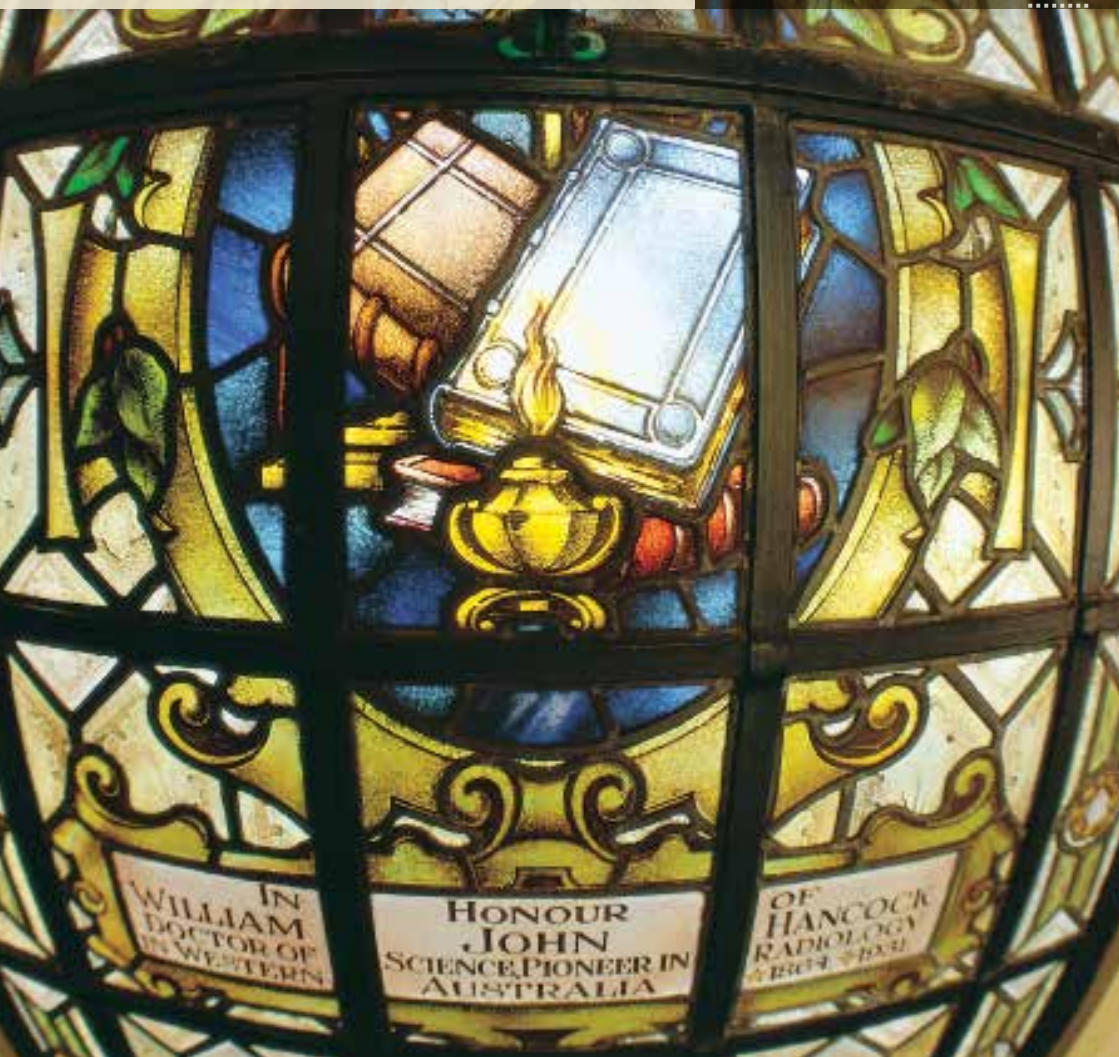




THE UNIVERSITY OF
WESTERN AUSTRALIA

A Code of Ethics and a Code of Conduct

For all University
Staff and Students
January 2014



Detail from stained glass window in memory
of W J Hancock. Winthrop Hall Foyer
University Archives 3593P (cropped).

The UWA Code of Ethics and Code
of Conduct was adopted by Senate,
March 1999 (subsequently amended).

Contents

Vice-Chancellor's Address _____	03		
Overview of Code of Ethics and Code of Conduct _____	04		
Code of Ethics _____	05		
Equity and Justice			
Respect for People			
Personal and Professional Responsibility			
Code of Conduct _____	06		
Introduction			
Obligation of Individuals _____	08		
1. Equity and Justice _____	08		
1.1 Equity of Access to Employment and Programs			
1.2 Achievement Relative to Opportunity			
1.3 Harassment			
Discrimination			
Bullying			
Disability Harassment			
Racial Harassment			
Sexual Harassment			
1.4 Academic Freedom			
1.5 Union Membership			
1.6 Lawful Obedience			
2. Respect for People _____	13		
2.1 Confidentiality			
2.2 Complaints			
2.3 Intellectual Property			
3. Personal and Professional Responsibility _____	14		
3.1 Fraud and Corruption			
3.2 Public Interest Disclosure			
3.3 Safety and Health			
3.4 Sustainability			
3.5 Use of University Facilities and Equipment			
3.6 Information Technology			
3.7 Social Media			
3.8 Public Comment			
3.9 Risk Management			
3.10 Ethical Conduct of Research			
3.11 Conflicts of Interest			
Research Conduct			
Professional and Personal Relationships			
Employment of Close Relatives			
Outside Employment and Private Practice			
Procurement			
Gifts and Benefits			
Hospitality			
3.12 Professional Development			
Appendix 1: Relevant Acts and Workplace Agreements _____	23		
Appendix 2: List of contacts for further information _____	24		



Vice-Chancellor's Address

Members of The University of Western Australia

The University of Western Australia is an institution recognised internationally for its pursuit of excellence. To ensure that members of our campus community and the wider communities in which we operate have confidence in this University, it is imperative that our employees and students act, and be seen to act, with ethics and integrity.

The Code of Ethics and Code of Conduct serve to communicate the expected ethical standards and standards of conduct required of all members of the University campus. Our success as an institution depends upon advancing the University's good reputation through the promotion of a campus culture of fair and ethical behaviour.

The Codes serve as a 'road map' for those who are new to this large and complex organisation, providing direction on a range of ethical issues that members of our campus community may confront in their daily work or study. The Codes are also regularly reissued to existing members of staff, to serve as a reminder of the expectations and obligations that form part of the employment contract with the University.

The University of Western Australia is committed to promoting a campus culture of fair, respectful and ethical behaviour. The University is also committed to complying with all applicable laws and standards, and encourages the reporting of corrupt practices, breaches of the law and matters detrimental to the University or its reputation.

If you are unsure of your rights and obligations with respect to any matter that arises during your time with the University, you are encouraged to seek advice. Relevant staff to contact with respect to the policies identified in the Code of Ethics can be found at Appendix 2.

If in doubt about any decision or action you are about to take, ask yourself these questions:

Would I like to be spoken to or treated in this way?

Would I want my words or actions to be a matter of public record?

How will taking this action reflect on my character, or the reputation of the University?



Winthrop Professor Paul Johnson

Vice-Chancellor

January, 2014

Code of Ethics – an Overview

The University's Code of Ethics is a statement of the ethical principles, values and behaviours expected of all staff and students at The University of Western Australia.

The Code of Ethics and Code of Conduct form part of the University's contract of employment with its staff and apply to all officers and employees of the University, whether full-time, part-time or casual appointees, and to members of the University's Senate. The Codes also apply to honorary and adjunct staff.

Visiting staff, and others acting in a voluntary capacity while participating in the life of the University community, are also expected to act in a manner consistent with the ethical and conduct obligations detailed in these Codes.

Contractors, their employees and representatives, and visitors engaging in any University-related activity are expected to conduct themselves in a manner consistent with the Codes.

It is a condition of enrolment that students adhere to the provisions of legislation and University policy including the Code of Ethics and Code of Conduct.

Code of Conduct – an Overview

The Code of Conduct details the legal and ethical obligations and expectations of all staff and students to act in accordance with the expressed standards of conduct, integrity and accountability contained in relevant legislation, University policies and Agreements.

Individuals employed or enrolled at The University of Western Australia are responsible for their own behaviour and obliged to conduct themselves in keeping with the provisions of the Code of Ethics and Code of Conduct with regard to each and every undertaking associated with University business.

Where staff conduct does not meet the standards set out in this Code of Conduct, and related policies, action may be taken under the Misconduct provisions of the relevant Collective Workplace Agreement (ref Appendix 1).

Where student conduct does not meet the standards set out in the Code of Conduct, and related policies, action may be taken under Statute 17, Student Discipline and Regulations for Student Conduct and Discipline.

Code of Ethics

This **Code of Ethics** is a statement of the ethical principles, values and behaviours expected of staff and students at The University of Western Australia. It flows from the following statement in the University's Strategic Plan:

The University fosters the values of openness, honesty, tolerance, fairness and responsibility in social and moral, as well as academic matters.

The **Code of Ethics** is intended to assist staff and students to identify and resolve ethical issues that might arise during their employment or in the course of their studies. It is designed to guide them in their dealings with colleagues, students, the University, and local, national and international communities. The **Code of Ethics** puts forward a set of general principles rather than detailed prescriptions. It stands beside, but does not exclude or replace, the rights and obligations of staff and students under common law or legislation. The **Code of Conduct** then provides more specific information about the University's policies, rules and expectations based on these principles.

The University is a complex organisation comprising diverse groups that have different relationships to one another.

These may be relations of power and/or status. It is essential in such a community that all members recognise and respect not only their own rights and responsibilities, but also the rights and responsibilities of other members of the community and those of the University itself.

The University recognises that many of its staff are also bound by codes of conduct or ethics defined by learned or professional societies or groups. Staff may have multiple allegiances: to their disciplines or profession at national and international levels (the invisible colleges), to the academic profession, to the community at large and to the University. Staff and students may also have allegiances to particular religious or cultural traditions. It is recognised that these allegiances are not always in harmony. It is an obligation of a staff member or student to weigh the importance of these allegiances in each particular set of circumstances and to notify an appropriate officer of the University where such conflict does or may arise.

The **Code of Ethics** is based on three universal ethical principles. These are:

Equity and Justice

People are to be treated fairly – not discriminated against, abused or exploited. Justice is concerned with power sharing and preventing the abuse of power. In a just community all members can access opportunities that allow for their full participation in that community.

Respect for People

People should be treated as individuals with rights to be honoured and defended.

Respect empowers others to claim their rights and to achieve their potential.

Respect for the rights of other people is the basis on which individuals become members of a community and accept their social responsibilities to behave with integrity.

Membership of a community means that individuals not only have rights but also duties and responsibilities to others to act openly and honestly. Demonstrating respect for persons requires, for example, dealing with disagreements by reasoned argument rather than by using language (words, style and tone) that have the effect of inappropriately attacking or demeaning the listener.

Personal and Professional Responsibility

The principle of taking personal and professional responsibility requires not only that people avoid doing harm to others but also that they exhibit courteous behaviour, upholding the standards expected of all members of the University community as part of achieving a common good. In so doing they are expected to protect the rights of others and respect the diversity of cultures and peoples. Those well-positioned to assert their rights have a reciprocal duty to exercise care towards those who depend on them for their well-being. This principle involves stewardship of assets, resources and the environment.

When a conflict arises between a staff member's or student's self-interest and duty to the University, the issue should be disclosed to an appropriate officer of the University. Wherever feasible the staff member or student should not play a role in decision-making that might be associated with that issue.

The **Code of Ethics** underpins a **Code of Conduct** that outlines the actions or procedures applicable to employees and students at The University of Western Australia for a range of specific ethical issues.

Code of Conduct

The **Code of Conduct** is based on principles, values and behaviours outlined in the **Code of Ethics**. This **Code** applies to all staff and students of the University. Contractors, their employees and representatives, and visitors engaging in any University-related activity are expected to conduct themselves in a manner consistent with this **Code**.

The **Code of Conduct** underlines:

- The rights of employees to be treated fairly and equitably in the workplace;
- Avenues for resolving complaints or breaches of policies and Codes; and
- The legal and ethical obligations and expectations of all students and staff to act in accordance with the expressed standards of conduct, integrity and accountability contained in relevant legislation, University policies and Agreements.

The objectives of the **Code** are to:

- Provide direction to staff and students around expected conduct whilst affiliated with the University;
- Assist staff and students in dealing with ethical issues in ways that reflect the University's values and standards;
- Promote professionalism and excellence;
- Express shared assumptions and organisational values;
- Provide staff and students with direction in ethically ambiguous situations;
- Detail the University's social responsibilities; and
- Provide a statement on public accountability and corporate governance.

The **Code** does not supersede other policies or agreements that The University of Western Australia has in place. Appendix 1 contains a list of Acts relevant to the **Code of Conduct**, and reference is made to relevant University policies and Collective Workplace Agreements throughout this document. Appendix 2 provides a list of contact positions for further information on specific matters contained in the **Code of Ethics and Code of Conduct**.

The **Code of Conduct** does not and cannot cover every possible situation.

You can, however, test yourself on whether your behaviour is ethical by asking yourself five questions:

- Would I be happy to have what I am saying or doing be on the public record or appear on the front page of the newspaper?
- Does what I am saying or doing serve a purpose beyond self-interest?
- Would I like to be spoken to or treated in this way?
- How will taking this action reflect on my character, or the reputation of the University?
- What would the University be like if we all made decisions like this or behaved in this way?

Members of this University should be aware that any breach of this **Code** may result in disciplinary action being taken under the University's Collective Workplace Agreements.

UWA Collective Workplace Agreements
hr.uwa.edu.au/2128279

Obligation of Individuals

Individuals employed or enrolled at The University of Western Australia are responsible for their **own behaviour** and **obliged to conduct themselves** in the following manner with regard to each and every undertaking associated with University business:

- Behave honestly and with integrity;
- Act with care and diligence;
- Treat everyone with respect and courtesy and without harassment;
- Use University property and money efficiently, carefully and honestly with due authorisation and without misappropriation;
- Comply with all applicable laws;
- Comply with any lawful or reasonable direction given by a person with the authority to give the direction;
- Behave in a way that upholds the values, integrity and reputation of the University of Western Australia.

Failure to act in accordance with these obligations can be a cause for investigation under the relevant Misconduct provisions of the University Collective Workplace Agreements or under Statute 17, Student Discipline and Regulations for Student Conduct and Discipline.

1. Equity and Justice

The University has adopted the following Equal Opportunity Policy Statement:

The University of Western Australia is committed to a policy of equal opportunity in employment and education. The University accepts that it has a responsibility to create an environment free from discrimination, and to ensure that the principle of merit operates unhindered by regard to irrelevant criteria. To this end the University will act to ensure that its structures are free from direct or indirect discrimination on the grounds of sex, marital status or pregnancy, race, age, sexual orientation, gender identity, religious or political beliefs, impairment, family responsibility or family status. (Senate 1993, amended 2002)

Equal Opportunity and Affirmative Action Policy Statement

hr.uwa.edu.au/2203032

1.1 Equity of access to employment and programs

The University is committed to providing an environment of equal opportunity, free from discrimination, for existing and prospective staff and students in the pursuit of their academic and professional goals and the realisation of their potential to contribute to the achievement of the University's

mission. This objective is supported by an employment philosophy of providing job security through ongoing employment where possible, and encouraging flexible work practices that accommodate a range of needs in a diverse workforce. The University seeks to remove any barriers that may impede full access to the benefits and conditions of employment and the delivery of University services.

University Policy on: Flexible Work and Leave Practices
governance.uwa.edu.au/policy/UP09/3

The UWA Disability Access and Inclusion Action Plan 2011 – 2016
hr.uwa.edu.au/2191153

University Policy on: Mental Health
governance.uwa.edu.au/policy/UP10/8

University Policy on: Diverse Sexualities and Genders
governance.uwa.edu.au/policy/UP12/10

1.2 Achievement Relative to Opportunity

The University is committed to the fair assessment of employees and a workplace culture that values and supports life balance in order to attract, develop and retain the highest quality staff.

In employment related decisions, the assessment of merit will focus on relevant performance standards while considering the overall quality, talent, excellence and impact of an employee's contributions. The University recognises that personal

or workplace circumstances, constrained opportunities, or periods of time away from work, may result in lower quantifiable outputs than those expected of people who have been engaged in full-time ongoing work.

The University requires that decision making in competitive selection processes allows for a fair consideration of an employee's capacity to meet the genuine requirements of the decision being made. The University recognises that the assessment of merit will maintain a focus on pertinent performance standards, while taking into weighted consideration the overall quality, talent, excellence and impact of contributions.

University Policy on: Achievement Relative to Opportunity
governance.uwa.edu.au/policy/UP13/3

1.3 Harassment

The University is committed to maintaining an environment where students and staff are valued, respected and able to realise their full potential. Harassment and discrimination of any form such as sexism, racism or bullying has no place in such a culture. All forms of harassment and discrimination are serious issues that undermine morale and can adversely affect the ability of staff and students to feel included within the University. Such behaviour is unacceptable and all complaints will be dealt with fairly and promptly. In particular, the University will not tolerate bullying or harassment including disability, racial, or sexual harassment. Disciplinary action will apply to any staff

member or student who is found to have harassed another member of the University community.

Harassment and discrimination are contrary to the principles developed in the University's **Code of Conduct** and Equal Opportunity policy. In addition to University policies, the University is bound by legislation which makes harassment and discrimination unlawful.

Established cases of harassment or discrimination will be addressed under the Misconduct provisions of the University's Collective Workplace Agreements, or under Statute 17, Student Discipline and Regulations for Student Conduct and Discipline.

hr.uwa.edu.au/2128279

governance.uwa.edu.au/2315869

Discrimination

Under Equal Opportunity legislation, discrimination occurs when a person, or a group of people, are treated less favourably than another person or group, in the same or similar circumstances, because of irrelevant attributes such as their age; race (including colour, descent, national or ethnic origin); sex; marital status, pregnancy, or family responsibilities; disability; political or religious conviction; and sexual orientation or gender history.

Indirect discrimination occurs when an apparently neutral requirement, condition or rule unfairly impacts on people with a particular attribute or characteristic (e.g. disability, gender or race) compared to

people without that attribute, and the rule or requirement is not reasonable in the circumstances. For example, providing a service on the first floor of a building where the only access is by stairs could, in some circumstances, be considered indirect discrimination against a person with impaired mobility.

It is the responsibility of all employees to take steps to prevent incidents of unlawful discrimination on campus.

Equal Opportunity and Affirmative Action Policy Statement

hr.uwa.edu.au/2203032

Prevention and Resolution of Campus Bullying

The University acknowledges that all employees and students have the right to work and study in an environment free from bullying. The University has a duty of care to all members of its community and violence, aggression and bullying are unacceptable.

A common definition of bullying is:

Repeated, unreasonable or inappropriate behaviour directed towards an employee or student, or a group of employees or students, that creates a risk to health and safety.

A workplace situation may be identified as bullying if an employee or employees

are harmed, intimidated, threatened, victimised, undermined, offended, degraded, or humiliated, whether alone or in front of other employees, students or visitors to the University. In order to maintain objectivity for investigation and litigation purposes, the 'reasonable person' test applies – workplace bullying is predicated on a pattern of behaviour that a reasonable person in the circumstances would view as victimising, humiliating, undermining or threatening.

The general 'duty of care' provisions embedded in legislation apply to all staff, and every employee must be aware of their duty not to place the safety and health of others at risk by engaging in violence, aggression or bullying behaviour. Likewise, students have a right to expect, and responsibility to maintain, a safe and respectful environment. The University encourages all employees and students to report incidents of bullying that they witness.

Established cases of bullying will be considered as serious misconduct under the respective UWA Collective Workplace Agreements, and as misconduct under Statute 17, Student Discipline.

Bullying does not include the exercise of the University's legal right (and the manager's/supervisor's responsibility) to direct and control how work is done, monitor workflow, and give feedback on performance so long as this is done respectfully and objectively.

University Policy on: Prevention and Resolution of Bullying on Campus
governance.uwa.edu.au/policy/UP07/10

UWA Collective Workplace Agreements
hr.uwa.edu.au/2128279

Statute 17 Student Discipline and Regulations for Student Conduct and Discipline
governance.uwa.edu.au/2315869

Disability Harassment

Disability harassment is any verbal, physical or written act taken in relation to a person with a disability that is reasonably likely to humiliate, offend or distress the person, or an associate of the person with a disability, such as a relative or carer. The University is required to take reasonable steps to ensure staff members are aware of their obligations under the **Disability Standards for Education** 2005 and know what action to take if harassment occurs.

Disability Standards for Education 2005
comlaw.gov.au/Details/F2005L00767

The UWA Disability Access and Inclusion Action Plan 2011 – 2016
hr.uwa.edu.au/2191153

University Policy on: Mental Health
governance.uwa.edu.au/policy/UP10/8

University Policy on: Disability and Medical Conditions
governance.uwa.edu.au/policy/UP12/12

Racial Harassment

Racial harassment is any verbal, physical or written act which is based on a person's colour, physical characteristics, descent, country of origin, ethnic background or nationality, and is unwanted, unacceptable and offensive to the person, or those related to, or closely associated with, that person. The WA **Equal Opportunity Act** and Commonwealth **Racial Discrimination Act** make racial harassment in employment and education unlawful. Racial harassment conflicts with the University's Equal Opportunity and Affirmative Action Policy and with the rights of all staff and students to receive fair and equitable treatment.

University Statement on Racial Harassment
hr.uwa.edu.au/22030

Sexual Harassment

Sexual harassment is unwelcome, unsolicited and unreciprocated conduct with a sexual component which offends, intimidates, embarrasses or humiliates a person. It does not include mutual attraction, consensual romantic involvement or friendship. Inappropriate conduct can be in the form of words or actions, including circulating or displaying written or pictorial material that is sexually offensive or belittling in any form, including print, email, text messaging and, where specifically directed toward a person, on social networking websites.

Sexual harassment involving a physically violent and/or coercive component such as physical molestation or assault, persistent

following or stalking, indecent exposure, and obscene communications in any media, may be considered sexual assault and possibly a criminal offence.

Established cases of sexual harassment will be considered as serious misconduct under the UWA Collective Workplace Agreements.

University Policy on: Sexual Harassment
governance.uwa.edu.au/policy/UP07/16

Charter of Student Rights and Responsibilities
student.uwa.edu.au/2377480

1.4 Academic Freedom

Academic freedom is recognised and protected by this University as essential to the proper conduct of teaching, research and scholarship. Freedom of intellectual thought and enquiry and the open exchange of ideas and evidence are a University core value. All academic and research staff should be guided by a commitment to freedom of inquiry and exercise their traditional rights to examine social values and to criticise and challenge the belief structures of society in the spirit of a responsible and honest search for knowledge and its dissemination. In this context students have the right to participate in political activities on campus. (See also 3.8 Public Comment)

1.5 Union Membership

University staff and students have the right to choose whether or not to join a trade union or association. Similarly, those who

choose to join may also choose whether or not to participate in union activities.

1.6 Lawful Obedience

All members of the University must act lawfully, comply with all relevant legislative and industrial requirements, act within their delegations of authority, and comply with University policies. See the list of the relevant Acts at Appendix 1.

2. Respect for People

2.1 Confidentiality

Staff members who have access to official University documentation and information must take care to maintain the integrity, confidentiality and privacy of such information to protect any individual concerned. Members of the University should also undertake to maintain the privacy of oral communications where that has been requested.

However, the University has both legal obligations and a duty of care to all its employees and students which may take precedence over a complainant's desire for confidentiality. Duty of care considerations will include an assessment of the safety of people involved in the matter, and may require employee reallocation or adjustment of duties and reporting lines, or University timetable, while the matter is addressed.

Staff files are highly confidential records relating to staff members. It is essential that staff members feel confident that information relating to them is treated in an appropriate manner, with due attention

paid to the need for non-disclosure of file contents outside normal University business transactions. Staff must take care to respect the confidentiality and privacy of students and only provide information when authorised by the Registrar's Office or for legitimate purposes.

Access To and Use of Staff Files
hr.uwa.edu.au/2229835

University Policy on: Professional and Consultative Work
governance.uwa.edu.au/policy/UP07/204

About the **Freedom of Information Act**
legalservices.uwa.edu.au/2186394

University Statement on Privacy of Electronic Material
is.uwa.edu.au/1856503

2.2 Complaints

Staff and students of this University are entitled to fair and equitable complaint procedures. The University has a number of avenues for assistance with complaints and disputes, depending on their nature. These include the Equity and Diversity Adviser Scheme, Employee Relations and Management Services, Equity and Diversity, Complaints Resolution, and the UWA Student Guild. Contact details are listed in Appendix 2.

The University is bound by the WA **Public Interest Disclosure Act** which permits complaints about University staff

to be investigated on a protected and, if necessary, anonymous basis. In some circumstances, or if you are afraid of repercussions, it may be necessary to raise an issue directly with one of the University's Public Interest Disclosure Officers to discuss the matter. See 3.2 'Public Interest Disclosure' for further information and Appendix 2 for contact details.

To support the resolution of complaints a framework has been developed and can be found at uwa.edu.au/university/complaints/community/framework. Student, staff and community specific information has also been developed and is available from the Complaint Resolution Unit or on the web as below:

Student
student.uwa.edu.au/life/complaints

Staff
staff.uwa.edu.au/procedures/complaints

Community
uwa.edu.au/university/complaints/community

2.3 Intellectual Property

Intellectual Property is recognised by this University and stipulates that the benefits should provide equitable returns to the originators of intellectual property, both as an incentive and reward, as well as to the University. Regulations provide for the ownership of intellectual property created by students and staff of the University.

Intellectual Property includes inventions and copyright in various types of work.

University Policy on: Intellectual Property
governance.uwa.edu.au/policy/UP07/49

Intellectual Property Regulations
governance.uwa.edu.au/2316212

3. Personal and Professional Responsibility

3.1 Fraud and Corruption

The University Policy on Fraud and Corruption, in conjunction with the Guidelines for Dealing with Fraud and Corruption at UWA, clarifies the responsibilities of all University staff in creating an honest, ethical and professional workplace, and outlines the requirements and protocols for raising issues of suspected fraud and corruption and the conducting of investigations, including referral to the Corruption and Crime Commission of Western Australia.

Fraudulent and corrupt conduct generally involves behaviour that is deliberately dishonest or deceitful and involves the abuse of trust which leads to a person gaining a benefit from these types of actions. The Guidelines for Dealing with Fraud and Corruption at UWA may assist in identifying activities considered to be fraudulent or corrupt conduct within the University. Examples include unauthorised use of University property, undeclared conflicts of interest, falsifying or manipulating research data, misrepresenting a person's involvement in

research/projects, or making false claims of expenses or leave entitlements.

Employees at all levels within the University have a duty to report any act or situation that may be suspected as fraudulent or corrupt as soon as they are aware of these circumstances. If you believe that a person is involved in fraudulent or corrupt activities, you should follow the University's normal channels for reporting misconduct. However in some circumstances, or if you are afraid of repercussions, it may be necessary to raise an issue directly with a senior manager, or one of the University's Public Interest Disclosure Officers to discuss the matter. See 3.2 below for further information and Appendix 2 for contact details.

University Policy on: Fraud and Corruption
governance.uwa.edu.au/policy/UP08/4

Guidelines for Dealing with Fraud and Corruption at UWA
hr.uwa.edu.au/2215113

3.2 Public Interest Disclosure

The University is bound by the WA **Public Interest Disclosure Act** which permits complaints about University staff to be investigated on a protected and, if necessary, anonymous basis. Because the University falls under this **Act**, staff and students who report such behaviour to one of the University's Public Interest Disclosure Officers are provided with protection for doing so. Those who are alleged to have committed corrupt or other improper

behaviour are also protected by the **Act's** provisions on confidentiality.

The University's policy on Public Interest Disclosure will be released in 2014 and will be located at governance.uwa.edu.au/2374334

The University Public Interest Disclosure Officers are the Director of Legal Services, Director of Human Resources, and Manager, Complaints Resolution. Contact details are in Appendix 2.

3.3 Safety and Health

The University is committed to providing and maintaining safe workplaces, plant and systems of work as far as reasonably practicable. All activities are required to be properly planned and conducted in accordance with legislative, industry and relevant standards to ensure the safety, health and welfare of all participants and others.

All persons who organise or conduct activities for or on behalf of the University are responsible for acquiring and keeping up to date knowledge of safety and health matters and ensuring that appropriate resources and processes for eliminating or minimising risks from hazards are in place. Effective communications and compliance through documentation, inspection and reviewing of activities is required in order to demonstrate due diligence.

All staff and students are required to take reasonable care of their safety and health

and that of others, follow all safety and health policies and procedures and report all known or observed hazards, incidents and injuries.

Safety and Health – Policies, Procedures and Guidelines
safety.uwa.edu.au/1720806

3.4 Sustainability

A world-class organisation is recognised by its capacity to develop and harness the capabilities of its staff and resources through effective management with a commitment to sustainability principles and practices. The University embraces this direction. The UWA Operational Priorities Plan for 2009-2013 establishes objectives for a sustainable future for the University. The University aims to:

- Minimise the University's impact on world climate change;
- Minimise use of finite resources;
- Better manage and reduce overall resource use;
- Identify and address service problems highlighted by energy and water conservation projects;
- Set an example for leadership in sustainability and responsibility toward the environment;
- Provide a healthier workplace; and,
- Record and promulgate all sustainability achievements.

Under the direction of the Vice Chancellor's Committee for Sustainable Development, environmental sustainability becomes the responsibility

of all managers, staff and students. This includes the management and planning in areas of energy, recycling, water, transport, built form, landscape, communication, and engagement and opportunities to engage with teaching and research.

Sustainable Development Plan
sd.fm.uwa.edu.au/1881514

3.5 Use of University Facilities and Equipment

Members of the University are expected to use all University facilities and equipment efficiently, carefully and honestly. Resources should be used economically, secured against theft or misuse and waste avoided. These resources should not be used for personal purposes unless express permission has been granted in accordance with University policy.

University Finance Manual
finserv.uwa.edu.au/2152805

University Policy on: Professional and Consultative Work
governance.uwa.edu.au/policy/UP07/204

University Information Technology and Communications Policies and Regulations
is.uwa.edu.au/1785606

3.6 Information Technology

The University places a high value on integrity, professionalism and respect for

others. While the University does permit moderate use of UWA IT facilities for private use, members of the University must be particularly conscious of these values when accessing the internet, sending and receiving email, and using social networking sites. Inappropriate use of information technology, in particular, accessing or disseminating offensive material via the internet or email contravenes University Regulations and may be unlawful. The University has formally adopted a number of IT Policies and, unless otherwise indicated, they are binding upon all members of and visitors to the University. Disciplinary action may apply to staff or students found in breach of the University's IT Policies and the Computer and Software Use Regulations.

University Information Technology and Communications Policies and Regulations
is.uwa.edu.au/1785606

University Policy on: Use of Email
governance.uwa.edu.au/policy/UP07/43

3.7 Social Media

The University recognises that social media is a term which encompasses the various activities that integrate technology, social interaction, and the construction of words, pictures, videos and audio. For many people, participation in social media technologies is an integral aspect of their professional and social lives, which may lead to a blurring of the public face and private identity of employees.

The University has a particular concern regarding the ease with which professional distance and personal use can be blurred. Employees' use of social media, either in a professional or personal capacity, can challenge the privacy, security and reputations of other employees, students and/or The University. Therefore, individual employees of the University are obliged to:

- be responsible for what they write;
- respect their audience, both visible and invisible; and
- respect copyright.

Any activity which represents a failure to meet these obligations may be determined as misconduct or serious misconduct, resulting in disciplinary action including termination of employment.

The authorised use of media forums, including social media, in any authorised capacity on behalf of the University to announce achievements and public comments within an area of expertise, is outlined in 3.9 'Public Comment' below.

The Social Media policy outlines appropriate participation in social media communication, examples of social media technology, and of situations that may be considered misuse. Employees have a responsibility to familiarise themselves with this and other related IT policies.

University Policy on: Social Media
governance.uwa.edu.au/policy/UP11/22

3.8 Public Comment

Public comment includes public speaking engagements, comments on radio or television, and expressing views in letters to newspapers or in books, journals or notices, or where it might be expected that the publication or circulation of the comment may spread to the community at large, such as through social networking websites.

Staff members are encouraged to comment publicly in relation to their area of professional expertise. When staff members are representing the University the highest ethical and professional standards are expected of them primarily due to the sensitivity of some issues within the community.

Staff members in their capacity as private citizens have a right to make public comments. If a staff member is publicly commenting on an issue not within their professional expertise, the staff member must make it clear that the comment is being made in a private capacity.

UWA Guidelines for Media Engagement
staff.uwa.edu.au/2052991

3.9 Risk Management

Risk Management is a formal process for identifying, analysing, evaluating and treating the uncertainty associated with any activity, process, function or service undertaken by the University. Formal Risk Management aids decision-making by taking account of uncertainty and the effect

this may have on achieving the University's objectives. It is an integral part of day to day operations and is an important element of effective internal control. Managers and staff at all levels are responsible for developing an understanding of and becoming competent in the implementation of risk management principles and practices in their work areas. ISO 31000 is the international standard which guides the University's approach to risk management.

Risk Management at UWA
staff.uwa.edu.au/1936522

3.10 Ethical Conduct of Research

The University expects all those engaged in research to observe high ethical standards in the conduct of that research and, when relevant, to comply with the obligations imposed by the codes of practice as outlined by the University and other relevant funding bodies. Ethical clearances must be gained where appropriate.

UWA Code of Conduct for the Responsible Practice of Research
research.uwa.edu.au/page/73822

Australian Code for the Responsible Conduct of Research
nhmrc.gov.au/guidelines/publications/r39

Australian code for the care and use of animals for scientific purposes
nhmrc.gov.au/guidelines/publications/ea28

National Statement on Ethical Conduct
in Human Research

[nhmrc.gov.au/guidelines/publications/
e72](http://nhmrc.gov.au/guidelines/publications/e72)

National Framework of Ethical Principles
in Gene Technology

[ogtr.gov.au/internet/ogtr/publishing.nsf/
Content/commpub-1](http://ogtr.gov.au/internet/ogtr/publishing.nsf/Content/commpub-1)

3.11 Conflicts of Interest

A conflict of interest includes any circumstance, whether actual or perceived, arising from conflict between the performance of public duty and private or personal interests. It arises where there is a reasonable expectation of direct or indirect benefit or loss for an individual employee with a particular personal interest that could be influenced in favour of that interest, in the performance of their duties. The benefit or loss may be financial or non-financial.

Staff members should take suitable measures to avoid, or appropriately deal with, any situation or relationship in which they may have, or be seen to have, a conflict of interest that could, directly or indirectly, compromise the performance of their duties. When staff members become aware of such a situation they should take appropriate steps to disclose the conflict or potential conflict. Failure to do so and continuation of such a conflict of interest will lead to disciplinary action.

The following questions may assist in identifying whether a situation or relationship is potentially a conflict of interest:

- Do I have personal or private interests that may conflict, or be perceived to conflict, with my public duty?
- Could there be benefits for me now, or in the future, that could cast doubt on my objectivity?
- How will my involvement in the decision or action be viewed by others?
- Does my involvement appear fair and reasonable in all the circumstances?

Activities that present such serious problems as to be incompatible with University policies include:

- A staff member involved in the admission, supervision, assessment or examination of a student with whom they have, or have had, a close personal or financial relationship;
- A staff member with responsibility for the supervision or assessment of a student or another member of staff with whom they have or have had a sexual relationship.

University Policy on: Conflicts of Interest
governance.uwa.edu.au/policy/UP12/32

Research Conduct

Disclosure of any potential conflict of interest is essential for the responsible conduct of research. Researchers have an obligation to disclose any affiliation with, or financial involvement in, any organisation or entity with a direct interest in the subject matter or materials of researchers. A conflict of interest may also arise if any organisation or entity with a direct interest in the subject matter provides direct benefits

to the researchers such as sponsorship of the investigation, or indirect benefits such as the provision of materials or facilities, or the support of individuals such as provision of travel or accommodation expenses to attend conferences.

UWA Code of Conduct for the Responsible Practice of Research
research.uwa.edu.au/page/73822

Australian Code for the Responsible Conduct of Research
nhmrc.gov.au/guidelines/publications/r39

Professional and Personal Relationships

Examples of relationships that may cause conflicts of interest are: family relationships, positive and negative emotional relationships (including all sexual relationships, antagonisms, close friendships), and financial relationships, including sponsorships.

University Statement on: Professional Relationships in the Workplace
hr.uwa.edu.au/2202722

Employment of Close Relatives

The employment of relatives is only acceptable when the appointment is made in line with University policy regarding appointment of new employees. Prior approval must be sought from the Dean, or Executive Director where a staff member is required to directly supervise a relative. A member of staff should not take any direct part in the selection process for an

appointment for which a family member is a candidate. The relationship to which this policy applies includes those of parent and child, siblings, wife and husband, including de-facto relationships and same sex partners.

University Policy on: Employment of Relatives and Close Friends
governance.uwa.edu.au/policy/UP07/183

Outside Employment and Private Practice

Professional and consultative work carried out by members of staff in their area of expertise may be of benefit to the University, the individual and the community, provided certain conditions are met. Professional and consultative work should be related to the work of the University and should not conflict with the interests of the University. Consulting is a privilege not a right and requires approval by the Head of School or equivalent.

University Policy on: Professional and Consultative Work
governance.uwa.edu.au/policy/UP07/204

Procurement

It is the responsibility of every staff member of the University involved in the supply of goods or services, to or for the University, to declare in writing all relevant interest that the staff member may have in any proposed transaction.

In particular, those staff who deal directly with suppliers must:

- Ensure that their processes are open and transparent;

- Not engage in misleading or deceptive conduct;
- Not transact with suppliers for private or unauthorised use; and
- Not compromise the University's standing or integrity of its purchasing activities through the acceptance of gifts or hospitality.

In the event of doubt or when there are perceptions of conflict, further advice should be sought from the Strategic Procurement team. (See also Gifts or Benefits and Hospitality below).

University Finance Manual, Expenditure Policy

finserv.uwa.edu.au/2189434

Conflicts of Interest in University Business

finserv.uwa.edu.au/2152805

University Purchasing Policies and Procedures

finserv.uwa.edu.au/2177807

University Policy on: Professional and Consultative Work

governance.uwa.edu.au/policy/UP07/204

Gifts or Benefits

Staff members should not solicit, encourage or accept gifts or benefits if it could be reasonably seen as an inducement to act in a particular way, or to place a staff member under an obligation that may either directly or indirectly compromise or influence them in their official capacity. In particular,

University employees should indicate to the prospective givers that gifts cannot be accepted from those with whom the University has, or potentially has, commercial dealings.

Staff members who receive small gifts or tokens of appreciation may retain those items as personal property or donate them to the University. Small gifts are defined as having an estimated value of up to \$100.00. A recipient of a gift in excess of an estimated \$100.00 value must obtain **written** approval to retain the gift as personal property from a band 4a or higher officer.

As a general guide, School Managers or equivalents and above (subject to approval), may authorise expenditure on floral tributes, small gifts and other tokens of appreciation in the event of the death or serious illness of a staff member or person with an identifiable relationship with the University, work-related special occasions such as an important official visit or guest speaker at the University or the retirement of a long-serving member of University staff.

University Finance Manual: Floral Tributes, Small Gifts and Tokens of Appreciation

finserv.uwa.edu.au/2152805

Hospitality

The University recognises that the provision of hospitality can result in significant benefits to the institution through promoting its activities. The extension of hospitality by University staff in the furtherance of

University objectives is therefore regarded as a legitimate professional activity. Hospitality is defined as the provision of meals or refreshments to persons who are visiting the University for business reasons, tourist activities and entertainment events which relate to the activities of the University, and light refreshments for internal meetings, conferences, workshops and seminars.

Appropriate occasions for the provision of hospitality at functions attended only by University staff include celebration of a notable achievement by a staff member or a group of staff, farewells to retiring staff, training programmes, and recognised festivals such as Christmas. Hospitality may only be authorised by Deans, Heads of School and equivalent staff with delegated authority. It is their responsibility to determine the nature and extent of hospitality provided. In all cases there is an expectation of 'reasonableness' which is established in the University Finance Manual.

University Finance Manual: Hospitality Expenditure Policy
finserv.uwa.edu.au/2152805

Financial Delegations – To Authorise Hospitality
finserv.uwa.edu.au/2152908

Fringe Benefits Tax – Hospitality
finserv.uwa.edu.au/2161723

3.12 Professional Development

All staff must maintain and develop knowledge and understanding of their area of expertise or professional field. They should continuously seek to improve work performance with an emphasis on quality skills. All staff should actively seek out ways to bring about improvements in their workplaces. Students should endeavour to take full value of their learning opportunities while at The University of Western Australia

Staff Professional Development
hr.uwa.edu.au/2220096

Staff Development Grants and Awards
hr.uwa.edu.au/2190414

Leave for Professional Development and Study
hr.uwa.edu.au/2243953

University Policy on: Reimbursement of Student Contribution Amount
governance.uwa.edu.au/policy/UP07/246

University Policy on: Graduate Research Training
governance.uwa.edu.au/policy/UP12/11

For the annual Calendar of Staff Development Programs and Workshops, see:
hr.uwa.edu.au/2179879

Appendix 1

Relevant Acts and Workplace Agreements

There are a number of Commonwealth and State Acts relevant to members of this University. While the University has policies, guidelines, awards and agreements that reflect this legislation, such Acts take precedence over any internal policies or practices (including this **Code**). Relevant examples of this legislation are:

State Legislation

Animal Welfare Act
Corruption and Crime Commission Act
Criminal Law Amendment Act
Disability Services Act
Equal Opportunity Act
Financial Management Act
Freedom of Information Act
Gender Reassignment Act
Industrial Relations Act
Industrial Training Act
Lesbian and Gay Law Reform Act
Minimum Terms of Employment Act
Occupational Safety and Health Act
Public Interest Disclosure Act
The University of Western Australia Act
Worker's Compensation and Injury Act

Commonwealth Legislation

Age Discrimination Act
Australian Human Rights Commission Act
Copyright Act
Disability Discrimination Act
Disability Standards for Education
Fair Work Act
Gene Technology Act
Greenhouse and Energy Reporting Act
Privacy Act
Racial Discrimination Act
Sex Discrimination Act
Superannuation Acts (various)
Taxation Acts (various)
Telecommunications Acts (various)
Workplace Gender Equality Act

University Collective Workplace Agreements

The University of Western Australia Academic Staff Agreement 2010
The University of Western Australia Professional and General Staff Agreement 2010
The University of Western Australia Child Care Employees' Agreement 2009 – 2012
The University of Western Australia ELICOS Teachers Agreement 2011
(Or as replaced from time to time)

This list of legislation and Agreements is current as of January 2014.

Please note that this list is not exhaustive and other Acts may apply in some circumstances.

Appendix 2

For further information regarding specific areas within the Code of Conduct, contact:

Bullying, Discrimination, Harassment and Complaints

Equity and Diversity Advisers. For a listing, please see hr.uwa.edu.au/2204342

Equity and Diversity: 6488 3873

Employee Relations and Management Services: 6488 8528

Graduate Education Officers: 6488 2095

Guild Student Assist Officers

guild.uwa.edu.au/welcome/support/contact

Complaints Resolution

Manager Complaints Resolution: 6488 8547

Conduct of Research

Director Research Services: 6488 3027

Confidentiality

Freedom of Information Coordinator:
6488 4759

Manager Records Management Services:
6488 3019

Conflicts of Interest

Director Human Resources: 6488 3223

Director Development and Research Services: 6488 3027

Associate Director, Strategic Procurement:
6488 1172

Employment Conditions

Employee Relations and Management Services: 6488 8528

Information Technology

Information Services Helpdesk: 6488 1515

Intellectual Property

Intellectual Property Lawyer: 6488 4710

Personal and Professional Development

Organisational and Staff Development Services: 6488 1504

Public Interest Disclosure Officers

Director Legal Services: 6488 1965 / 0439 938 233

Director Human Resources: 6488 3223

Manager Complaints Resolution: 6488 8547

Public Comment

University Media Manager: 6488 2889

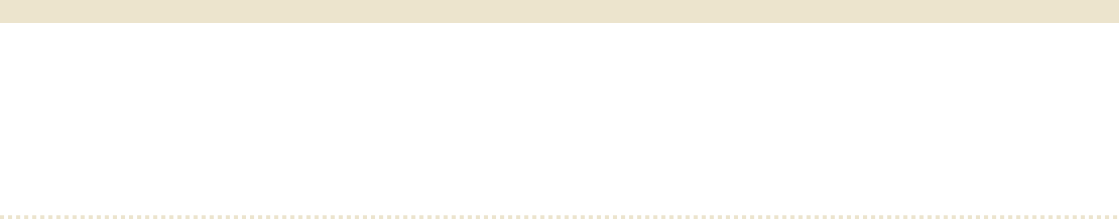
Risk Management

Director Risk Management: 6488 1983 / 0422 002 307

Safety and Health

General enquiries: 6488 3938

The **Code of Ethics and Code of Conduct** is maintained and updated by Equity and Diversity in Human Resources. Should there be any changes to law or policy in your area which may need to be altered, amended or included in the **Codes**, please contact Equity and Diversity on 6488 3873.





THE UNIVERSITY OF
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Human Resources

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