Code of Conduct

PART A: OVERVIEW OF CODE

This Code sets out the University's expectations of staff and affiliates with respect to their professional and personal conduct. It is intended to promote integrity and ethical behaviour, and to guide individuals' dealings with colleagues, students, the University, and the national and international community. The Code stands beside but does not exclude or replace other legally binding obligations.

The Code has broad application. It applies to all **staff** and **affiliates** of the University, regardless of their level or seniority. It covers all circumstances when staff and affiliates are performing work, duties or functions for the University, as well as related activities, such as work-related functions, travel, conferences and any circumstances when a person is representing the University.

The UNSW 2025 Strategy sets out the overarching strategic priorities and themes that guide staff and affiliates to achieve EXCELLENCE in all that we do:

- **A. Academic Excellence**
  - **A1.** Research Quality
  - **A2.** Educational Excellence
- **B. Social Engagement**
  - **B1.** A Just Society
  - **B2.** Grand Challenges
  - **B3.** Knowledge Exchange
- **C. Global Impact**
  - **C1.** International Education
  - **C2.** Partnerships
  - **C3.** Disadvantaged Communities

Critical to the delivery of the 2025 Strategy are *5 UNSW Behaviours*, expected of all staff and affiliates: Demonstrates Excellence; Drives Innovation; Builds Collaboration; Embraces Diversity, and Displays Respect.

Primary Obligations

The overarching obligation of all staff and affiliates is to act in the best interests of the University at all times. To this end, staff and affiliates have three primary obligations with respect to their personal and professional conduct:

1. an obligation to the University in terms of responsible stewardship of its resources and protection of its reputation in the wider community;
2. a duty to observe standards of equity and respect in dealing with every member of the University community; and
3. an obligation to act appropriately when a conflict of interest arises between a staff member or affiliate's own self-interest and their duty to the University

These obligations are expanded upon in Part B, with reference to relevant University policies and procedures.

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PART B: OBLIGATIONS (ARCHIVED DOCUMENT)

1 UNIVERSITY RESOURCES AND REPUTATION

Academic Freedom

The University recognises and protects the concept and practice of academic freedom as essential to the proper conduct of teaching, research and scholarship within the University. While academic freedom is a right, it carries with it the duty of academics to use the freedom in a manner consistent with a responsible and honest search for and dissemination of knowledge and truth. Academic freedom is not a defence to poor behaviour or disrespectful treatment of others.

Public Comment

Staff and affiliates must not make any public comment on behalf of the University or represent themselves as being spokespersons for the University, unless expressly authorised to do so. All public comments of this nature should be coordinated by the appropriate officer/s within the University's *Division of External Relations.*

Within the ambit of academic freedom lies the traditional role of academics in making informed comment on societal mores and practice and in challenging held beliefs, policies and structures. Where such comments are offered by academics as members of the University, it is expected that those commentaries will be within their broad area of expertise.

These expectations are not intended to restrict the right of any individual to freely express their opinions in their private capacity, or as a member or representative of any professional, community or representative body.

Responsible Stewardship of University Resources

Staff and affiliates are required to:

- use University resources for University purposes only. Reasonable personal use of some resources may be permitted provided it is not excessive and it does not interfere with the performance of University duties or functions. If staff or affiliates wish to use University resources for personal use, they should seek guidance from their manager/supervisor (for staff) or University contact person (for affiliates);
- use University resources in a timely, proper and efficient manner;
- care for and maintain University resources within their possession or control;
- avoid improper use of University resources for private gain or the gain of a third party; and
- use information and community technology devices for business purposes in accordance with the University's *Acceptable Use of UNSW Information and Communication Technology Resources Policy*.

PART B: OBLIGATIONS (ARCHIVED DOCUMENT)

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Intellectual Property

Staff and affiliates are required to deal with intellectual property in accordance with the University's *Intellectual Property Policy.*

Ethical Decision Making

When making decisions related to University or work matters, staff and affiliates are required to consider:

- whether the decision complies with the University's legal obligations;
- whether there are any conflicts of interest arising from the decision; and
- the possible impact of the decision on others and on the reputation of the University.

Fraud and Corruption Prevention

Staff and affiliates are required to:

- minimise the University's exposure to fraud and corruption, by abiding by the University's *Fraud and Corruption Prevention Policy;* and
- report any suspected fraud, corrupt, criminal, unethical conduct, maladministration or waste of public money. Individuals can report directly to their manager/supervisor (for staff) or University contact person (for affiliates). Alternatively, such reports may be made as a "public interest disclosure" in accordance with the University's *Public Interest Disclosures Procedure,* detailed further below.

Public Interest Disclosure

Staff and affiliates can report any suspected fraud, corrupt, criminal or unethical conduct, maladministration or serious and substantial waste of public money as a Public Interest Disclosure under the University's *Public Interest Disclosures Procedure.*

Disclosures should be made to a UNSW Disclosures Officer or the Disclosures Coordinator. There is a UNSW Disclosures Officer in each faculty and division (usually the Dean, Rector or Divisional Head). The Deputy and Pro-Vice-Chancellors, Vice-President, Human Resources, Director, Risk Management and the Director, Internal Audit are also Disclosures Officers. The Disclosures Coordinator is the Deputy Vice-Chancellor Academic.

Staff and other public officials making public interest disclosures are protected from victimisation under the *Public Interest Disclosures Act 1994* (NSW).

PART B: OBLIGATIONS (ARCHIVED DOCUMENT)

2 DUTY TO OBSERVE STANDARDS

Equity and Respectful Treatment

Equity, diversity and inclusion is considered essential to the University's continued success. The University values diversity of thought and experience and believes that an equitable, inclusive and collaborative culture underpins research and teaching excellence. The University has an *Equity, Diversity & Inclusion Policy* which sets out the key principles.

Staff and affiliates are required to:

- treat students, staff and affiliates with respect;
- ensure they do not engage in unlawful discrimination, harassment and sexual harassment;
- not allow personal relationships to affect professional relationships;
- ensure they do not engage in workplace bullying. The University has a *Workplace Bullying Policy* which sets out these obligations in more detail;
- act and communicate professionally and courteously with all students, staff and affiliates;
- give due credit to the contributions of other staff, affiliates or students;
- refrain from acting in any way that would unfairly harm the reputation and career prospects of other staff, affiliates or students; and
- consider the desirability of intervening constructively where a colleague's behaviour is clearly in breach of this Code.

Health and Safety

Staff and affiliates are required to:

- take reasonable care for the health safety and welfare of themselves, and others in the University community. The University has a *Health and Safety Policy* and Procedures which sets out these obligations in more detail;
- ensure they do not attend work or perform duties or functions for the University while under the influence of alcohol or drugs. The University has *Drug and Alcohol Guidelines* which sets out these obligations in more detail; and
- cooperate with the University to ensure compliance with all relevant health and safety laws.

Privacy

Staff and affiliates are required to:

- respect individuals' rights to privacy and maintain the privacy and confidentiality of information. The University has a *Privacy Management Plan* which outlines these obligations in more detail;
- take reasonable precautions to prevent unauthorised use or disclosure of confidential or personal information; and
- keep records in accordance with relevant legislation and the University's *Recordkeeping Policy.*

PART B: OBLIGATIONS (ARCHIVED DOCUMENT)

3 CONFLICTS OF INTEREST

Conflicts of Interest

Staff and affiliates are required to:

- identify any actual, potential or perceived conflict of interest between their personal interests or duties to other parties, and their duties and obligations to the University, and deal with such conflicts of interest in accordance with the University's *Conflict of Interest Policy;* and.
- promptly make full disclosure to the University of all relevant facts and circumstances giving rise to an actual, potential or perceived conflict of interest to their manager/supervisor, and complete a Disclosure Statement if required under the *Conflict of Interest Policy.*

Managers/supervisors have additional responsibilities to take appropriate action when employees make disclosures, in accordance with the *Conflict of Interest Policy.*

In addition, members of University Council and senior managers of the University are required to declare interests and activities in accordance with the University's *Register of Interests Policy for Council Members and University Senior Management Positions.*

Outside Work

ACADEMIC STAFF: Academic staff are required to ensure that any outside work is in accordance with the University's *Paid Outside Work by Academic Staff Policy.*

PROFESSIONAL AND TECHNICAL STAFF: The University expects that professional and technical staff will not generally perform outside work. However, the University recognises that there may be some circumstances when professional and technical staff may perform outside work. Such outside work is only permitted if it has been disclosed in advance to the staff member's manager/supervisor, and it:

- does not compromise the staff member's integrity and independence;
- does not conflict with their University work or adversely affect their University work performance; and
- does not involve University time or resources.

Gifts and Benefits

Staff and affiliates must not accept or confer gifts or benefits unless they comply with the conditions set out in the University's *Gifts and Benefits Procedure.*

PART C: OPERATION AND APPLICATION OF THE CODE

Responsibilities and Allegiances

The University is a complex organisation comprising a diversity of populations which 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 and affiliates are also bound by codes of conduct or ethics defined by learned or professional societies or groups. Academic staff in particular have multiple allegiances: to their discipline or profession at national and international levels, to the academic profession; to the community at large; and to the University. It is recognised that these allegiances are not always in harmony. It is the individual's obligation to weigh the importance of these allegiances in each particular set of circumstances and to notify an appropriate officer of the University where a conflict does or may arise.

Compliance with this Code

All staff and affiliates are required to comply with this Code. For the purposes of this Code:

- **Staff** means all employees of the University, including casual employees; and:
- **Affiliates** means conjoint and visiting appointees; consultants and contractors; agency staff; emeriti; members of University committees; and any other person appointed or engaged by the University to perform duties or functions for the University.

If a staff member breaches this Code, the University may take disciplinary action. In serious cases, this may include termination of employment. The process for dealing with alleged breaches of this Code by staff will be in accordance with the applicable enterprise agreement, industrial instrument or contract.

Affiliates may have commensurate action taken against them, which may include termination or non-renewal of their contract or appointment.

In addition to this Code, the following codes of conduct may also apply to some members of the University community:

- Code of Conduct for Council Members
- UNSW Research Code of Conduct

This Code does not apply to students, except where they are also employees or affiliates (e.g. if a student is employed as a tutor, if a conjoint is also a student etc.). The obligations of students are set out in the *Student Code of Conduct* and National Code of Conduct for Overseas Students

Seeking guidance from University contact people

This Code sets out the obligations of staff and affiliates. It is not possible, however, to cover every circumstance and situation in this Code. If a circumstance or situation arises which is not expressly covered in this Code, individuals must apply the principles of this Code and not act in conflict with the Code. If an individual is unsure about their obligations in any circumstance or situation, they should seek guidance prior to taking any action, from the following contact persons:

- **Staff** should contact their manager/ supervisor.
- **Affiliates** should contact the University contact person designated under their contract or appointment letter. Members of University committees should contact the chair of the Committee. Emeriti should contact the relevant Head of School or the Deputy Vice-Chancellor Academic.

In addition, all staff and affiliates can contact the head of their school or faculty, business unit or division, the Vice-President, Human Resources or the Director, Risk Management.

Staff and affiliates can also report any suspected breaches of this Code, or other ethical issues, to these contact people.

Code of Conduct

Version	Approved by	Approval date	Effective date	Next review
2.2	UNSW Council	14 August 2017	14 August 2017	Under review

Accountabilities

Responsible Officer	President and Vice-Chancellor
Contact Officer	Vice President, Human Resources

Supporting Information

Legislative Compliance	This Policy supports the University's compliance with the following legislation: *University of New South Wales Act 1989* (NSW)
Supporting Documents	Nil
Related Documents	• Acceptable Use of UNSW Information and Communication Technology Resources • Code of Conduct - Members of Council • Conflict of Interest Policy • Drug and Alcohol Guidelines • Equity, Diversity and Inclusion Policy • Gifts and Benefits Procedure • Health and Safety Policy and Procedures • Intellectual Property Policy • Paid Outside Work by Academic Staff Policy • Public Interest Disclosures Procedure • Privacy Management Plan • Recordkeeping Policy • Register of Interests Policy for Members of Council and UNSW Senior Management positions • Research Code of Conduct • Staff Complaint Procedure • UNSW 2025 Strategy • Workplace Bullying Policy
Superseded Documents	Code of Conduct, version 2.1
File Number	2010/02666

Definitions and Acronyms

Staff	means all employees of the University, including casual employees.
Affiliates	means conjoint and visiting appointees; consultants and contractors; agency staff; emeriti; members of University committees; and any other person appointed or engaged by the University to perform duties or functions for the University.

Revision History

Version	Approved by	Approval date	Effective date	Sections modified
1.0	UNSW Council on 19 December 1994 (CL94/104)(g)	19 December 1994	19 December 1994	
1.1	Audit Committee of Council	20 October 1997	20 October 1997	
2.0	UNSW Council, CL09/17	27 April 2009	1 June 2009	Full review
2.1	Acting Head of Governance	18 February 2016	29 February 2016	Administrative update of leadership positions.
2.2	UNSW Council	14 August 2017	14 August 2017	Administrative update to senior position titles and policy titles; link to 2025 strategy.

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