

LA TROBE UNIVERSITY

CODE OF CONDUCT

PURPOSE

This code of conduct has been prepared as an educative document to provide members of the University with an understanding of the standards required of them. Whilst it is beyond the scope of this document to articulate every possible situation that may arise it should be understood that a breach of the Code or the University policies referred to in the Code could result in disciplinary action being taken. Any such disciplinary action taken would be in accordance with the prevailing award, enterprise bargain agreement and/or University statute. Disciplinary action could result in a reprimand, demotion or dismissal, if substantiated. It is therefore a requirement that all members of the University familiarise themselves with this Code and take reasonable action to clarify any concerns by reference to appropriate University policy or by direct contact with an appropriate University officer.

POLICY

1. Overview

The Code of Conduct is a guide for members of the University in their dealings with other members of the University and with both national and international communities. The Code does not overrule obligations imposed by the Statutes and Regulations of the University nor exclude or replace rights and obligations arising from membership of professional and like organisations or rights and obligations under the common law.

Members of the University must evaluate the importance of their obligations to the University in the light of any allegiances which might create conflicts of interest. When a conflict of interest is perceived, an appropriate officer of the University should be apprised of the situation.

2. Members of the Council of the University

Once elected or appointed to the Council, a member must act in the interests of the University, not in a personal capacity or as a representative of the person or constituency responsible for election or appointment of the member. Accordingly, Council members in their capacity as such must:

- always act in the best interests of the University;
- respect the confidential nature of the business of Council;
- not make improper use of information or their positions;
- serve the interests of Council before the interests of others; and
- not promote the interests of others before those of the University.

A member of Council who does not abide by the above may be removed from membership at the discretion of Council.

3. **Members of Staff of the University**

The University is committed to the principle that academic freedom is essential to the proper conduct of teaching, research and scholarship. In this context staff should recognise not only their own rights, but also the rights of others. Moreover, staff must comply with the policies of the University with respect to equity and access.

The Code has been introduced to assist the University to maintain public trust and confidence in the integrity and professionalism of its staff by ensuring that all staff: maintain appropriate standards of conduct; exhibit fairness and equity in decision making; and maintain and enhance the reputation of the University. In the context of the above it is expected that staff will be bound by the following:

- The personal and professional behaviour of staff must conform to standards that could reasonably be expected for persons by virtue of their positions. Specifically staff must: perform their duties professionally, with care, skill, fairness and diligence; engage in ethical conduct; treat all others with courtesy and with due regard to their rights; be honest and fair in providing judgements; and treat students fairly and with courtesy, being available for consultation and providing timely comment and advice.
- The principles of natural justice and procedural fairness should be applied where staff make decisions of a discretionary nature or when resolving grievances. Affected persons must have reasonable opportunity to respond to allegations or assertions, and should have access to the University Ombudsman once all relevant avenues of appeal are exhausted.
- All staff of the University must strive to ensure that the working and learning environment of the University is free of harassment and discrimination. Conformity with relevant policies of the University is expected.
- Staff and students are entitled to confidentiality and privacy with respect to information relating to them. This imposes the clear obligation that staff maintain strict confidentiality, integrity and security over such information of a personal nature as they have access to in the course of their duties.
- Staff must not make improper use of information acquired in the course of their duties as Officers of the University or divulge confidential information or utilise commercially sensitive information for personal reasons. In this regard any information released must not be such that it could be construed as representing an official policy or position of the University unless it has been authorised by an appropriate officer.
- Staff are encouraged to exercise their rights to intellectual freedom through contributions to public debate and discussion on matters relevant to their areas of specialist knowledge and expertise. There is an

obligation to use this right in a manner which is consistent with an honest and informed search for and dissemination of knowledge and truth. Where informed comments are offered by staff it is expected that commentaries will lie within the areas of expertise of the commentators. The University places no constraint on the right of University staff freely to express opinions in their private capacities as members of society.

In making written or oral comments which purport to represent, or might reasonably be interpreted to represent, the views of the University, staff should ensure that they have proper authority granted by a person holding actual authority on behalf of the University.

- The resources of the University must be safeguarded and used properly and with care. Equipment must be used only for official, as opposed to, private purposes and persons who are not students or staff of the University must not use equipment of the University without the approval of a duly authorised officer of the University.
- Staff should exercise care in accepting gifts; these may be perceived as inducements to act in a particular manner thereby creating a real or apparent conflict of interest. Under no circumstances should gifts be solicited; they should only be accepted in accordance with the policies of the University.
- Outside consultancies and employment must only be undertaken in accordance with the policy of the University.
- Situations should be avoided where private interests of staff, pecuniary or otherwise, conflict or might be perceived reasonably to conflict with their duties to the University. Staff should: disclose to a relevant supervisor details of potential conflict of interest; terminate any supervisory or evaluative role where a conflict might occur; and refrain from involvement in decision making with respect to a person or person(s) with whom a personal relationship exists.
- Members of staff must: take reasonable care that their actions do not harm others in their places of work; comply with all requirements under occupational health and safety legislation; and ensure that personal use of alcohol or other substances does not affect the safety or well-being of others.
- Staff undertaking or assisting with research are required to comply with the *Guidelines for the Conduct of Research* of the University, and in particular to have approval of appropriate ethics committees before conducting research.
- Staff are obliged to comply with the Policies and with the Statutes and Regulations of the University.