

Policy Title: Code of Conduct

Descriptors : 1) Conduct 2) Behaviour 3) Ethics 4) Rules

Category : Human Resources

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1. Intent

This Code of Conduct provides a framework for appropriate behaviour for all staff at Edith Cowan University. It is not intended to cover all issues that may arise, but rather to provide a framework within which staff can address ethical issues, which may arise through the daily business of the University.

This Code establishes a standard by which staff and management:

- a. conduct themselves towards other staff or colleagues, staff representatives, the student body and their representatives, government authorities and the general community;
- b. perform their duties and obligations to the University;
- c. fulfil the mission, goals and objectives of the University; and
- d. practice fairness and equity.

2. Organisational Scope

This policy applies to all Edith Cowan University staff.

3. Definitions

'Personal information' information about an identified or identifiable individual that is not available in the public domain

'Records management' the control and management of records to meet business, legal, fiscal and administrative requirements. It is a business imperative, a corporate responsibility and a critical function performed through the collective actions of individuals

'Record' recorded information in any form, including data in computer systems, created or received by any staff member of the University in the course of his/her duties;

'Conflicts of interest' assessed in terms of the likelihood that staff possessing a particular interest could be influenced, or might appear to be influenced, in the performance of their duties;

'Public comment' includes public speaking engagements, expressing views in letters to newspapers, journals, or notices, and comments on radio, television, social media platforms or in other public forums for mass communication where it might be expected that the publication or circulation of the comment will spread to the community at large; and

'Senior Officer' means the Vice-Chancellor; Deputy Vice-Chancellor; Pro Vice-Chancellors; Executive Directors; Deans; or Directors.

4. Policy Content

4.1 Application

4.1.1 The Code of Conduct is established on the following organisational values: integrity, honesty, conscientiousness, compassion, courtesy, fairness, and respect.

4.1.2 The successful development of an ethical environment relies on individuals being responsible for their own professional behaviour within the provisions of this code, policies of the University, obligations of Federal and State legislation and relevant industrial instrument applying to individuals' contract of employment.

4.1.3 Where there is doubt as to the application of the Code, or the appropriate course of action to be adopted, staff affected should discuss the matter with their supervisor.

4.1.4 The University expects staff to be diligent, impartial, courteous, conscientious and respectful in the performance of their duties and obligations to the University, students and the community.

4.1.5 In dealing with other staff, students and the community, staff should be guided by the University's mission.

4.2 Natural Justice, Fairness and Equity

4.2.1 Staff who are required to investigate complaints against other staff or students, or issues affecting staff or students, are expected to act consistently, promptly, and fairly. Further information is available from the Human Resources Division or the Manager, Equity and Diversity if required.

4.2.2 There is an obligation to maintain the principles of natural justice in dealing with issues relating to any investigation.

4.2.3 When using any authorised powers, staff should ensure that they take all relevant factors into consideration and have regard to the particular merits of each case.

4.3 Use of University Facilities and Equipment

4.3.1 Staff should take all possible care in the use of University property, goods, services and information and ensure they are used efficiently, carefully and honestly.

4.3.2 Unless permission has been granted by the staff member's supervisor, University resources are not to be used for private purposes.

4.4 Privacy and Use of Personal and Official Information

4.4.1 Staff have an obligation to ensure that personal information concerning students or staff is secured against loss, misuse or unauthorised access, modification or disclosure.

4.4.2 Staff have a duty to maintain the confidentiality, integrity and security of official information for which they are responsible. (Refer to 'Information Systems Security Policy' for further guidance).

4.5 Records Management

4.5.1 Staff need to be aware of their record keeping responsibilities and are reminded there is a legal requirement to adhere to proper records management practices and procedures.

4.5.2 All staff must ensure that documents which form part of the University's public record are not placed in unofficial or private filing systems. All such documents are to be placed on official files.

4.5.3 Staff must not remove documents from official files. They are controlled records, and must be complete, up-to-date and capable of providing organisational accountability when officially scrutinised.

4.5.4 Staff members must not damage, dispose of, or in any other manner, interfere with official documents or files. The destruction of records may only take place in accordance with a disposal and retention schedule which has been approved by the Public Records Office.

4.6 Information Technology

4.6.1 Staff must use the authorised information systems or parts of the authorised system only for the purpose for which the authorisation was given.

4.6.2 Staff who have access to an information systems or part of an information system, shall not allow any unauthorised person access to that system for any reason.

4.6.3 Staff must not access information which they are not authorised to access or use, and must not allow any other person access for any reason.

4.6.4 Staff must take all reasonable precautions, including password maintenance and file protection measures to prevent unauthorised access.

4.6.5 Staff have an obligation to maintain the security and confidentiality of the information systems over which they have responsibility or control and that are owned, leased or used under licence or by agreement by the University.

4.7 Conflicts of Interest

4.7.1 In many cases only the individual staff member will be aware of the potential for conflict of interest. Therefore, the onus is on that person to notify their supervisor if a potential or actual conflict of interest arises.

- 4.7.2** The University expects staff to:
- a. declare any conflict of interest to supervisors;
 - b. avoid any detrimental outcome as a result of a conflict of interest and
 - c. ensure that no person or organisation is granted access to any University classes to facilitate the promotion of any cause, activity, or other matter which is not part of the University's activities or is not necessary for the proper academic conduct of the course.

The University will not normally involve itself in the private lives of its staff and students. However the university may intervene, if a conflict of interest arises where a staff member:

- a. engages or is likely to engage in activities or advances, or
- b. is likely to advance personal or other interests at the expense of the University's interests or the interests of other employees,

4.8 Financial Interests

4.8.1 Staff should avoid any financial involvement or undertaking that could directly or indirectly compromise or undermine the performance of their University duties or the University's mission, objectives or activities.

4.8.2 Financial conflict of interest may arise where a staff member, who has a financial interest in a company, partnership or other business is in a position to influence contracts or transactions between the University and that business.

4.8.3 This conflict may extend to any business undertaking in which staff and their immediate family or the staff member is acting in direct competition with the University's activities or interests for personal gain.

4.9 Acceptance of Commissions, Gifts or Benefits

4.9.1 Staff should not accept a gift, secret commission or a benefit from a student or a person or organisation outside the University if the intent of the gift or the benefit is to induce the staff member to waive or lessen academic standards or requirements or to extend a financial or other benefit to a person or organisation outside the University to the detriment of the University's interests.

4.9.2 As a general rule, no staff member should accept a gift or benefit if it could be seen by the public, knowing the full facts, as intended or likely to cause that person to:

- a. perform their job in a particular way, which the person would not normally do, or
- b. deviate from the proper or usual course of duty.

4.9.3 Staff may accept token gifts or benefits in circumstances approved by the Vice-Chancellor, or a nominee, provided that there is no possibility that the staff member might be, or might be perceived to be, compromised in the process. Gifts of a nominal value generally used for promotional purposes by the donor, or moderate acts of hospitality may be accepted by staff. As a general rule gifts valued at \$ 200 or less would be considered nominal.

4.9.4 A declaration by staff members of gifts and benefits they have received is to be lodged with the Vice-Chancellor, relevant Dean or Director as soon as the gift or benefit is received.

4.9.5 Staff must not take advantage or seek to take advantage of their University position to obtain a benefit, either for themselves or for someone else.

4.10 Influence to Secure Advantage

4.10.1 No staff member shall elicit the improper influence or interest of any person to obtain promotion, transfer or other advantage.

4.11 Public Comment and Use of Official Information

4.11.1 As members of the community, staff will, from time to time, contribute to public debate on political and social issues. All public comment or media interaction must be carried out in accordance with the ECU Media Policy.

4.11.2 There are some circumstances in which public comment is inappropriate, especially where staff are privy to University information and/or University resources of a restricted nature. Where use of University information and/or University resources may compromise the position of the University or infringe on the privacy of members of the University no public comment should be made.

4.11.3 Use of University information and/or University resources, including University name and logo, other than to discharge the staff member's official duties requires the approval of the Vice-Chancellor or an authorised officer.

4.11.4 Staff members commenting publicly in a professional or expert capacity may identify themselves using their University appointment or qualifications, and must indicate that their opinions should not be regarded as representing the views of the University. The University expects that staff will maintain professional standards when they associate themselves with its name in public statements and/or forums.

4.11.5 Staff members may disclose official information, with due regard to confidentiality, in order that:

- a. colleagues may discharge their official duties;
- b. students may be able to meet the academic and administrative requirements of their study programme; or
- c. reporting requirements to government bodies.

4.11.6 A staff member should disclose confidential or restricted information or documents acquired in the course of their employment only when required to do so by law, in the course of their duty, when called to give evidence in court, or when proper authority has been given. Approval to release confidential information on staff should be sought from the Director, Human Resources. Approval to release confidential information on students should be sought from the Director, Student Services Centre.

4.11.7 In circumstances where staff are requested to provide information they should provide it in a timely and accurate manner and which

complies with the principles of Freedom of Information, confidentiality, and the rights of the individual.

4.11.8 Staff acting in honorary capacities may be asked by third parties to make comment on University policy or procedure and in such cases, staff should confine comments to factual information.

4.11.9 Only persons authorised by the Vice-Chancellor or their nominee may make public statements on behalf of the University or comment on the affairs of the University.

4.11.10 Staff using social media platforms are personally responsible for the comments and content they make. Staff should be mindful of what they post, and consider when making such comments the personal implications, privacy issues and possible consequences, as posts can be viewed and located anywhere and may remain available forever.

4.11.11 Staff must refer to the Marketing and Communications Service Centre and the Related Policies section of this policy for guidance in matters relating to public comment and use of social media. Where appropriate it may be necessary for staff to obtain University approval prior to participating in public comment activities.

4.12 Personal Relationships Between Family Members

4.12.1 The University is aware that situations may occur where staff are working with family members or with persons with whom they develop close personal relationships. Where such relationships exist between staff or with prospective staff, the University does not wish to interfere unnecessarily, but stresses that there may be situations where there is potential for conflict of interest.

4.12.2 These situations may occur in the supervisory and teaching relationships that may have an impact on decisions concerning responsibility for employment related decisions or in decisions related to appointment, selection, promotion and academic progress.

4.12.3 As a general principle, staff should adhere to the following:

- a. no staff member should participate in the procedures for selection, granting of tenure, performance appraisal, termination or transfer of any person with whom they have, or have had, a close personal relationship; and
- b. the existence of a close personal relationship with a staff member should not constitute a bar to the employment, promotion, granting of tenure or transfer of any individual.

4.13 Personal and Family Relationships Between Staff Members and Students

4.13.1 Academic staff are responsible to students and the University for assessing students' work fairly, objectively and consistently.

4.13.2 A personal, sexual or family relationship between a staff member and student has the potential to compromise this responsibility where the staff member is accountable for the supervision, teaching or any level of assessment of that student, or indirectly by affecting a student's interaction with or progress within the University.

4.13.3 In many cases, only individual staff members will be aware of the potential for conflict. Therefore, the onus is on that person to notify the appropriate senior member of staff or supervisor if a potential or actual conflict of interest occurs.

4.14 Personal Safety and students

4.14.1 Staff should not accept student abuse or harassment. If a staff member is abused or harassed by a student, the staff member should report the circumstances to their supervisor or Head of School, and the supervisor or the Head of School, shall take appropriate action to stop the abuse or harassment, including counselling the student or invoking Statute No. 22.

4.15 Personal and Professional Behaviour

4.15.1 Staff should perform the duties associated with their position to the best of their ability diligently, impartially and conscientiously. In the performance of their duties, staff should:

- a. comply with legislative and industrial obligations and administrative policies;
- b. fulfil their Equal Employment Opportunity and Occupational Safety & Health obligations;
- c. strive to keep up to date with advances and changes in the knowledge of their discipline and the professional and ethical standards relevant to their areas and expertise;
- d. maintain adequate documents to support decisions made;
- e. treat all persons with courtesy and sensitivity to their rights and provide all necessary and appropriate assistance;
- f. strive to obtain value for public money spent and avoid waste and extravagance in the use of public resources;
- g. not take or seek to take improper advantage of any official information gained in the course of University employment;
- h. not harass or discriminate against staff or students in work practices or in the provision of education on the grounds of sex, pregnancy, race (including colour, ethnic background or national identity), marital status, disability, sexual preference, political or religious belief, or age;
- i. act responsibly when becoming aware of any unethical behaviour or wrong doing by any employee. Such information should be forwarded to a senior member of staff;
- j. continuously improve work performance. All staff should actively pursue quality improvements; and
- k. not make disparaging remarks about other staff members.

4.16 Alcohol or Substance Abuse or Misuse

4.16.1 The University expects that staff will carry out their duties safely and refrain from any conduct including, alcohol or substance abuse or misuse, that would adversely affect their performance.

4.16.2 They must also ensure that the health and safety of other staff members and students is not endangered by such misuse. The University expects its staff to perform their job with skill, care and diligence. Staff members should not perform any act or omission that is likely to have a detrimental effect on their work performance and that of other staff members and students. Accordingly, staff should not be under the influence of alcohol or other substances while they are at work to the extent that they are unable to carry out their duties safely or properly.

4.17 Outside Employment

4.17.1 The University will not restrain the activities of staff outside working hours provided staff obligations to the University are not undermined or compromised.

4.17.2 Under certain conditions staff may engage in employment for up to 200 hours per semester, outside the University. Staff should not engage in such employment, if that employment:

- a. places them in conflict with their official duties, or would lead to the perception that they have placed themselves in conflict with their University duties;
- b. is likely to affect their efficiency in the performance of their University duties; or
- c. involves the use of University resources for private purpose without authorisation and recompense.

4.17.3 Subject to current University policies (see "Consultancy Policy") staff may not accept outside payment for activities which would be regarded as part of their normal work activities.

4.18 Breaches of the Code of Conduct

4.18.1 Staff should be aware that the University may apply sanctions if this Code of Conduct Policy is breached. Depending on the nature of the breach various sanctions may be applied:

- a. counselling;
- b. actions as prescribed under the various award provisions;
- c. suspension; or
- d. laying of criminal charges or civil action.

4.18.2 It is the responsibility of the University to appropriately communicate these details to all staff.

4.19 Review and Amendment

4.19.1 Senior Officers are responsible for the implementation and the maintenance of this Policy.

4.19.2 The Human Resources Service Centre has the authority for approving alterations to the Guidelines and Administrative Procedures of this Policy subject to consideration by appropriate stakeholders and the approval of the Vice Chancellor.

4.19.3 This Policy shall come into effect when approved by the Vice-Chancellor.

4.19.4 This Policy shall be reviewed by the Human Resources Service Centre on a biennial basis.

5. References

Policy Code:	HR117 PL159	File No: 95/3298
Policy Owner:	Director, Human Resources Service Centre	
Approved by:	Vice-Chancellor	
Date Approved:	26 June 1998	
Revision Date:	August 2012	
Amendments:	July 2007	
	November 2005	HEWRRs Compliance
	July 2009	Policy amended to comply with University Guidelines re Drafting of Policy Documents
		Conflict of Interests clause amended
		Public Comment and Use of Official Information clause amended
May 2011	Definition 'Public Comment' amended Public Comment and Use of Official Information clause amended	
Related Policies/Documents:	<ul style="list-style-type: none">• Information Technology Policy• Consultancy Policy• Media Policy	

6. Contact Information

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