

The University of Waikato

Halls of Residence Rules and Regulations

Pursuant to Section 5B(3) Residential Tenancy Act, 1986

This document contains three parts:

Section 1: Conduct and Discipline in the Halls of Residence

Section 2: Request to terminate Residential Contract

Section 3: Regulations

Section 1: Conduct and Discipline in the Halls of Residence

Authority

The Director of Student Services has authority for conduct and discipline in the Halls of Residence. The Director of Student Services has issued the following Rules and Regulations for the Halls of Residence. The Residential Life Managers, the Associate Director Student Accommodation and Accommodation Manager (or delegated authority) are responsible for ensuring that the Rules and Regulations are adhered to in the Halls on a day-to-day basis. Repeated or serious breaches of the Rules and/or Regulations will be referred to the Director of Student Services for consideration in accordance with this document and the *Student Discipline Regulations*. All Halls of Residence students are also required to adhere to the University of Waikato *Code of Student Conduct* policy.

Rules and Regulations

The Rules and Regulations in the Halls of Residences of Waikato University are in place to support the safety and wellbeing of students in student accommodation as required by the *Education (Pastoral Care of Tertiary and International learners) Code of Practice 2021* and to maintain the Halls values of partnership, respect, participation and responsibility; and to ensure:

- resident safety.
- a sense of community and association with fellow residents.
- learning and personal growth.
- residents and staff working together to ensure a positive and respectful community.

All residents are to accept full responsibility for their behaviour and be capable of living independently. Support to attain and maintain independence is available through the student support services.

Absence from the Hall

You should inform your Residential Assistant if you are going to be away in order to avoid unnecessary worry or concern. You should complete the online Halls absence form. Enquiries will be made as to the whereabouts of any resident who is absent for more than two days and has failed to inform their Residential Assistant that they are going to be absent. This may include contacting your family. Your Hall will advise you of any further procedures or forms you are expected to complete. Flats residents are advised to inform their flatmates or Residential Assistants of their absence.

Alcohol

The following rules and regulations in relation to alcohol may change during the currency of the contract to reflect any applicable changes to current alcohol related legislation.

The alcohol policy for the Halls does not attempt to prevent drinking but rather to foster a responsible approach by those who choose to use alcohol. However, the excessive consumption of alcohol by some residents sometimes disrupts the communal life of the Halls. Residents whose drinking behaviour is causing concern within the Hall will be encouraged to seek assistance to deal with the problem and may face disciplinary action.

Alcohol may only be consumed in the Halls of Residence between 6.00pm and 10.00pm daily.

Residents living in fully catered accommodation can only consume alcohol where there are five people or less in the room. Irrespective of the number of residents in the room (five or less), resident's must be quiet and give consideration to other resident's and the Hall community.

The following regulations apply to the use of alcohol in the Halls:

- Residents must be 18 years of age or older to possess or consume alcohol in the Halls
- In the fully catered Halls, alcohol can only be consumed within a residents bedroom where there are 5 people or less in the room
- In a self-catered flat, flatmates may drink quietly in their lounge so long as they are not disturbing other residents
- Residents can only possess or consume bottled wine (standard sized), bottled or canned beer, ciders and RTD's (Ready to drink spirits and mixers) under 500 millilitres in volume
- All empty bottles and cans must be removed daily from each room for recycling
- Any behaviour, games, apparatus, product or activity that promotes unsafe drinking practices or "binge drinking" is prohibited in the Halls
- Residents are responsible for the behaviour of their guests' and their complying with the alcohol regulations
- From time to time alcohol bans may be imposed on an individual, group or a total Halls ban
- An individual will be deemed to have consumed too much alcohol and may face disciplinary action if they are:
 - Being noisy and/or abusive to any person
 - Being obstructive or non-compliant to any staff member carrying out their duties
 - Places themselves or others at risk through their actions
 - Damages, or is likely to damage the property of others including Halls property
 - Cannot respond to instructions given by staff
 - Cause a mess that needs to be cleaned by another person

Minor breaches of the Rules and Regulations regarding alcohol will be dealt with under the 'Alcohol Management Three Strikes Policy'. Serious or repeated breaches of the Rules and Regulations regarding alcohol will be dealt with by the Associate Director Student Accommodation in consultation with the Director of Student Services. This policy states:

Alcohol Management Three Strikes Policy

- a. The first report of an alcohol related incident may result in the resident being seen by the Residential Life Manager. The Residential Life Manager may issue a first strike, impose an alcohol ban and/or impose a period of community service.
- b. The second report of an alcohol related incident may result in the resident being seen by the Residential Life Manager. The Residential Life Manager may issue a second strike, impose an alcohol ban and/or impose a period of community service. A second strike will be reported to the Associate Director Student Accommodation. The matter may be treated pastorally, if appropriate.
- c. A third report of an alcohol related incident will result in the resident being referred to the Associate Director Student Accommodation. The resident faces the possibility of being transferred to another Hall, having their residency terminated, being fined, plus any other measure the University may impose. If termination of residency is being considered the decision will be made by the Director of Student Services.

All alcohol related incidents requiring additional cleaning of a room, or area of the Halls will result in the individual responsible being fined \$75.00 plus additional necessary cleaning costs. If the individual responsible cannot be identified then the charges will be made to the floor/block/Halls

Assistance Register

Any resident who feels they may require special assistance in an emergency must provide relevant information to the Hall Office before taking up residence in the Hall. This may include any medical problems, i.e. asthma, or any disability which affects hearing, vision or mobility. Should a resident develop any condition during the course of the year, they must inform the Hall Office immediately to ensure that staff are aware assistance may be required.

Bicycles

Bicycles must not be taken into the accommodation buildings of the Hall for health and safety reasons. Bicycles can be stored in the bicycle racks or bicycle sheds and should be fitted with an anti-theft device.

Candles, Incense or any smoke/steam making device

Candles, incense and smoke/steam making devices pose a fire risk and may set off the alarms in the rooms and are not permitted. Any Resident responsible for a fire alarm being activated through unauthorised use of these items will be charged the Fire Service callout. Residents are warned that the cost could be over \$1,000 for Fire Service callouts.

Canvassing

No organisation or individual (including residents) may place leaflets under doors, put posters on notice boards, sell tickets/items or canvass inside the grounds or buildings of the Hall without the express permission of the Residential Life Manager and the Associate Director Student Accommodation.

Checking Out

Residents who fail to observe check-out procedures when departing from their Hall, will be charged according to the staffs' assessment of damages. Residents who are not ready to check out at their appointment time will be charged a late check-out charge at the discretion of the Residential Life Manager.

Cleaning – (Fully-catered: College Hall, Student Village and Bryant Hall)

All residents are expected to maintain a reasonable level of personal hygiene.

Residents are responsible for cleaning their rooms and keeping them tidy. Housekeepers, where practicable, enter rooms weekly to vacuum and will also clean the communal areas of the Hall (corridors, bathrooms, kitchenettes, lounges) provided they are kept tidy.

Any resident who is responsible for mess or stains beyond normal wear and tear will be required to pay the costs of any extra cleaning necessary, whether carried out by staff or outside contractors. Costs range from \$50.00 upwards.

Cleaning – (Self-catered flats/cottages/studios)

Rooms and communal areas of the flats are the responsibility of the residents. Removal of rubbish is the responsibility of the flat residents, as is maintaining a reasonable standard of cleanliness which meets the standard of the Residential Life Manager or nominee.

A Housekeeper will enter the flat/cottage on a regular basis, usually weekly to inspect. Failure to maintain a reasonable standard of cleanliness will incur a cleaning fee shared equally between the residents of the flat. The fee will be set at the discretion of the Residential Life Manager or will be set at the actual cost incurred by the University engaging commercial cleaners.

Dining Rooms

It may not be possible for the Hall caterers to meet all specialised dietary requirements. It is your responsibility to ensure that you have written confirmation from the Accommodation Office that your specific dietary requirements can be met before you accept and sign your contract. Please contact the Accommodation Office on accom@waikato.ac.nz with any enquiries regarding this issue.

Residents use their Student ID card to show their entitlement to eat in the Hall Dining Room. These must be presented at each meal. If a resident loses his/her card, they may be issued with a temporary card for use in the Dining Room.

A vegetarian option is available, but residents who choose this option must remain with that option for the year; however, they may change at the end of the first semester if they advise the Hall Office. Applicants who have a specific food requirement, such as vegan or halal diets, should inform the Accommodation Services Office when applying for Hall accommodation.

Early breakfasts, packed lunches and late dinners (to fit in with lectures, teaching practice or sporting events) are provided by the caterers. Residents must pre-book these meals at least one day before they are required. Resident guests may purchase meals from the staff of the Hall office during office hours.

Residents must:

- Present their card at the servery in the Dining Room
- Be in the Dining Room for the purpose of eating a meal only
- Ensure that resident guests are only in the Dining Room for the purpose of eating a meal
- Ensure that resident guests pay for any meal they consume in the Dining Room
- Direct any concerns regarding the food to the Hall
- Adhere to a reasonable standard of dress
- For health & safety reasons, appropriate footwear should be worn

Residents must not:

- Sit, or place hats/clothing, on the tables
- Throw anything in the Dining Room
- Drink alcohol in the Dining Room without the permission of the Hall Residential Life Manager
- Be in the Dining Room while intoxicated
- Remove food from the Dining Room unless it is a piece of fruit, a packed lunch or a meal for a sick resident
- Lend their coded card to anyone else
- Be rude or abusive to kitchen staff

Electrical Appliances

Residents may have televisions, videos, stereos, radios, alarm clocks, computers and hair dryers in their rooms.

If you bring your own computer, we recommend you use a surge protector.

Electric blankets are permitted, provided they have a current safety certificate issued by a qualified electrician within the last six months.

Residents are not permitted to use heaters, irons, toasters, grills, microwaves, fridges, rice cookers, cooking appliances or any other electrical appliance (apart from those listed above) in their rooms. **Special approval for a fridge, in specific circumstances, has to be obtained from the Residential Life Manager.**

Electricity Accounts (Self-catered Orchard Park, Bryant Hall)

Residents of the self-catered Orchard Park and Bryant Hall are allocated a set amount of electricity usage each month. Cottages that exceed their allocation will be invoiced for the additional usage.

Electricity accounts will be invoiced on the 20th of each month. Residents must pay the account in full by the 1st of the following month. Payment can be made online through the accommodation portal or by, EFTPOS or credit card at the Accommodation Office. The first instance of late payment of an electricity account will result in a warning letter being issued. Late payment of any subsequent electricity account will incur an instant 10% penalty charge on the overdue amount.

Fire Evacuation

College Hall, Student Village and Bryant Hall are safeguarded by fire hoses, fire extinguishers and smoke alarms, which are connected to a fire protection system, i.e. sirens, in each block. The Orchard Park cottages are safe-guarded by smoke alarms, (not connected to fire service), and fire extinguishers.

Halls are required to hold fire drills each year. In the case of a fire or fire drill, the bells or sirens will activate continuously. Residents must comply with the directions given by the Fire Wardens (Hall staff) and proceed outside as quickly as possible. Residents must not re-enter the building until the "all clear" is given by the Fire Service and Fire Warden. Any resident who does not comply with fire regulations or fire evacuation procedures will face disciplinary procedures.

Residents must not misuse smoke alarms, fire signs, fire extinguishers, fire hose reels, fire sirens, fire "break glass" boxes or fire exit doors. If anyone is caught tampering with any of these items, the cost of repair will be charged to them. Replacement fire signs and replacement "break glass" is charged at replacement cost. Any Resident responsible for a fire alarm being activated through negligence or unauthorised electrical equipment will be charged the Fire Service callout. Residents are warned that the cost could be over \$1,000 for Fire Service callouts.

Glass

Collections of glass can be a health hazard. Any accumulation of bottles (other than in the glass recycling bins) will be reported to the Residential Life Manager who will decide whether the bottles are to be removed. If bottles are required to be removed a charge of up to \$50.00 will be made against the residents/floor.

Grounds

We take pride in keeping the grounds and gardens at their best. The University ground-staff maintain the lawns, gardens and trees (some trees have been identified as protected and residents may be asked to take care around them).

Residents can help keep the grounds tidy by placing their glassware, boxes and rubbish in the receptacles provided.

Picnic tables are provided for your enjoyment, but no other Hall furnishings are permitted to be used outside.

Keys/Cards

Residents are issued with a set of keys (metal and/or electronic). Residents are responsible for all their keys/cards and must not lend them to anyone. Should a resident misplace their keys/card, or have their keys/card stolen, a replacement set can be obtained from the Hall Office. Residents will be given a period of time (two weeks maximum) to locate the keys and then charged for the replacement set if the keys are not found.

Replacement keys/cards will be charged at replacement cost. Flats residents will be charged the cost to rekey the whole cottage if this is required for safety reasons.

Residents who request staff to open their locked door on multiple occasions will be charged a \$10 callout fee. The number of free lockouts is set by the Residential Life Manager.

Kitchenettes

College Hall, Bryant Hall and Student Village fully-catered facilities have kitchenettes equipped for residents to prepare hot drinks. Fire regulations prohibit the use of any other electrical equipment in these areas. Kitchenette areas are not to be used for other purposes, such as washing clothes.

Insurance

Residents are responsible for their belongings and the security of their rooms. Residents are advised to take out insurance on personal belongings they bring to the Hall and also on bicycles, motorcycles and cars, even if they are not stored on the premises. The University of Waikato takes no responsibility for any damage to, or the theft of, personal property, bicycles, motorcycles or cars.

Internet Provision

The University of Waikato provides Halls of Residence students with a free internet wireless connection through a 'best effort' service. The service does place some limits on 'excessive' usage in accordance with the University's internet usage policy for students. This policy also places restrictions on 'inappropriate' content usage. For further information on this matter please see the University ITS policy documents.

Laundry Facilities

Each Hall has a laundry for residents only, equipped with washing machines, dryers, irons and ironing boards. Washing machines and dryers are token operated. Tokens can be purchased at the Hall office vending machine.

Outside clothes lines are available at College Hall, Orchard Park and Bryant Hall cottages.

Linen

A bed and mattress protector are provided in all Halls bedrooms. Students can either choose to bring their own linen (some beds are king singles) or purchase a linen pack (includes duvet inner, pillow, sheet set, duvet cover set and towels).

Lock up

At 10.00pm each evening the Residential staff on duty go through all Hall buildings and ensure the buildings are secure for the evening, that all smoke doors are closed, all visitors have left and all residents are quiet and settled for the night.

Maintenance

Damage to residents' rooms and around the Hall must be reported to the Hall Office or duty staff as soon as it is discovered. No charge will be made for any damage that is considered to be normal wear and tear. Any damage that is considered to have been made deliberately or negligently will be charged to the individual(s) who caused the damage. Any damage charges which remain unpaid to the Hall Office after 10 days will incur a 10% penalty charge and will become an official debt to the University. If such individual(s) cannot be identified, damages will be charged across the entire Hall/Block.

Residents are not permitted to attempt any repairs, maintenance or renovations. Maintenance staff or contractors are permitted access to residents' rooms to make repairs during normal Office hours. In urgent situations or emergencies this could be at any time.

Missing Items

The cost of any Hall items missing from a resident's room or flat will be charged to the resident/s concerned. The cost of any items missing from other areas of the Hall will be charged to the individual(s) responsible. If individual(s) cannot be identified, costs will be charged across the entire Hall.

Narcotics and Drugs

Residents are not permitted to sell, use or bring any illegal drugs or drug paraphernalia into any of the University of Waikato Halls of Residence or on to the University Grounds. Any breach of this may result in a termination of residency and referral to the police.

Noise

Residents and their guests must not:

- Make any noise that disturbs other residents or neighbours at any time. Excessive noise will result in disciplinary action, which may include instant fines or community service, and/or confiscation of sound equipment for a period of time (see stereos and boomboxes).
- Make any noise that violates the noise ban during examinations or study breaks

Noise and Alcohol Ban

A noise and alcohol ban starts on Monday of the last week of semester lectures and continues until the end of the exam period. Noise violations or consumption of alcohol during this time will result in an instant **\$10 - \$40 fine** depending on the extent of any noise and the time at which it was made. No warnings will be given during the ban. Repeated or excessive noise occurrences will result in further disciplinary action.

Out of Bounds

The servery and kitchen areas of the Dining Room, the boiler rooms, service rooms, and all roof tops, ledges and balconies of all buildings are out of bounds to residents and guests at all times.

Parties

No parties are permitted in the Halls of Residence at any time.

Pets

Pets (except goldfish in bowls) are not permitted in residents' rooms or within the Hall residential buildings.

Privacy

In accordance with the Privacy Act, 2020 s22 Principle 11(1)(f)(ii), the University may share private information, in confidence, with relevant University staff, emergency services and a resident's emergency contact when essential to prevent or lessen "serious harm" to an individual or another individual residing in any of its Halls of Residences owned by the University, or operated on its behalf. This is compliant with the University's duty of care obligations under the Education (Pastoral Care of Tertiary and International Learners) Code of Practice 2021.

Room Changes

A student may be required to change room / block due to maintenance or refurbishment.

A student may also request to change room / block during their stay at the discretion of the Residential Life Manager. If approval is given, then a \$50.00 room change fee will be charged.

Residents' Rooms

Residents are expected to accept full responsibility for their allocated room and its contents. Residents must not use sellotape, adhesive or drawing pins on the walls or woodwork. The furniture in a resident's room must not be removed from the room. Bedding must not be removed from the room. Rooms must be kept tidy to a reasonable standard or left in a state not hazardous to Housekeeping staff.

The Residential Life Manager reserves the right to relocate Hall residents at any time during the year, at his/her discretion.

Rubbish

Any resident who has more than a rubbish bin load of waste, or glass waste, must take it to the Hall waste bin and/or recycling bins. If rubbish is required to be removed from a residents room a charge of \$50.00 will be made.

Security

Residents must:

- Provide their own insurance for belongings and record the serial number(s) of any electronic items.
- Ensure the door to their allocated room is locked at all times when vacant.

- Ensure the access doors to their accommodation building is locked at all times.
- Assist the Residential Assistant by reporting anybody or anything suspicious.
- Challenge any strangers in the blocks and offer to accompany them to their destination.
- Report any theft or crime immediately to the Hall Office or duty staff.

Residents must not:

- Wedge any doors open to prevent them from being locked.
- Tamper with, or disconnect, any door closers, or fire alarm.
- Lend their keys to anyone.

Parking on campus is available, however, the University of Waikato can not guarantee the safety of vehicles due to the openness of the campus to the public. Residents bringing cars onto campus do so at their own risk.

Campus Security is available 24 hours a day by calling 07 838 4444 to deal with difficulties or safety issues which might arise on campus.

Smoking (including vaping)

The University of Waikato is a "Smoke Free" campus which means that no smoking and/or vaping is permitted in the buildings or on the grounds at any time, this includes smoking and/or vaping in a vehicle parked on University grounds. For the means of definition of the term "smoking" the University's policy states "smoking means the inhalation of smoke or vapour produced by any ignited plant product, electronic nicotine delivery system, electronic cigarette (e-cigarette) or personal vapouriser (vaping), whether delivering nicotine or not" In addition to any other action the University may take, if you smoke inside your room or in any other area in the Halls buildings you will be fined a \$300.00 penalty and cleaning charge.

Stereos and Boomboxes

Residents are permitted to bring stereos and/or boombox into the Hall but must bring a set of headphones with them. If any resident's stereo or boombox causes continual noise difficulties within the Hall they will be dealt with under the Hall disciplinary proceedings. Under the Noise Policy, no resident should "make any noise that disturbs other residents or neighbours at any time". Any resident whose stereo or boombox is continually disrupting others or is noisy will be confiscated by the Residential Life Manager for a period pending a decision to determine whether the offending equipment should be removed from the Halls.

Visitors

No visitors under the age of 16 years will be permitted in the Halls after 5:30 pm and must be accompanied by a parent or guardian.

Visitors to the Hall includes any person who is not a resident of that particular Hall.

QR Code scanning is mandatory.

All visitors to a Hall are at the discretion of the Residential Life Manager. Each guest must be registered with the Hall office Mon-Fri and with the Duty RA at weekends.

Between 6.00 – 10.00pm a resident may have up to two visitors, who must be registered at the office, for whom they are fully responsible for their visitors' behaviour. Residents must not allow their visitors' to invade the privacy and security of other residents or breach the Rules and Regulations. Visitors are only permitted until 10.00pm every night.

Visitors Staying Overnight

Residents' guests are allowed to stay in the Hall at the discretion of the Residential Life Manager. A fee will be charged to the Hall Resident. Overnight guests must be registered with the Hall office Mon – Fri by 5pm and with the Duty RA at weekends by 6pm. Overstayers will be trespassed and any fees payable will be the responsibility of the resident. During the period when the Noise and Alcohol Ban is in force no visitors will be permitted to stay overnight.

Weapons and explosives

Residents may not bring any weapons into the Halls. This includes replica guns, BB guns, swords, replica swords, martial arts weapons, hunting and ceremonial knives. Residents may not bring or use explosive devices or fireworks around the Hall.

Wellbeing Checks and Room Entry

Staff members will only enter a resident's room, without permission, to carry out pastoral care responsibilities and/or to prevent serious harm and/or to ensure student wellbeing. Staff will perform wellness checks, manage health and safety and enforce house rules relating to noise or prevent any illegal act affecting the wellbeing of any individual or other(s) in the Hall community, pursuant to the purposes of Part 5,27, Process4 (1) c.of the *Education (Pastoral Care of Tertiary and International Learners) Code of Practice, 2021*.

Staff may also enter your room to carry out maintenance or repair work. Staff will always knock on your door several times, and announce that they are hall staff. If no answer is given they will then enter your room to carry out the work required. Staff will always lock your bedroom door when they leave your room.

Disciplinary Procedures

The Director of Student Services has instructed the Residential Life Manager to maintain Hall discipline and to manage breaches of the Rules and Regulations on a day-to-day basis. More serious or repeated breaches will be referred to the Associate Director Student Accommodation, Accommodation Manager (or delegated authority) or the Director of Student Services. All Halls of Residence students are also required to adhere to the University of Waikato *Student Code of Conduct* policy.

1 Breaches of the Rules and Regulations will result in disciplinary procedures. Breaches include, but are not limited to, if a resident:

- a. Harasses or discriminates against others
- b. Threatens to harm, or harms, anyone
- c. Vandalises or damages or fails to respect the property of any resident or Hall property
- d. Causes major disruption to other residents of the Hall
- e. Misuses or tampers with signs, fire extinguishers, fire hose reels, fire "break glass", sirens or fire doors or smoke detectors
- f. Tampers with, or disconnects, any door closers
- g. Makes any noise which disturbs residents or neighbours at any time
- h. Makes any noise which violates the noise ban during examination and study periods.
- i. Fails to take responsibility for guests or has more than two guests between 6.00 – 10.00pm
- j. Has a guest staying without approval of the Residential Life Manager
- k. Throws any object in the Dining Room or out a Hall window
- l. Plays sport in any of the buildings of the Hall
- m. Uses alcohol excessively or irresponsibly
- n. Consumes alcohol outside of a bedroom in the fully catered residences, or outside of a self-catered flat
- o. Possesses any alcohol that is not permitted to be consumed in the Halls
- p. Supplies alcohol to any resident or visitor who is under 18 years of age
- q. Conducts or is present at a party anywhere in the Halls
- r. Behaves in a manner, possesses games, apparatus or product or engages in any activity that encourages unsafe drinking practices
- s. Consumes alcohol or is in possession of an open alcohol vessel outside of 6.00pm-10.00pm
- t. Possesses or uses any weapon or explosives
- u. Possesses, uses or supplies any narcotic or drug that is illegal
- v. Tampers with any other resident's mail
- w. Accumulates an unacceptable amount of glass
- x. Obstructs staff or repeatedly fails to comply with a reasonable request issued by staff
- y. Exhibits any other behaviour that warrants intervention
- z. Is in possession of any Halls or other personal, public or private property without express permission
- aa. Posts inappropriate or offensive material on social media
- bb. Breaches the University of Waikato Code of Student Conduct
- cc. Breaches any University of Waikato regulations.

2 Summary Jurisdiction

Summary jurisdiction is the process we have for dealing with breaches of the Rules and Regulations where either the Residential Life Manager or Accommodation Manager, Associate Director Student Accommodation (or delegated authority) will individually obtain and hear evidence, arrive at a judgement, and within the terms of the Rules and Regulations, impose a penalty. Allegations of gross misconduct are referred to the Director of Student Services.

Summary jurisdiction process include

- a. Residents will be informed of any alleged breach of the Rules and Regulations
- b. Residents will be provided with an opportunity to respond, either in writing or in a face to face meeting. A support person may accompany the resident to any such meeting so long as that support person has no involvement in the alleged breach of the Rules and Regulations or subject to any other discipline matter.
- c. The Residential Life Manager, Associate Director Student Accommodation (or delegated authority) or Director of Student Services will determine whether a resident has breached any of the Rules and Regulations based on:
 1. The evidence provided by all parties involved
 2. Any other evidence, written or oral, that he or she may seek or accept at his/her discretion provided that this evidence is disclosed to the resident and that he or she is given the opportunity to comment on it
- d. Penalties may include suspension of residency, termination of residency, fines, behavioural contracts, being asked to make and apology, transfer between Halls, being asked to perform one or more tasks around the Halls, i.e. community service, or any other penalty appropriate to the breach.

3 Appeals

Any disciplinary outcome imposed by a Residential Life Manager, Accommodation Manager, Associate Director Student Accommodation or Director of Student Services may be appealed.

An appeal may be made only on one or more of the following grounds:

- a. That the process used for addressing the alleged misconduct was unfair
- b. That the decision reached was manifestly at odds with the evidence
- c. That the remedy imposed was manifestly at odds with the misconduct
- d. That significant new evidence has become available that could not reasonably have been obtained and presented during the initial process and that could have a material effect on the outcome.

An appeal must be in writing and made within 14 days of the date on which the relevant decision was formally notified. The appeal must be submitted to the Director of Student Services, in the case of appeals against a decision by a Residential Life Manager or the Associate Director Student Accommodation, and to the Senior Deputy Vice-Chancellor in the case of an appeal against a decision by the Director of Student Services.

If after following the appeal process, a student remains unsatisfied with the result, then a student may make an appeal through the Education (Pastoral Care of Tertiary and International Learners) Code of Practice 2021. Please also see below section 'Making a Complaint or Appealing a Decision' (see Section 3).

Section 2: Request to Terminate Residential Contract

A resident must apply to the Hall Residential Life Manager to terminate their Resident Contract. The Manager will discuss the matter with the resident and provide the resident with the correct form to apply to terminate their Resident Contract. The reason for wanting to terminate will be kept strictly confidential.

A Resident's Contract may be terminated under the following conditions:

a. If the resident withdraws from The University of Waikato.

The resident must give the Residential Life Manager four weeks' notice, in writing, of their intention to leave the Hall once they have withdrawn from the University.

The resident must pay (or make an agreement to pay with the Accommodation Services Office) the balance of their outstanding accommodation fees, plus four weeks' notice before vacating the Hall. The contingency deposit will not be refunded.

b. If the resident finds a suitable replacement to take their place in the Hall.

The replacement student must not already have a place in a University of Waikato Halls of Residence.

The replacement student must complete The University of Waikato Halls of Residence Application Form and provide a character reference.

The vacating resident must set up an appointment with their Hall Residential Life Manager to introduce the replacement student. The Residential Life Manager will decide if the replacement student is to be accepted as a resident of the Hall.

If the Hall Residential Life Manager does not accept the replacement student another replacement student must be sought by the resident.

If the Hall Residential Life Manager accepts the replacement student, a date for the vacating resident to leave the Hall and the replacement student to enter the Hall will be decided upon.

The replacement student must make arrangements with the Accommodation Services Office to pay the contingency deposit, administration fee, halls activity fee, optional extras and accommodation fees.

The vacating student must pay or make arrangements with the Accommodation Services Office to pay the balance of their outstanding accommodation fees before vacating the Hall. Accommodation fees will be charged up to the date the replacement student enters the Hall. The contingency deposit will not be refunded to the vacating student.

c. On compassionate grounds, discretionary grounds, or any other grounds which are beyond the resident's control.

Residents must apply to the Residential Life Manager to terminate their Resident's Contract. The reason for wanting to terminate will be kept strictly confidential.

It is expected, where reasonable and practicable, that a resident will have utilised the appropriate support services prior to applying for termination of their accommodation contract on compassionate grounds. Evidence of this process may be requested as a component of the application outcome decision.

The decision to terminate the Resident's Contract must have the approval of the Residential Life Manager.

Decisions and Costs

The decision to terminate the Resident's Contract must have the approval of the Associate Director Student Accommodation (or the Associate Director Student Accommodation's nominee).

If approval is given to terminate the Resident's Contract, the resident must pay, or make an agreement to pay with the Accommodation Services Office, the balance of their outstanding accommodation fees before vacating the Hall.

In most situations four weeks notice will be required and the contingency deposit will not be refunded. Any resident whose contract is terminated must return their keys to the Hall Office or they will be charged for re-keying.

Section 3: Regulations

Suspension or Termination of Resident Contract

The Director of Student Services may suspend a resident from the Hall or terminate a resident's contract under the following conditions where a resident:

- a. Commits a serious breach of the Halls of Residence Rules and Regulations.
- b. Compromises the safety or security of the Hall and/or of other resident(s).
- c. Is deemed to be a serious risk to herself/himself.
- d. Is found with illegal or dangerous substances in the Hall.
- e. Commits an illegal offence.
- f. Has an infectious disease and (in the opinion of a doctor) is a risk to others.
- g. Fails to pay their accommodation fees by the due date, or fails to meet alternative payment arrangements as organised with the Accommodation Office.
- h. Is not able to demonstrate a commitment to their programme of study.

If a resident is suspended, alternative accommodation may be provided (if appropriate). If alternative accommodation is not appropriate, accommodation fees may be refunded for the period of the suspension.

If a resident's contract is terminated, a trespass order may be issued.

Acute/Serious Mental Health Issues

Students living in the Halls of Residence must demonstrate an ability to live independently and without unreasonable effect upon other residents living around them.

The University has a responsibility to ensure that the working environment for its Halls residential staff is a safe and suitable work setting.

The Halls do not have the in-house staff expertise or staffing resources to provide care for residents with serious mental health challenges including acute suicidal ideation. In these situations, advice is sought from appropriate mental health professionals regarding the resident's wellbeing and ongoing care requirements.

If a resident is at risk to themselves or others, then their emergency contact person will be contacted to inform them of the situation, as allowed under the Privacy Act 1993 and as legislated under the *Education (Pastoral Care of Tertiary and International Learners) Code of Practice 2021*.

If in the opinion of the Director of Student Services; a resident is a serious risk to themselves or others, and/or is unable to live independently, and/or is requiring a level of staff support beyond the expertise and/or resourcing of the Halls staff; then the Director of Student Services may suspend the resident's contract until such time as the resident's level of wellbeing has significantly improved to allow for independent and safe living within the Halls of Residence environment.

The Privacy Act 1993

The University of Waikato adheres to the Privacy Act 1993.

As stated in The University of Waikato Halls of Residence Application Form, resident applicants are advised that the Accommodation Services Office and the Hall Residential Life Manager may use the information provided on the application form (and any other forms) in accordance with the Privacy Act 1993 as detailed in The University of Waikato Enrolment Form.

The Associate Director Student Accommodation, Accommodation Manager and/or the Residential Life Manager will, if necessary for the safety and/or well being of any resident, contact the nominated emergency contact provided by the resident – as also detailed in the . *Education (Pastoral Care of Tertiary and International Learners) Code of Practice 2021*.

Under the *Education (Pastoral Care of Tertiary and International Learners) Code of Practice 2021* residents must provide the Accommodation Service with their nominated person contact details.

For residents 17 years and under the Halls management reserves the right to contact the parents or guardians, if it is deemed necessary.

The Privacy Act can be viewed online at <http://www.legislation.govt.nz/act/public/1993/0028/latest/DLM296639.html>

Access to Personal Information

Residents who sign The University of Waikato Halls of Residence Resident's Contract agree to allow:

- The Hall Residential Life Manager, Accommodation Manager, Associate Director Student Accommodation, Accommodation Services Office, Halls Administrators access to their assessment and examination results, building access card usage, frequency of University internet usage and dining room meal card usage.
- The Accommodation Services Office staff to access, use and store any information regarding their Enrolment, Student Loan, Student Allowance or Scholarship payments.

Staff Resident Checks

Under the Education (Pastoral Care of Tertiary and International Learners) Code of Practice 2021 the Halls of Residence are required to regularly check on the wellness of all Halls residents. A combination of electronic and staff checking protocols are utilised to undertake the Code requirement. The electronic checking protocols include building access card usage and/or frequency of University internet usage and/or dining room meal card usage .

Making a Complaint or Appealing a Decision

Complaint

Where minor concerns arise, residents are encouraged to take a common-sense approach and raise them directly with the relevant resident or staff member, with the aim of resolving the matter at the lowest possible level and without undue formality.

However, where informal discussions have not yielded a satisfactory resolution, or where the matter is more serious, residents are requested in the first instance to share their complaint with their Hall Manager. The Hall Manager will be able to advise the resident of the Halls and the University's respective complaints procedures. If appropriate, the Hall Manager may deal with the complaint as a Halls matter.

If the complaint involves the Hall Manager, or if in the Hall Manager's and/or the residents opinion the matter should be dealt with by the University, then the resident will be requested to follow the University of Waikato Student Complaints Procedures and submit a written complaint to the Director of Student Services detailing the nature of their complaint.

A full copy of the Student Complaints Procedures is detailed on the University of Waikato website:

<https://calendar.waikato.ac.nz/procedures/studentcomplaints>.

Depending on the nature of the complaint, the Student Complaint Procedures should be read in conjunction with the University of Waikato, Staff Code of Conduct and/or Code of Student Conduct; and/or the Education (Pastoral Care of Tertiary and International Learners) Code of Practice 2021.

If after following the University of Waikato Student Complaints Procedures process, a resident remains unsatisfied with the result, then a resident may make an appeal through the Education (Pastoral Care of Tertiary and International Learners) Code of Practice 2021 complaints procedures. A link to this complaints procedure is available through the Ministry of Education website.

Appeal

If a resident wishes to appeal a Halls of Residence decision, they should in the first instance submit a written appeal to the Director of Student Services detailing the nature of their appeal.

If after discussing the appeal with the Director of Student Services the resident remains unsatisfied with the result, then the resident may make an appeal through the Education (Pastoral Care of Tertiary and International Learners) Code of Practice 2021 complaints procedures. A link to this complaints procedure is available through the Ministry of Education website.

<https://www.nzqa.govt.nz/about-us/make-a-complaint/make-a-complaint-about-a-provider/>

Health and Safety

Residents must not engage in any reckless conduct within the Halls that is likely to cause hazard and/or risk causing serious injury or serious illness to themselves or others.

In order to maintain community health, residents must follow all University protocols in place to prevent the spread of any infectious or notifiable disease as defined under Section 2 of The Health Act 1956; and follow all instructions issued by the *Medical Officer Health* under Section 70 of that Act along with any instructions of any authorised person appointed by the Director General of Health under Section 18 of the COVID-19 Public Health Response Act 2020.

Changes to Halls of Residence Rules and Regulations

The University of Waikato reserves the right to amend or add changes to the University of Waikato Halls of Residence Rules and Regulations at the end of each calendar year.

In exceptional circumstances, if the Director of Student Services deemed it necessary to amend or add to the University of Waikato Halls of Residence Rules and Regulations throughout the calendar year, then notification of the change(s) would be sent to all Hall residents detailing the change and explaining the rationale for the update.