



## **Resident Behaviour Policy**

**Version: 1<sup>st</sup>**

**Responsible To:** Head of College & CEO – John XXIII College

**Pertains To:** Residents (Accommodation Agreement Holder) – John XXIII College

**Supported By:** Deputy Head of College – John XXIII College

Staff – John XXIII College

Collegiate Team – John XXIII College

**Monitored By:** Head of College & CEO – John XXIII College

### **Purpose**

The College strives to provide a harmonious and supportive environment, where all behaviour is based on Christian values and the fundamental rights and responsibilities of the community members. In a college, noise, in particular, can become a significant issue for the Residents.

Residents that are ANU students are covered by student conduct rules that relate to their membership of:

1. John XXIII College, as Residents, and
2. ANU, as students

Residents from other tertiary institutions are similarly covered by the student conduct rules of their institution and John XXIII College.

This policy outlines the requirements and procedures relating to the conduct of the Residents of John XXIII College. It also strives to make the Residents aware of their responsibilities in relation to noise and to provide the Residents with procedures to resolve any noise issues.

### **Definitions**

#### **Misconduct**

1. It is misconduct if a Resident engages in conduct which:
  - a. is prejudicial to the good order and government of the College; or
  - b. unreasonably hinders other persons or the community as a whole in their lifestyle at the College, in the pursuit of their studies in the College or in participation in the life of the College; or
  - c. is otherwise reprehensible conduct for a member of the College to engage in.
2. Without limiting the generality of subsection (1), it is misconduct if a Resident:
  - a. wilfully obstructs or disrupts an activity or proceeding of the College; or
  - b. wilfully or negligently destroys, damages, defaces, loses, removes or otherwise interferes with, or makes unauthorised use of, any property of the College or any other person; or
  - c. enters any place in the College that the Resident is not permitted to enter; or
  - d. fails to comply with any reasonable order directive or direction of an officer or employee of the College or a person acting with the lawful authority of the College; or
  - e. fails to comply with a provision of a policy or procedure or rule, order or direction made under a policy of the College; or
  - f. acts dishonestly or unfairly, in connection with any dealing with the College; or
  - g. subjects another person to harassment, victimisation or other discrimination; or
  - h. behaves in an intimidating manner to another person or creates a hostile living, working or studying environment; or
  - i. makes a statement to the College or to an officer or employee of the College that the Resident knows to be false; or
  - j. engages in, or is party to, conduct intended to deceive the College; or
  - k. fails to comply with the College's instructions to Residents in relation to, living at College or at College events; or
  - l. negligently or recklessly causes risk or danger to the health or safety of another person.



## Resident Behaviour Policy

Version: 1<sup>st</sup>

### Significant Incident

A Significant Incident is an act of misconduct or any incident noted in the list of non-financial and financial sanctions (See Appendix 2 and 3)

### Unreasonable Levels of Noise

Unreasonable levels of noise means noise that impacts upon the lifestyle of a Resident in their room.

An example of this would be noise that emanates from inside one room and is audible in the corridor space away from that room or audible to another Resident who is in their own room with their room door closed.

### Quiet Time

Quiet Time is the period of quiet time in the Residential areas of the College, during the night of each day of the year.

### Absolute Quiet Time

Absolute Quiet Time (AQT) is the period of quiet time in the whole College when there are exams happening at the university. There are two AQTs each semester:

- a. For the mid semester exams – this period starts the night before the first exam and finishes when the last exam is completed.
- b. For the end of semester exams – this period starts a week before the exams start and continues throughout the entire exam period.

During Absolute Quiet Time all Residents have to be particularly sensitive to the need for quiet and productive study time throughout the College.

### Resident

A Resident of the College is financial member of the College community who is residing at the College. This is the person who signs the Residential contract and lives at the College; it is not based on the person who is paying the fees (the Account Holder).

### Resident Association

The John XXIII Resident Association (RA) is an incorporated student organisation within the College and run by elected student representatives. As such, it is a separate legal identity to the College. The College has a Memorandum of Understanding with the RA which allows the RA to work alongside the College to provide social, cultural and sporting activities to the Residents of the College.

### The Pastoral Team

The Pastoral Team at the College is the group of student leaders who have responsibility for monitoring the wellbeing of the Residents. This team consists of the Dean of Residents: Student Life & Academics (Dean) and the Senior Residents (SRs). This team is led and supervised by the Deputy Head of College (DHOC).

### Guest

A Guest is a non-Resident who comes to the College or a College event at the invitation of a Resident. The Resident retains responsibility for the behaviour of their guest and its consequences.

### Duty Officer

The Duty Officer is the SR who is on night (after office hours) duty.

### Night Porter

The Night Porter is a security officer contracted to the College. He is on location after hours to provide support to the Duty SR and other SRs in their role of providing pastoral support and leadership during the evening.

### Principles

1. The Head of College is responsible for the good order and conduct of the College.



## Resident Behaviour Policy

Version: 1<sup>st</sup>

2. The Head of College delegates responsibility to the Deputy Head of College who coordinates the roles of the Dean of Residents: Student Life & Academics (Dean), Senior Residents and the Night Porter, in maintaining good order.
3. The Head of College also delegates limited responsibility to the Operations Manager and Business Manager, to maintain order in their areas of responsibility.
4. Student leaders have an important role to play in guiding the Residents in what is appropriate behaviour at the College.
5. The College strives to create a happy, warm and supportive community atmosphere that is self-regulated and considers the needs and interests of all its members.
6. Unreasonable noise compromises the quality of the environment that fellow Residents enjoy. Every Resident has the right to sleep and study in a quiet environment.
7. The Residents make choices regarding their behaviour and are personally responsible for their conduct and the conduct of their guests, as well as its consequences.
8. The consequences for misconduct must be commensurate with the type of misconduct and the circumstances surrounding the incident.
9. The detection of, investigation of and determination of the consequences of Academic Misconduct is the responsibility of ANU.

### Policy

1. Responsibility for the smooth running of our College and for maintaining a harmonious and supportive community rests with each and every Resident and staff member of John XXIII College.
  - a. It is therefore a requirement of College membership that each Resident takes personal responsibility to abide by and assist in the enforcement of these rules.
  - b. Each Resident is expected to show consideration for others and respect their privacy and rights at all times. Thus any undue pressure on, disturbance of, or harassment of, others will be viewed seriously.
  - c. Each Resident is to show respect for College property, their own property and the property of others.
2. Unreasonable noise compromises the quality of the environment that the Residents enjoy at the College. No unreasonable noise is acceptable, at any time, in the Residential areas.
3. The College operates Quiet Time each evening during the year and Absolute Quiet Times when the Residents are committed to exams at ANU.
4. As a Resident of John XXIII College, each person is required to familiarize themselves with the relevant policies, procedures and rules of the College. When accepting the College offer of membership each Resident signs an Accommodation Agreement in which they agreed to abide by the College's ethos, policies and procedures.
5. To appropriately respond to noise and behavioural issues, the College will have three levels of intervention.
  - a. Level 1 = where the Residents deals with the issue themselves and negotiate a resolution.
  - b. Level 2 = where the incident is dealt with by an SR, Dean or by the Night Porter.
  - c. Level 3 = where the issue is dealt with by the Deputy Head of College.An Appeal process is described as Level 4.



## Resident Behaviour Policy

Version: 1<sup>st</sup>

6. The Residents are required to follow the College's Policies and Procedures whether they are on-site at John XXIII College or off-site. Failure to conduct oneself in accordance with the College's Policies and Procedures will result in the Interventions at the appropriate level.
7. Residents must be considerate of others living with them at College and especially in the Residential area of the College. The onus is on each Resident to:
  - a. Regulate their behaviour and to take responsibility their behaviour, and
  - b. Regulate their noise and to take responsibility for any disturbance coming from their room, and
  - c. Ensure that they and their guests do not disturb others when they are enjoying the facilities at the College.
8. The Head of College has overall responsibility for the good management of the College and has the Board's authority to discipline Residents who breach violate College Policies and Procedures. The Head of College has delegated the overall responsibility for wellbeing and discipline of the Residents to the Deputy Head of College.
9. The Deputy Head of College:
  - a. has the power to expel, suspend, fine or reprimand the Residents.
  - b. may delegate appropriate roles to the Business Manager and Operations Manager
  - c. may require a Resident to carry out community service and other appropriate tasks, or restrict the Resident's access to the College's facilities and services.
  - d. may require a Resident to undergo counselling as a condition of remaining at College.
  - e. will decide the appropriate level to start the interventions.
  - f. will record any intervention at Level 2 or above on the Resident's file.
10. The role of the SR on each corridor is to monitor the wellbeing of the Residents and to maintain discipline and good order on their corridor. To assist them in this role the College employs a Night Porter, but the ultimate responsibility for the corridor remains with the SR.
11. Where there is any allegation of misconduct which, if proven, might result in a Resident (and ANU student) being suspended or otherwise removed from the College, will be reported in confidence and in writing to the Deputy Vice-Chancellor (DVC(A)).
12. The role of the College in cases of Academic Misconduct is to advise the Residents on their dealings with ANU, as the university deals with these cases. The only exception is where a Resident steals work from another Resident and in this case:
  - a. The College will deal with the theft of the information, while
  - b. The University will deal with the Academic Misconduct.

By accepting a John XXIII College Accommodation Agreement, Resident accepts and agrees to abide by all of the terms and conditions of John XXIII College's Policies and Procedures. Residents should contact the College for further clarification if required.