any use that breaches this Policy or exceeds the College's acceptable level of risk.
- 4.5.3 Subject to the provisions of the College's Privacy Policy and relevant legislation, the College may disclose the contents of electronic communications without permission of the Authorised User.
- 4.5.4 The College may take any action deemed necessary to remedy immediate threats to College ICT Services or information and communications technology security including, without limitation, suspending an Authorised User's access, confiscation of College's owned electronic devices and/or disconnecting or disabling equipment with or without prior notice.

### 4.6 Consequences of Breach

- 4.6.1 The College may take any action deemed necessary to remedy immediate threats to College ICT Services or information and communications technology security including, without limitation, suspending an Authorised User's access, confiscation of College's owned electronic devices and/or disconnecting or disabling equipment with or without prior notice.
- 4.6.2 Consequences of breaches may include, but are not limited to:
  - Referral of the matter to the police and/or other relevant external authority.
  - Grounds for misconduct or serious misconduct, potentially leading to temporary or permanent revocation of access, or termination of employment for severe offenses.
  - Measures to protect a person who has made a Public Interest Disclosure or action taken in respect of suspected Corrupt Conduct.

## 5. REVIEW

This Policy will be reviewed annually.

## 6. LEGISLATION AND OTHER INSTRUMENTS

- Code of Conduct
- Social Media Policy
- Privacy Policy

## 6. ENDORSEMENT

Endorsed by the College Principal on 20 November 2023



## Social Media Policy

### 1. PURPOSE

This Policy outlines the College's expectations of Staff and Residents with respect to the use of Social Media where there is an identifiable connection with the College.

### 2. SCOPE

This policy applies to all residents and staff of The John Flynn College.

### 3. DEFINITIONS

**Social Media** are websites and online applications which are designed to allow information to be created, shared, discussed and disseminated. Social Media include the sites, tools, channels and platforms used to publish user-generated content and promote social connections and conversations.

Social Media may include but are not limited to:

- Social networking sites (e.g. Facebook, LinkedIn, Instagram)
- Video and photo sharing website (e.g. YouTube, Flickr)
- Blogs, including corporate blogs, personal blogs or blogs hosted by media publications
- Micro-blogging sites (e.g. Twitter)
- Forums and discussion boards (e.g. Google groups, Whirlpool)
- Wikis (e.g. Wikipedia)
- Vod and podcasting
- Email and instant messaging
- Virtual communities (e.g. Second Life)
- Apps (e.g. SnapChat)
- Any other websites that allow individual users or companies to post comments to the web.

### 4. POLICY

The John Flynn College reinforces that the same high standards of communication, behaviour and conduct are expected online as those standards that are expected personally in the workplace and/or in the residential college environment.

The following expectations apply to staff and resident's use of official or personal Social Media where there is an identifiable connection with the College:

1. Staff will maintain professional standards and otherwise comply with the Code of Conduct when they are using Social Media in their Official Capacity or are otherwise associating themselves with the College.
2. Staff and residents are to act in good faith and to uphold the good reputation of the College when initiating or responding to Social Media.
3. Staff and residents will not disclose confidential information or information which may bring the College into disrepute, on Social Media.
4. Staff and residents are to respect the privacy of others and at all times to comply with the College's Information Privacy Policy and related legislation.
5. At all times while engaged in Social Media, staff and residents will act in accordance with the College's Codes of Conduct, the Discrimination and Harassment: Policy and Procedure, and other applicable policies, procedures and charters of the College.



## Social Media Policy

6. Staff and residents will not post content that is illegal, harassing, hateful, racist or harmful to an individual or group's reputation (either personal or professional), including but not limited to, posts that contain:
  1. profanity;
  2. spurious or derogatory comments;
  3. sexually explicit language or images;
  4. copyrighted material (without lawful excuse);
  5. defamatory content; or
  6. another person's information (including phone numbers and email addresses).

### 5. CONSEQUENCES OF BREACH

A breach of this policy will be dealt with under the College's discipline policy.

### 6. LEGISLATION AND OTHER INSTRUMENTS

- Code of Conduct
- Digital Technologies Acceptable Use Policy
- Information Privacy Policy
- Discrimination and Harassment Policy and Procedure

### 7. ENDORSEMENT

Endorsed by the College Principal on 27 October 2023



# Student Misconduct Procedure

## 1. INTENT

The Student Misconduct Procedure provides guidance on reporting, investigating and resolving breaches of the Student Code of Conduct and College standards, policy and procedure, fairly, promptly and efficiently whilst supporting those involved in the process.

## 2. SCOPE

This procedure applies to all residents of The John Flynn College while engaged in conduct or activities undertaken as part of their study, living and socialising which is associated with the College. The policy extends to wherever that conduct or activity takes place. The scope of the policy includes conduct or activities that occur at or in connection with (but is not limited to):

- The John Flynn College campus
- The James Cook University campuses and study centres
- Managed digital environments (including the use of information technology and other University or College operated digital platforms), and
- Conduct and activities related to the College's business that are not conducted on College premises, including (but not limited to):
  - Field trips
  - Placements and internships
  - Conferences
  - Student camps
  - Inter-college and inter University events, and
  - Parties and other social functions.

## 3. PRINCIPLES

Any person who considers that a student may have engaged in misconduct may report the student's conduct to the College Principal. A report may be made orally or in writing.

The Principal may investigate misconduct whether or not a report has been made if the Principal has reasonable grounds to believe that a student has committed an act of misconduct.

In the process of handling a report of misconduct, all decision makers are bound by the principles of natural justice.

The standard of proof required is the "balance of probabilities". This means that a decision maker will find that an allegation of misconduct is proven if they are satisfied that it is more likely than not that the alleged misconduct took place.

It is up to the decision maker to determine the appropriate weight to be accorded to each piece of evidence, having regard to such issues as the relevance and reliability of the evidence, the contemporaneity of the evidence, the circumstances leading up to the relevant act or acts alleged to be misconduct, and whether the evidence is corroborated.

In making a determination as to whether misconduct is proven, the decision maker must document both the decision and the reasons for reaching the decision, including the relevant facts found to be proven, and the evidence on which the findings were based, and reasoning process in reaching the final decision.

The College may disclose the outcome of a misconduct proceeding to the complainant, and any other person aggrieved by the misconduct where appropriate. The decision maker may also notify JCU about a pending or concluded misconduct proceeding on a strictly need-to-know basis.

#### 4. DEFINITIONS

**Misconduct means** any conduct which is prohibited under the Student Code of Conduct or under any College standard, policy or procedure. This includes but is not limited to:

- any unwanted or unwelcome sexual behaviour, which makes a person feel offended, humiliated or intimidated, this may be either physical or psychological;
- removal, theft, intentional damage, tempering, vandalism, illegal use of, any inappropriate use of, or restriction of access to College property or equipment;
- non-physical systematic behaviour used to harm other students or staff, this may include bullying, hazing, threats, verbal abuse or other forms of psychological or emotional abuse, racially motivated abuse; and
- acts of violence to other staff or students that cause physical pain or impairment.

**Natural Justice** (also known as procedural fairness) is concerned with the rights and procedures used by a decision-maker in making a decision, rather than the substance of the decision made. It requires a fair and transparent process. The complainant and respondent must both be afforded natural justice, which includes the respondent being sufficiently informed of the allegation to allow for a meaningful response.

Natural justice requires:

- The right to be fully apprised of the allegation(s), including the particulars of the allegation(s)
- The right to be heard
- The right to be treated without bias or conflict of interest, and
- A decision based on evidence.

These rules involve complainants and respondents having a reasonable opportunity to prepare and present a case, and to have their cases considered justly.

**Precautionary Measures** means a measure or action taken by the University or College, implemented against a Student who is alleged to have committed a criminal offence. Precautionary Measures are implemented to ensure a full and proper investigation can be carried out (whether by Police, the University, the College or an investigative body) and/or for the wellbeing of the person subjected to the alleged assault/criminal offence. Precautionary Measures include (but are not limited to) reassignment of work and suspension.

#### 5. SUPPORT

The College and James Cook University has a broad range of support options for students including Residential Assistants, Senior Residential Assistants, Resident Support Officers, Equity Contact Officers, Counsellors and Psychologists.

The JCU Student Association Student Advocate can provide advocacy to students when responding to allegations of misconduct.

Students responding to an allegation of misconduct should be given a copy of the 'MySupport' poster which outlines all support options available to them.

Students responding to an allegation of misconduct should also be given a copy of this procedure



## 6. PROCEDURE

All breaches of the Student Code of Conduct will be identified, reported and resolved according to the respective policy or procedures (e.g. Social Media Policy, Discrimination, Bullying and Harassment Procedure, Sexual Assault Procedure, Sexual Harassment Procedure, IT Policy, Social Media Policy, amongst others). Where a specific policy or procedure does not exist, does not specify a reporting and resolution procedure or is lacking clarity, the relevant part of the Student Misconduct Procedure will apply.

### Initial Assessment

Where the Principal receives a report of misconduct or believes on reasonable grounds a student has committed misconduct, the Principal will consider the report and determine whether to:

- a) Dismiss the report and take no further action
- b) Refer the report for resolution in another way (e.g. informal counselling)
- c) Investigate the report and make a determination
- d) Refer the report for investigation and determination by an external party

In deciding which course of action to take upon receiving a report of misconduct, the Principal may have regard to any matters the Principal considers relevant, including but not limited to:

- a) Whether the allegation is minor, trivial, vexatious or frivolous in nature; and
- b) Whether the matter could be more appropriately dealt with through an alternative process

### Investigation

If the Principal decides to investigate a report of misconduct, to afford Natural Justice to the Respondent, the Principal will ensure that (unless exceptional circumstances exist):

- a) the Respondent receives information about the standard of conduct expected during an investigation process, including confidentiality;
- b) the Respondent is fully apprised, in writing, of the allegations against him or her;
- c) all issues are investigated (this may include, but is not limited to, obtaining evidence through interviews, statements, emails, phone records, text or data messages, CCTV);
- d) all participants in the investigation are informed of information relevant only to their participation in the investigation;
- e) the Respondent has the right to be heard and be treated impartially and without bias;
- f) the Respondent and any interviewees are afforded the right to a Representative at discussions or interviews throughout the process;
- g) the investigation report is confidential and will not be released to any parties, unless required under law, but may be used to form allegations as part of any disciplinary processes.
- h) all parties acknowledge that information relating to the investigation could contain confidential, sensitive or personal information or material and as such, shall not be made available to anyone other than to the Respondent (on a confidential basis) where reasonably necessary to afford natural justice to the parties.
- i) the respondent receives a copy of this procedure and the MySupport poster.

The Principal will give due consideration and care to the provision of evidence that may expose a person to a risk to their health and safety. Where necessary, a redacted version of evidence may be provided, or the substance of the evidence may be relayed to the student.

Once notified of the alleged misconduct, a student must be given a reasonable opportunity to respond to the allegation. If a student does not provide a response in the time specified, the Principal may make a determination based on the material available.

### **Conclusion of investigation**

At the conclusion of an investigation, the Principal may do any of the following:

- a) Dismiss the report; or
- b) Find that the misconduct is proven and determine a penalty; and/or
- c) Refer the matter to an external agency

The Respondent will be notified in writing whether the allegation/s is/are substantiated or not and the reason for this determination.

Other parties involved in the investigation will receive communication to confirm their involvement has concluded or the investigation process has concluded.

### **Determination of penalty**

If the Principal finds misconduct proven through the investigation, the Principal may impose one or more of the penalties listed below. The specific penalty or penalties imposed is at the discretion of the Principal, having regard to the following factors:

- a) The objectives of punishing the student
- b) The objectives of deterring future misconduct
- c) The objectives of rehabilitating the student
- d) The objectives of protecting the College community or property
- e) The nature and severity of the misconduct
- f) Whether the misconduct was a result of naivety or wilful intent
- g) The personal circumstances of the student including any mitigating or aggravating circumstances
- h) The prior conduct of the student (including previous misconduct and/or positive contribution to college life)

Whilst not limited by this list, the Principal may consider any of the following as penalties for misconduct:

- |   |   |
|---|---|
| • Verbal caution  | • Restrictions to access College services                   |
| • Resetting expectations of behaviour                     | • Loss of privileges  |
| • Warning letter  | • Loss of official position (e.g. RA)                       |
| • Student provides a written apology                      | • Make financial restitution where practical or pay damages |
| • Student completes a reflective writing task             | • Pay a fine not exceeding \$500                            |
| • Undertake additional training                           | • Suspension from College for a defined period              |
| • Refer student to JCU or other counselling service       | • Termination of residential contract                       |
| • Undertake activities designed to improve behaviour      | • Notify legal authorities                                  |
| • Restrictions to undertake certain activities at College |   |

### **Notice of Decision**

A copy of the Principal's decision will be provided to the student in writing.

### **Appeal**

There are no avenues for appeal and the Principal's decision is final. However, the College Council Chair may direct the investigation be reopened if the student:

- a) writes to the College Council Chair within 5 days of the date of the notice of decision; and
- b) Can substantiate one of the following grounds:
  - i. There was a reasonable apprehension of bias on the part of the investigator or decision maker
  - ii. There was a breach of natural justice
  - iii. The penalty was excessive

The reopening of the investigation is at the sole discretion of the Chair. The Chair will write to the student to notify the student of the outcome of his/her decision.

### **Precautionary measures**

At any point during the process for handling reports of misconduct, the Principal may suspend the respondent from the College or impose another precautionary measure in order to protect the health and safety of any person.

## **9. REVIEW**

- This policy will be reviewed annually

## **10. COMMUNICATION**

This policy will be included in the Student Handbook, for the information of students.

## **11. SUPPORT**

Employees and students that require support to apply this policy and/or associated policies and procedures may seek the support of:

- The College Principal
- The Deputy Principal
- JCU Student Association Student Advocate

## **12. ASSOCIATED LEGISLATION AND INSTRUMENTS**

- Student Code of Conduct
- JCU Sexual Assault Procedure (for students)
- JCU Sexual Harassment Procedure (for students)
- Bullying, Discrimination and Harassment Procedure
- Social Media Policy
- Digital Technologies Acceptable Use Policy
- MySupport poster

## **13. ENDORSEMENT**

Endorsed by the College Principal on 27 October 2023







THE TIME

OF YOUR LIFE

STARTS NOW

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