

Code of Conduct for Staff

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1. Purpose

The purpose of this Code of Conduct (Code) is to ensure that all staff at the Australian National Institute of Management and Commerce (the Institute) promote integrity by acting in an ethical and responsible manner and showing respect to all other staff, students, associates of the Institute and all businesses within the Australian Technology Park, and at all the Institute’s campuses, at all times. The Code aims to set out specific expectations for professional and personal conduct of staff. Staff are expected to take a proactive role in delivering the best possible service to students and work to promote the success of the Institute in achieving its educational and research goals. Staff are to be aware that they are representatives of the Institute and must set an example for students and other staff and conduct themselves appropriately within the wider community.

Staff are required to comply with this Code and associated policies. The Institute recognises that this Code cannot encompass all issues that may confront staff and that, in addition to this Code, staff must exercise reasonable judgement in ensuring that the broader values of the Institute are upheld. All staff have a shared responsibility for maintaining and promoting a safe and harmonious environment. Staff also share the responsibility of encouraging other staff and students to comply with the values embodied within this Code, the Code of Conduct for Students, related policies and relevant legislation. Procedures for reporting and dealing with breaches of the Code are outlined in this policy.

2. Scope

This Code applies to all staff of the Institute, including administrative, academic and sessional staff.

3. Definitions

Associate is any person that is engaged by the Institute for any dealings as required by the Institute.

Bullying means any act that is directed at a person and causes a person to feel humiliated, intimidated, offended, in fear of harm to themselves or their property. Acts of bullying may occur in a variety of ways including but not limited to, in person, over the internet, through electronic and social media or through other persons.

Conflict of Interest is a conflict between duties or responsibilities associated with, or imposed by the Institute, and private interests or personal relationships, where the private interests or personal relationships could improperly influence the way in which a person carries out their official duties as required by their role at the Institute. A conflict of interest may be actual, perceived or potential.

Discrimination is the act of treating a person unfairly because of their race, gender, nationality, ethnicity, religion, sexuality, socio-economic background, disability, or other personal characteristics.

Dean of School refers to the Dean of Law School or the Dean of Business School, or a person acting in this role.

External work refers to work performed by a staff member that is outside the contract of employment with the Institute.

Harassment is any form of behaviour that is unwelcome and unreciprocated which makes the situation, humiliating and/or intimidating for the person who is the target of that behaviour. Harassment can be sexual or may arise from discrimination.

Improper influence means influencing an outcome by way of an exercise of power, threat, reward and/or solicitation.

Misconduct means any conduct by a staff member which is prohibited under this Code and other supporting policies and procedures of the Institute.

Property means any item, resource or facility that is owned or provided by a fellow staff member, the Institute or an Institute campus.

Personal relationships may be:

close personal relationships which are relationships that may involve friendship, family relationship or financial dependence; or

Intimate personal relationships which are consensual relationships that go beyond the bounds of platonic or working relationships. e.g., dating, romantic, sexual.

Right to freedom of expression means the right of a person to freely, yet reasonably, with good faith and within the constraints of law, say or make an expression of their opinion. This may take place through statements, publications, discussions or any other community or public interest purpose.

Sexual assault is when a person is forced, coerced, deceived or tricked into sexual acts against their will or without their consent, including when they have withdrawn their consent.

Sexual harassment involves making unwelcome sexual advances, requests, comments or other unwelcome conduct of a sexual nature towards another person which would possibly cause a person to feel offended, humiliated or intimidated. Sexual harassment is not limited to the physical sphere and can occur through phone, email, social media posts and other forms of electronic communication. If the interaction is consensual, welcome and reciprocated, it is not sexual harassment.

Staff includes any person who is an employee. Staff may be full-time, part-time or sessional employees.

Student includes any person that is enrolled, is yet to enroll but has been accepted by the Institute for a course of study, or a person that has a place at the Institute but has been suspended or temporarily excluded from a course of study.

Supervisor refers to a staff member who is responsible for managing the performance and conduct of other employees.

Workplace Health and Safety Legislation means all legislation which addresses the health and safety

of those working at or visiting the Institute.

4. Principles

General

- As employees of the Institute, staff are required to be mindful of the responsibility to uphold the Mission Statement of the Institute and to adhere to and promote its core values.
- Staff must undertake duties in a manner that is **respectful** to all fellow staff, students and members of the public.
- Staff must be **responsive** to the Institute's goal of providing a high quality teaching environment that supports student success and all that is inclusive of that goal.
- Staff must act honestly and ethically, and in so doing, promote their professional integrity and the **integrity** of the Institute.

a) Respect

i Personal and Professional Behaviour

The Institute has an expectation that staff will take responsibility for their own conduct and recognise that, in their administrative and teaching roles, they are setting an example to students, other staff and the community. Staff must at all times comply with the Institute's policies and procedures, relevant legislation, and ethical standards relevant to their area of expertise. The Institute places trust in the ability of staff to exercise reasonable judgement as to what constitutes acceptable personal and professional behaviour.

The Institute does not permit smoking on the premises. Although there may be work related social events where alcohol is available, staff are expected to exercise discretion in the consumption of alcohol. Under no circumstances should staff undertake work duties, including any interactions with students, when their performance may be impaired by the influence of alcohol or medications. Illegal activities such as drug taking will be reported to the appropriate authorities.

ii Fairness

The Institute is committed to creating and maintaining an inclusive environment where all individuals are treated equally and feel entitled to freedom of expression. Staff are expected to be courteous, helpful and responsive to individual rights. They must exercise professional judgement that is free of bias and must also value diversity of opinion.

All decision making must be evidenced based, fair, consistent and based on objective criteria. Staff must ensure equitable access to resources and provide no unfair advantage to particular individuals. Where possible, decision making processes should be documented.

See the *Access and Equity Policy* for further information.

iii Discrimination

All staff and students of the Institute are entitled to equal opportunity and respect. Discrimination occurs when an individual is treated differently because of personal characteristics including, but not limited to: race, gender, nationality, ethnicity, religion, sexuality, socio-economic background and disability. The Institute is committed to maintaining an environment that is free of discrimination, on any grounds. Staff should expect that their work environment will be free of discrimination and, as such, share a responsibility to maintain that environment for work and study. Discrimination may be directed, such as irrational judgments, or indirect, such as a decision that impacts disproportionately on a particular group. The Institute's *Bullying, Harassment and Discrimination Prevention Policy and Procedure* provides specific detail on what constitutes discriminatory conduct and also outlines the

procedures involved in the Institute's investigation of reports of discriminatory conduct.

iv Harassment

Harassment is not tolerated at the Institute. Bullying, due to its potentially ongoing nature, is also intimidating, threatening and a cause of distress.

Harassment and bullying can occur face to face or via social media, telephone or email. In upholding the Institute's stand on harassment and bullying, staff must ensure that any such behaviour towards either students or staff is in no way condoned. Staff delivering via online platforms have a responsibility to maintain a mutually respectful online learning environment.

See the *Bullying, Harassment and Discrimination Prevention Policy and Procedure* for further information on harassment.

The Institute staff have an intrinsic influence over students because of their ability, either real or perceived, to influence outcomes. Staff must be aware that this creates the potential for staff to misuse power to harass or bully, or for their conduct to be misconstrued as harassment or bullying. Therefore, staff must avoid situations that create the potential to cause student feelings of discomfort, intimidation or offense.

Harassment includes sexual harassment, which involves unwelcome sexual advances or requests for sexual favours as well as persistent comments or questions regarding an individual's appearance or sexual life. The *Sexual Assault and Sexual Harassment Policy* provides detailed information on IMC's approach to preventing and responding to incidents of sexual assault and/or sexual harassment.

v Professional Relationships

Within the workplace, close personal relationships with family members or with friends or associates may raise ethical and professional issues, including conflict of interest. In cases where personal relationships exist, or have existed previously, staff are required to discuss the possibility of a conflict of interest so that they are not in a position where an individual may be advantaged or disadvantaged by decisions, or be perceived to be advantaged or disadvantaged. See the *Conflict of Interest Policy* for further details on disclosure of the existence of a close personal relationship and the procedures to manage any possible conflict of interest arising from the relationship.

vi Staff Student Relationships

The institute encourages professional relationships between staff members and students which facilitate learning and exchange of ideas in an environment of respect and fairness. However, staff must be mindful that they are in a position of power and trust with students which should not be compromised by any conflict between a personal relationship and professional responsibilities. Staff are obligated to disclose any actual, potential or perceived conflict of interest immediately upon becoming aware that such a conflict exists. (See *Conflict of Interest Policy*)

Intimate personal relationships between staff and students must be avoided as they are likely to involve serious difficulties due to a power disparity and may disrupt the teaching environment for other staff and students. Further to this, a sexual advance or sexual relationship could lead to allegations of sexual assault and/or sexual harassment. (Refer to the *Sexual Assault and Sexual Harassment Policy*)

In order to maintain an appropriate relationship with students, staff members should at all times:

- Maintain appropriate physical and emotional boundaries;
- Use assigned staff member email accounts and telephone for communications, and particularly avoid interactions using social media;

- Refrain from exchanging personal contact details or divulging personal or intimate information;
- Refuse to accept offers of money or other gifts, other than token gifts at the completion of a study period; and
- Conduct one-on-one meetings at an appropriate venue, such as on campus, during normal business hours

vii. Confidentiality

Staff must respect and protect the confidentiality of personal information held by the Institute. The Institute collects information from individuals including personal details, financial information and at times sensitive information such as health details. Information is used for a range of purposes directly related to its functions and activities. Information may only be used for the purpose for which it was collected and measures must be taken to ensure that information is kept secure and accessed only by those with authorised and legitimate need. The Institute's *Privacy Policy* provides details on procedures and obligations regarding collection, storage and disclosure of personal information and shows how the Institute complies with the *Privacy Act 1988* and the *Australian Privacy Principles*. Staff must not disclose official information concerning the Institute without permission (either express or implied), whilst employed or at a later date. They must ensure that confidential information is not used for personal gain or to the detriment of the Institute.

b) Responsive service

i. Student needs

The Employee Handbook notes the Institute's commitment to the provision of higher education that, "provides all students with a solid, comprehensive knowledge base in their respective disciplines, and that encourages them to exercise individual freedom of intellectual thought and curiosity." Staff are required to be responsive to student needs and ensure that they strive to uphold the Institute's commitment by:

- exercising due care and diligence at all times to promote student satisfaction;
- providing an intellectual environment which facilitates free and informed academic discussion and debate;
- providing stimulating academic programs and resources that enable student achievement;
- maintaining an in-depth and current knowledge base in their discipline area;
- undertaking professional development to improve their performance and expertise;
- conducting effective assessment and providing timely and useful feedback;
- upholding rigorous standards of scholarship;
- instilling ethical practices relevant to academia and professions; and promoting a sense of social responsibility and service to the global community.

ii. Working with others

The Institute is committed to maintaining a harmonious workplace. In the performance of their duties staff must be cooperative, respectful and courteous in dealings with other staff members. All staff share a responsibility to work collectively to uphold the values and achieve the aims of the Institute. Staff must acknowledge collaboration and they must comply with the principles of academic freedom and intellectual property. Refer to the Institute's *Academic Freedom Policy* and *Academic Intellectual Property Policy*

Supervisors have responsibility for overseeing and managing workplace performance and conduct. To enable effective management, staff are required to comply in a timely manner with all reasonable direction from individuals in authority. Supervisors must treat all staff members fairly and respect individual rights. It is the responsibility of supervisors and management to deal with conflicts between staff members and, as far as possible, to resolve issues to the satisfaction of all parties. Staff should

consult the *Grievance Policy* for procedures regarding conflicts.

iii. Safe environment

The Institute is committed to maintaining a safe and healthy environment for its staff, students, contractors and visitors. The responsibility for promotion and maintenance of a safe environment is primarily that of management. However, all staff must comply with the Institute's *Workplace Health and Safety Policy* to ensure their own and others' health and safety. Staff must be proactive in removing hazards in the workplace and take immediate action to report unsafe or unhealthy conditions or behaviour to their supervisor.

c) Integrity

i Ethics, Integrity and Reputation of the Institute

Staff share responsibility for the success of the Institute. Success is dependent upon upholding the Institute's integrity and maintaining its ongoing reputation for producing highly competent and ethical graduates. In undertaking their duties, staff must endeavor to provide a level of service that is expected for the Institute to achieve its stated aims and so earn public trust in its ability to deliver the best possible standard of higher education. Staff must also show commitment to maintaining the ethical standards that underpin professional as well as academic integrity in their teaching, research and community engagement. Staff should endeavor to enhance the Institute's reputation by taking a proactive role in its promotion, within the bounds of their professional responsibility. See the *Academic Quality Assurance Framework* for an overview of the processes that ensure high standards of academic integrity and continuous improvement of the Institute's quality of teaching and learning.

ii. Academic Integrity

Staff must comply with all policies related to academic integrity and assume responsibility in ensuring that students and staff under their supervision adhere to procedures outlined in the Institute's policies. In undertaking and/or supervising research, staff must comply with all policies relevant to research including, but not limited to, the *Code of Conduct for Research*, *Higher Degree Research Supervision Policy*, *Authorship Policy*, *Human Research Ethics Policy*, *Research Materials and Data Management Policy* and the *Academic Intellectual Property Policy*.

It is essential to the Institute's ongoing success that staff are committed to maintaining the highest possible level of academic integrity in their teaching and research. Staff have a responsibility to facilitate and educate students in academic integrity. They also have a responsibility to report and act upon instances of student academic misconduct as outlined in the *Student Academic Integrity Policy*.

iii. Accountability

The Institute is legally required to be accountable to external bodies for its operations and adheres to strict guidelines regarding records management. Staff must contribute to the Institute's accountability by maintaining transparency in all work-related activities. Staff must communicate openly and be able to justify decisions according to objective criteria. Staff are responsible for documenting and ensuring records are available that support their own accountability.

iv. Conflict of Interest

Conflicts of interest may affect, or be perceived to affect, sound and professional judgment adversely, and hence compromise the integrity of decision making processes. Staff should avoid situations giving rise to an actual, potential or perceived conflict of interest. Situations with the potential for conflict of interest include: interests such as remunerated positions or consulting arrangements with external entities; financial interests that could result in sustaining monetary gain or loss; interest in like-businesses such as other higher education providers; personal relationships including immediate family, relatives, sexual partners, rivals; and other private interests such as self-employment and

business interests including shareholdings and directorships.

Where a situation is unavoidable, staff are responsible for declaring such conflict of interest and for managing the situation in a transparent and appropriate manner, and consulting where appropriate with their Supervisor, Dean or the Provost. Procedures for identifying, disclosing and managing conflicts of interest are detailed in the Institute's *Conflict of Interest Policy*.

v. Gifts

The giving, seeking or acceptance of gifts and benefits may imply that there is an obligation to use influence to reward or provide favour. In order that staff are not compromised in terms of conflict of interest or perceived conflict of interest, the Institute provides clear boundaries regarding when gifts and benefits may and may not be accepted. Staff should follow protocols for dealing with offers of gifts and benefits as outlined in the Institute's *Gift and Benefits Policy and Procedure* document.

As a general rule, staff should decline offers of gifts and benefits. However, exception may be made for acceptance of small gifts of appreciation and hospitality, token gifts and official gifts, particularly in circumstances where it may be deemed offensive to refuse the gift. If in doubt about the acceptance of a gift, staff should seek advice from their supervisor and at all times remain transparent about the acceptance of the gift.

vi. Public Comment

Staff have a right to participate in public comment and debate in fields relating to their academic expertise. However, in expressing personal views, staff should do so without reference to their affiliation with the Institute. Staff should also be mindful that even when acting in a private capacity, they are employed in a profession that depends upon ethics and integrity and they have an obligation to promote professional responsibility.

When making public comment within their area of professional expertise and using their affiliation with the Institute, the impression should not be given that those views are necessarily representative of the Institute. Official views of the Institute, including responses to media enquiries, should be voiced by the Principal or nominee unless otherwise authorised. Similarly, no information regarding the Institute's policy or practice should be made public.

The *Academic Freedom Policy* provides further information on staff rights to freedom of expression along with responsibilities to be upheld.

vii. Social Media

The Institute recognises that social media may be an effective tool for student and staff connection. However, staff must be mindful of the reach of social media and recognise the potential for negative impacts from the use of social media sites such as Facebook, Twitter, WeChat and Instagram. Staff should communicate with students via the Institute's Moodle system. Students should also be encouraged to use the Moodle system for communication such as that required for the completion of Group-work. By limiting other social media interaction, staff minimise the risk of sharing inappropriate personal material as well as material such as completed assessments. This also limits the potential for staff to unwittingly make unauthorised public comment about the Institute. Finally, staff should exercise due diligence to ensure their professional reputation is not compromised by inappropriate use of social media, including any use outside of the workplace.

d) Economy and Efficiency I Resources

Staff must strive to use the Institute's resources efficiently and effectively. All staff are responsible for safeguarding the Institute's equipment and facilities and using them carefully and for the purpose for

which they are intended. In using the Institute's equipment, staff must assume responsibility for safety and report or act upon any damage or issue relevant to workplace health and safety.

It is essential that staff remain accountable for their use of resources and they must be able to justify any expenditure. Staff must not use the Institute's funds and resources for their own personal purposes or benefit.

Staff should seek guidance from management regarding their authority to complete financial transactions. Staff must adhere to the Institute's accounting procedures for recording and documenting financial transactions.

i. Information Security and Records Management

The Institute holds confidential and personal information and it is entrusted with maintaining confidentiality of this information. It is also essential that items such as assessment details remain secure and are not disclosed to third parties. Staff must act responsibly and not compromise the security of information. There must be no unauthorised access to the Institute's information systems.

Staff must also ensure that they do not damage or interfere with the Institute's management of official documents and files. This includes both physical documents and electronic data.

ii. External Work

Staff may undertake employment outside of their work at the Institute, particularly if it enhances their professional skills. External work includes both work connected with the Institute as well as external private work. Before commencing any external work, academic staff must obtain written prior approval from the Dean who must be assured that it will not interfere with their teaching, research and other administrative duties. The written approval from the Dean must be recorded by the Human Resource Manager. Before commencing any external work, administrative staff must obtain written prior approval from their supervisor. No external work will be permitted to be undertaken if the Dean or the Supervisor believes it conflicts with the work of the Institute. Sessional staff are not required to obtain approval to be engaged in other work but they are required to adhere to all other conditions listed below.

Staff members seeking approval to undertake private external work must declare any real or potential conflicts of interest situations. Conflict of interest may occur where the work includes activities that: compete directly with the Institute; affect the operations and decisions of the Institute; or adversely affect the reputation and standing of the Institute. Staff must make it clear that in their external role they are in no way representing the Institute. See the *Conflict of Interest Policy* for further information on disclosure obligations.

Staff may not use any of the Institute's resources, equipment or intellectual property whilst undertaking external work. This includes the use of course material if teaching at another educational institution. (See the Academic Intellectual Property Policy for further information) Finally, the Institute provides no indemnification or insurance cover for external private work.

5. Compliance Reporting and Discipline

This Code of Conduct aims to promote and facilitate ethical behaviour in all the Institute staff and breaches of, or non-compliance with, the Code will be viewed seriously. Staff have a responsibility to report to their supervisor any breaches of the Code.

Breaches of the Code will be investigated and dealt with according to the relevant Institute policy,

legislation or other industrial agreement. Breaches may, if found to be proven, result in disciplinary action, including dismissal. Allegations of serious misconduct will be dealt with in accordance with relevant legislation and reported to external authorities if appropriate.

The Institute's management will take all reasonable steps to protect the confidentiality of any person making a report in good faith. Disclosures that are found to be untrue and made with malicious intent will be viewed as breaches of the Code warranting possible discipline action.

6. Related Documents

Academic Freedom Policy

Academic Intellectual Property Policy

Academic Quality Assurance Framework

Access and Equity Policy

Authorship Policy

Bullying, Harassment and Discrimination Prevention Policy Staff Student

Code of Conduct for Research

Conflict of Interest Policy

Employee Handbook

Gifts and Benefits Policy and Procedure

Higher Degree Research Supervision Policy

Human Research Ethics Policy

Privacy Policy

Research Materials and Data Management Policy

Sexual Assault and Sexual Harassment Policy

Student Academic Integrity Policy

7. Version Control

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2021.02	Academic Board	11 February 2021
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