



## CODE OF CONDUCT POLICY

**Policy Code: S2**  
**Version: 4**  
**Approved by: Senate**  
**Approval Date: 23/08/2022**  
**Decision No.: SEN93/2022**

<b>Date Reviewed</b>	<b>Version History</b>
30/01/2015	V1
23/06/2017	V1 (a)
20/01/2018	V2
19/07/2018	V2
08/06/2021	V3
23/08/2024	V4

## Table of Contents

<b>1.</b>	<b>INTRODUCTION .....</b>	<b>3</b>
<b>2.</b>	<b>WHAT WE VALUE AT DA VINCI.....</b>	<b>4</b>
2.1.	Curiosity.....	4
2.2.	Inclusivity .....	4
2.3.	Co-creation .....	4
2.4.	Transdisciplinarity.....	4
<b>3.</b>	<b>GUIDING PRINCIPLES FOR REMARKABILITY .....</b>	<b>5</b>
<b>4.</b>	<b>DEFINITIONS .....</b>	<b>5</b>
<b>5.</b>	<b>REGULATORY FRAMEWORK .....</b>	<b>5</b>
<b>6.</b>	<b>SCOPE .....</b>	<b>6</b>
<b>7.</b>	<b>PURPOSE.....</b>	<b>6</b>
<b>8.</b>	<b>PROVISIONS .....</b>	<b>6</b>
8.1.	General Conduct .....	6
8.2.	Ethical Conduct .....	7
8.3.	Respectful Conduct.....	7
8.4.	Responsible Conduct .....	8
8.5.	Diligent Conduct.....	8
<b>9.</b>	<b>DISCIPLINARY ACTION .....</b>	<b>9</b>
<b>10.</b>	<b>REVIEW OF THIS POLICY.....</b>	<b>9</b>
<b>11.</b>	<b>APPENDIX A – PROCEDURE FOR DISCIPLINARY ACTION AGAINST STUDENTS... 10</b>	
11.1.	Introduction .....	10
11.2.	Disciplinary Committee .....	10
11.3.	Disciplinary Procedure .....	10
11.4.	Penalties.....	11
11.5.	General Provisions.....	11

## 1. INTRODUCTION

The Da Vinci Institute is an accredited private higher distance education provider offering qualifications on NQF levels five to ten, which are registered on the Higher Education Qualifications Sub-Framework (HEQSF). This policy forms part of the institutional Integrated Quality Management System and details the principles for ensuring that programme offerings adhere to academic standards and empower students to contribute to the transformation of their communities, society, and the economy of the future. This approach is underpinned by the Business- and Community-based Action Learning discourse on the co-creation and distribution of relevant knowledge.

The strategic intent of The Institute is to strengthen the growth of agile, aligned and engaged leaders, who co-create innovative ecosystems and sustainable transformational societies. The Institute endeavours to do this by utilising a number of guiding principles and practices in the learning journey of each student, expecting students to conduct themselves in an ethical and professional manner.

The Institute's guiding principles and what is valued are informed by the Constitutional and Institutional values and the co-creation of some of the broad principles often associated with the visionary leadership of Nelson Mandela and innovative approaches of Leonardo Da Vinci to knowledge creation and dissemination.

The Da Vinci student community is required to take full responsibility for their own learning and progress within the course of their studies. This community consists of students from diverse backgrounds and is committed to foster the principles of ubuntu through representation, inclusion, and participation. It further commits itself to promote a culture of learning, research, and a disposition towards critical thinking. This is achieved by means of education intended to produce responsible citizens who contribute to society at large.

In its practice, The Institute is focused on the creation of knowledge that is trans-disciplinary in nature, socially relevant and accountable, and actively promotes diversity and heterogeneity. The Institute applies situated learning, problem probing and decision making as critical constructs to solve business- and community-based challenges. In doing such, The Institute intends to contribute towards the professional development of students, equipping them with the ability to promote and manage quality in innovative and meaningful ways, acknowledging the world as a set of inter-connected systems.

## **2. WHAT WE VALUE AT DA VINCI**

### **2.1. Curiosity**

Our insatiable curiosity manifests through our teaching, learning, research, community engagement and other scholarly activities, to advance The Institute's dream, purpose, and strategic intent. We acknowledge the multi-faceted relationship between curiosity and the production, discovery, and dissemination of diverse knowledge in advancing learning and innovation. By being curious, we become lifelong learners who are willing to challenge the status quo with open-mindedness and deep questioning.

### **2.2. Inclusivity**

We place great value on, and strive towards, just, diverse, transformational, and inclusive societies where the rights, differences, and dignity of others are respected. DaVincians are encouraged to find their own voice, use their voices for the greater good, engage in open inquiry and infuse honesty and integrity in all dealings. On the road to responsible citizenship, we strive towards yielding a return on investment through research that seeks to address social, economic, and environmental imperatives.

### **2.3. Co-creation**

We value our role in influencing the co-creation of sustainable societies by contributing towards the strengthening of the growth of agile, aligned and engaged leaders. These leaders are responsible for probing business- and community-based problems, collaborative innovation and advancing knowledge that contributes towards sustainable, inclusive, and transformative ecosystems. In our endeavours, we strive with commitment, purpose, and integrity to co-create relevant knowledge.

All Da Vincians are further expected to be accountable for their actions and conduct in their communities and have a responsibility to contribute towards a community and society where people grow and develop through learning from one another.

### **2.4. Transdisciplinarity**

The Institute encourages the production of knowledge that is transdisciplinary in nature, socially relevant and actively promotes diversity and heterogeneity. In doing so, we apply situated learning, problem-probing and decision-making as critical constructs to address business- and community-based problems. Complimentary to this, we strive towards the creation of new conceptual and theoretical frameworks as well as methodological and translational innovations that integrate and move beyond discipline-specific approaches.

### 3. GUIDING PRINCIPLES FOR REMARKABILITY

In The Institute's quest for remarkability, the following guiding principles are promoted:

- a) Being authentic, grounded and true to oneself
- b) Being socially accountable, relevant and dynamic
- c) Actively promote diversity and heterogeneity
- d) Advocating and managing quality in meaningful ways
- e) Acknowledging the world as a set of interconnected systems
- f) Awakenning the senses
- g) Embracing holism and living harmoniously
- h) Appreciating the shadow
- i) Mastering balance with integrity
- j) Having a distinctive voice.

### 4. DEFINITIONS

Term	Definition
Academic misconduct	In a research context, academic misconduct entails any practice that constitutes a serious deviation from what is generally accepted within the scientific community in the submission, performance and reporting of research and all other relevant academic matters.
Ethics	The principles that govern the conduct of stakeholders of The Institute
Ethics Code	Expected behaviour conducted according to this policy
Misconduct	Unacceptable, wrongful, improper behaviour, unlawful conduct, and conduct that contravenes regulatory prescriptions

### 5. REGULATORY FRAMEWORK

This policy is benchmarked against, and should be read in the context of, the relevant legislation underpinning the principles against which institutional policies and operational procedures are developed, implemented and maintained. These include:

- A. Relevant Legislation
  - i. Constitution of the Republic of South Africa (No 108 of 1996)
  - ii. Criteria for Programme Accreditation: (CHE, 2004)
  - iii. Distance Higher Education Programmes in a Digital Era: Good Practice Guide. (CHE, 2014)
  - iv. Electronic Communication and Transactions Act (No 25 of 2002)
  - v. Employment equity act

- vi. Films and Publications Amendment Act 2019
- vii. Higher Education Act (Act 101 of 1997)
- viii. Labour Relations Act (Act 66 of 1995) as amended
- ix. Prevention of Combating of Crimes and Hate Speech Bill
- x. Promotion of Equality and Promotion of Unfair Discrimination Act of 2000

B. Applicable Da Vinci documents

- I. D15 - Conducting Ethical Research Policy
- II. D18 - Invigilated Examination Policy
- III. E1-P1 - Code of Conduct Procedure
- IV. E2 - Plagiarism Policy
- V. E4 - Student Representative Council (SRC) Policy.

## 6. SCOPE

This Code of Conduct Policy applies to students, faculty, staff and other stakeholders of The Institute.

## 7. PURPOSE

The purpose of the Code of Conduct Policy is to:

- a) Reflect what The Institute values and, therefore, seek to enhance and anchor the policies, procedures, and processes of The Institute and influence the behaviour of students, faculty and other relevant stakeholders
- b) Create a safe and conducive learning environment in which all students are able to derive full benefit from the growth and learning opportunities presented by The Institute
- c) Increase awareness of professional conduct amongst members of the Da Vinci community fostering fundamental elements of practical business ethos.

## 8. PROVISIONS

Provisions of the Code of Conduct address the following areas:

### 8.1. General Conduct

The Institute encourages stakeholders to display high levels of professionalism, responsibility, and integrity in all their dealings with The Institute and therefore commit to:

- a) Not disrupt, or attempt to disrupt, teaching, learning, research, administrative or other activities of The Institute
- b) Defend the lawful exercise of freedom of speech by students, faculty and other stakeholders of The Institute or by visiting speakers
- c) Not obstruct any officer, employee or agent of The Institute in the performance of their duties
- d) Protect any property of, or in the custody of The Institute or of any students, faculty and other stakeholders of The Institute

- e) Ensure proper use of property or facilities of The Institute
- f) Act honestly by not forging, altering, falsifying, or misusing any official institutional documentation, qualification or certificate or knowingly make false statements concerning standing or results obtained, or supply false information to The Institute
- g) Not engage in actions that are likely to cause injury or to impair safety
- h) Not engage in violent, indecent, disorderly or disruptive, threatening, or offensive conduct whether in person or on online platforms
- i) Not engage in abusive and offensive language
- j) Obey a reasonable instruction given within their authority by one of the authorities of The Institute
- k) Not engage in the harassment or abuse of any visitor, students, faculty, support or administrative staff and other stakeholders of The Institute
- l) Comply with any other relevant policy, procedure, or rule of The Institute.

Students are required to:

- m) Engage actively in tuition and support sessions and therefore not engage in unrelated activities during these sessions that cause distractions from learning and engagement
- n) Be punctual and manage deadlines effectively
- o) Give feedback, channel concerns or suggestions regarding The Institute's delivery of the programme to the Programme Convener/Coordinator or via the Student or Class Representatives.

## **8.2. Ethical Conduct**

Ethical conduct includes the following measures:

Promoting:

- a) The constitutionally compliant policies, rules and laws of the country and The Institute
- b) Ethical treatment of people and the environment
- c) Ethical practices including fulfilling obligations of teaching/learning
- d) Fair and accountable assessment, research, and supervision
- e) Ethical use of resources and property.

Preventing:

- f) Plagiarism and all forms of intellectual dishonesty
- g) Favouritism and nepotism
- h) Corruption
- i) Violation of confidentiality.

## **8.3. Respectful Conduct**

Respectful conduct includes promoting:

- a) Human rights

- b) Social responsibility
- c) Equity and equal opportunity
- d) Academic freedom and freedom of expression
- e) Honesty
- f) Integrity
- g) Fairness
- h) Courtesy
- i) Tolerance and respect for diversity and/or differences of people's ideas and opinions.

Preventing:

- j) Discrimination or harassment on the basis of ethnicity, race, gender, religion, disability, sexual orientation, age, pregnancy, marital status, ethnicity, social orientation, religion, belief, culture, language, employment and socio-economic status
- k) The abuse of power
- l) Disrespect for persons and property.

#### **8.4. Responsible Conduct**

Responsible conduct includes the following measures:

Promoting:

- a) Transparency
- b) Inclusivity
- c) Accountability
- d) Good practice
- e) Safety, security, health, and well-being
- f) Lawful and regulatory conduct.

Preventing:

- g) Causing disrepute to The Institute's name or that of its stakeholders
- h) Misuse of personal and institutional information, property, and the name of The Institute
- i) Improper financial dealings and/or improper conflicts of interest
- j) Practices threatening safety, security, health or well-being and actions that impinge on the rights of others.

#### **8.5. Diligent Conduct**

Diligent conduct includes the following measures:

Promoting:

- a) Efficiency
- b) Effectiveness
- c) Excellence in performance
- d) Competence

- e) Proper use of time
- f) Taking personal responsibility as part of self-mastery.

Preventing:

- g) Unprofessional conduct.

## **9. DISCIPLINARY ACTION**

The Institute is cognisant of students' constitutional rights to freedom of expression that does not extend to hate speech, such as, inter alia, bullying, threatening, offensive, or discriminatory comments based on someone's race, ethnicity, gender, sexual orientation, political affiliation, or religion. Moreover, the common law right to a good name and reputation falls within the right to dignity, which also supersedes freedom of expression.

The following would be considered reasons of misconduct that could lead to a disciplinary, and the potential dismissal of a student. These are considered infringements whether perpetrated in-person, or on online platforms:

- a) Any student or staff member found contravening the Code of Conduct may face disciplinary action, including, but not limited to, suspension or other penalties such as student de-registration (refer to B17 – Human Resources Policy regarding staff disciplinary action).
- b) Students can request to be represented by a member of the Student Representative Council in the case of a disciplinary action Staff can request witnesses as per the *B17-P11- Disciplinary Procedure*)
- c) A student is found to intentionally publish or circulate offensive or false information
- d) A student is found to perpetuate hate speech and/or infringe on the dignity of others
- e) A student's conduct brings the employer's business into disrepute
- f) A student's misconduct causes serious harm to the relationship between The Institute and the student

## **10. REVIEW OF THIS POLICY**

Regular review and amendment of this policy will be done in line with the approved institutional policies and regulatory requirements. This will take place in consultation with the relevant quality assurance structures at departmental and institutional level, under the auspices of the official custodian of this policy, namely the Registrar.

## **11. APPENDIX A – PROCEDURE FOR DISCIPLINARY ACTION AGAINST STUDENTS**

### **11.1. Introduction**

Any student found contravening the Code of Conduct may face disciplinary action.

### **11.2. Disciplinary Committee**

A disciplinary committee is constituted by the Registrar when the following infractions occur:

- a) Breach of the Code of Conduct including ethical and academic misconduct or dishonesty
- b) Breach of the terms and conditions of the student contract
- c) Bringing The Institute into disrepute.

Core members of the committee will consist of the Registrar (chair), a member of the SRC (if relevant to the proceedings), and an Executive Dean, or senior academic who is a member of Senate. In addition, where relevant, the appropriate Programme Coordinator or Programme Convener can form part of the committee. This committee will function as a subcommittee of the Senate.

### **11.3. Disciplinary Procedure**

- a) All disciplinary procedures will be conducted in the official language of The Institute and will be minuted.
- b) Any case of alleged misconduct by a student must be reported to the Registrar
- c) The Registrar will investigate the allegation against the student, collect the evidence and present it to the disciplinary committee if the allegation is found to be valid
- d) The student/s will receive notice of a disciplinary hearing no less than 48 hours before the hearing
- e) The notice will indicate the attendees, allegation against the student/s, the time, venue and an outline of the proceedings in the language of The Institute
- f) The student has the right to be represented by a member of the SRC should they so elect
- g) In the hearing, the Registrar will present the charge and the evidence collected and allow the student the opportunity to defend themselves. Students may opt to retort in a language of their choice on condition that they provide their own interpreter to attend the proceedings
- h) The Disciplinary Committee will consider the allegation against the student, and will consider both oral testimony and written reports
- i) Both the Registrar and the student can call witnesses if relevant to the proceedings
- j) The Disciplinary Committee will deliberate on the evidence presented before reaching a verdict
- k) If the finding is 'not guilty', the finding will be presented to the student in writing
- l) Should the student be found guilty of misconduct:

E1 – Code of Conduct Policy

Page **10** of **18**

- I. The Disciplinary Committee may impose penalties deemed appropriate
  - II. The student will be informed of the finding, penalty and appeals procedure in writing
- m) Students can appeal the decision by the disciplinary committee by following the appeals procedure:
- I. Students must respond in writing within seven days to the Executive Dean: Academic
  - II. If the student does not appeal within seven days, the findings of the disciplinary committee is deemed final
  - III. The appeal will be overseen by the Executive Dean: Academic and a member of Senate
  - IV. The imposition of the penalty is suspended pending the outcome of the appeal
  - V. The Appeals committee will consider the evidence, the minutes and additional submissions
  - VI. The Appeals decision is final.

#### **11.4. Penalties**

The Disciplinary or Appeals committee may impose any of the following penalties mentioned below:

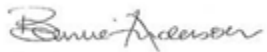
- a) Written warning
- b) Suspension from The Institute for a specified period of time
- c) Expulsion from The Institute
- d) Forfeiture of a qualification obtained in a dishonourable manner
- e) Written apology to a specified person or body
- f) Reimbursement for, or repair of, damage caused by a student.

#### **11.5. General Provisions**

- a) Any person involved in alerting the Registrar to a case of misconduct against a student, or providing evidence, may not be a member of the Disciplinary Committee presiding over the case of misconduct
- b) The Chairperson of the Disciplinary Committee will have the deciding vote should there be no agreement on the outcome or a deadlock
- c) The Disciplinary Committee has the discretion to abandon or suspend the disciplinary investigation for a reasonable period
- d) Any deviation from these procedures may be condoned by the Disciplinary Committee if such deviations will not cause any material injustice
- e) The student/s who are charged with alleged misconduct, will be provided with a copy of the disciplinary procedures
- f) The Chairperson of the Disciplinary Committee may delegate their authority should they be unable to fulfil their duty
- g) A student will be entitled to student representation (SRC) as appropriate

- h) If a student is found guilty of misconduct, it will be reflected on their academic record. This may affect the issuance of a letter of good standing.

# CODE OF CONDUCT PROCEDURE

<b>Policy Code</b>	E1-P1	<b>Authorised by</b>	Benjamin Anderson
<b>Version</b>	V1	<b>Signature</b>	
<b>Date Approved</b>	30/06/2018		

<b>Date Reviewed</b>	<b>Version History</b>
30/06/2018	V1

## 12. Procedure Description

This procedure document will be used when any case of alleged misconduct by a student is reported to the Registrar

<b>Step</b>	<b>Description</b>	<b>Notes</b>
1	The Registrar will investigate the allegation against the student, collect the evidence and present it to the disciplinary committee or Ethics Committee where applicable if the allegation is found to be valid	
2	The student will receive notice of a disciplinary hearing no less than 48 hours before the hearing	The notice will indicate the attendees, allegation against the student/s, the time, venue and proceedings
3	In the hearing, the Registrar will present the charge and the evidence collected and allow the student the opportunity to defend himself	Both the Registrar and the student can call witnesses if relevant to the proceedings
4	The Disciplinary Committee shall consider the allegation against the student, and will consider both oral testimony and written reports	


5	All witnesses, representatives and students concerned will be asked to leave the room during deliberations	
6	The committee will then call in the student and their representative/s and present the committee's findings in respect of the charge i.e. guilty or not guilty	
7	If the finding is 'not guilty', the finding will be presented to the student in writing	
8	If the finding is 'guilty', evidence in mitigation or aggravation will then be heard	
9	Where the student is found to be guilty of misconduct, the Disciplinary Committee may impose penalties deemed appropriate	
10	Where a penalty is imposed by the Disciplinary Committee, the student will be informed of the finding, penalty and appeals procedure in writing	<p>The Disciplinary or Appeals committee may impose any of the penalties mentioned below:</p> <ul style="list-style-type: none"> <li>• Admonition and/or warning</li> <li>• Suspension from The Institute for a specified period of time</li> <li>• Expulsion from The Institute</li> <li>• Forfeiture of a qualification obtained in a dishonourable manner</li> <li>• Written apology to a specified person or body</li> <li>• Reimbursement for or repair of damage caused by a student.</li> </ul>
11	If the student does not appeal within 7 days the finding of the disciplinary committee is deemed final	
11	Students can appeal the decision by the disciplinary committee by responding in writing within 7 days to the Executive Dean	
12	The Executive Dean will convene an Appeals' Committee	The Appeals' Committee will consist of the Executive Dean and a member of the Academic Board

13	The imposition of the penalty is suspended pending the outcome of the appeal	
14	The Appeals' Committee will consider the evidence, the minutes and additional submissions with the appeal	
15	The Appeals' Committee will evaluate both the findings and the process	
16	The Appeals' decision is final and the student will be notified in writing by the Executive Dean and the matter is consider concluded	

### 13. Stakeholders

#	Stakeholder
1	Dean: Executive
2	Registrar
3	Assistant Registrar

# COMPLAINTS PROCEDURE

<b>Policy Code</b>	E1-P2	<b>Authorised by</b>	Benjamin Anderson
<b>Version</b>	V1	<b>Signature</b>	
<b>Date Approved</b>	31/10/2018		
<b>Date Reviewed</b>		<b>Version History</b>	
31/10/2018		V1	

## 14. Procedure Description

Should a student or staff member wish to lodge a complaint, the following would apply:

Step	Description	Notes
1	A student or staff member should lodge a complaint with the relevant Programme Convener or Programme Co-ordinator in writing.  Where this is not appropriate, the complainant may approach the Dean of Teaching and Learning directly.	This type of complaint is determined by the Code of conduct and excludes HR related matters.  Note: In terms of the Student representative policy, the students may also lodge a complaint through their class representative or SRC member if this is applicable
2	Programme Convener to advise the Programme Co-ordinator of a student's complaint	
3	Programme Co-ordinator will lodge the complaint with the Registrar	

4	Registrar will record the complaint in the complaints register	Complaints are categorised as either Academic pertaining to lecturers, assessments and courseware; or Institutional, pertaining facilities, administration and resources.
5	The complaint will be investigated by the Programme Co-ordinator or Dean, and the Registrar will be kept informed of the progress	
6	<p>Programme Co-ordinator or Dean will inform the student or faculty member of the decision in writing. The outcome may:</p> <ul style="list-style-type: none"> <li>• Invalidate the complaint</li> <li>• Validate the complaint and apply appropriate action, including but not limited to initiating a disciplinary process where relevant</li> <li>• Refer the complaint to a relevant committee if required.</li> </ul>	<p>The communication to the student or faculty member must indicate that they have the right to appeal the decision, in which case it must be done in writing within the prescribed deadlines and will be escalated to the Registrar.</p> <p>For example, where the matter is a contradiction of Research ethics, this may result in the matter being referred to the Ethics Committee.</p>
7	An appeal to the decision must be escalated by the Programme Co-ordinator to the Registrar for further action	
8	The Registrar will investigate the complaint.	
9	The Registrar will direct the complaint to the suitable committee within the larger Institutional governance structure. However, the nature and severity of the complaint might require the Registrar to present the issue to the Executive Committee directly and/or the Ethics Committee for evaluation and decision making	Exco members may convene outside of set calendar dates to evaluate and resolve the matter. If the matter requires the oversight of the Ethics Committee then an extra-ordinary meeting will be held
10	The decision will be communicated to the student or staff member in writing and will be considered final	The Registrar will record the decision or outcomes on the complaints register

## 15. Stakeholders

#	Stakeholder
1	Registrar
2	Dean: Teaching and Learning
3	Staff
4	Students
5	Programme Co-ordinator
6	Programme Convener
7	Exco members
8	All governance committees