

# Code of Conduct

## Section 1 - Purpose

(1) The Code of Conduct specifies standards of conduct that are expected of all staff of Charles Sturt University (the University).

(2) This Code aims to foster and maintain public trust and confidence in the integrity and professionalism of the University staff and enhance the reputation of the University.

### Scope

(3) This Code applies to:

- a. all staff members of the University within Australia, or working or travelling overseas on University business, and
- b. those persons who hold a visiting or adjunct appointment with the University.

(4) In some circumstances, this Code may apply to staff conduct outside of work. For example, it applies:

- a. when staff are on University premises outside normal hours of work
- b. whenever staff wear a University uniform, drive a University-badged vehicle or can otherwise be identified as a University staff member, and
- c. when staff attend a meeting, conference, training session or work-related social function.

## Section 2 - Policy

### Standards of staff conduct

(5) The University is committed to excellence, integrity, and sustainability in teaching and research. The standards of staff conduct support the University's values of being:

- a. insightful
- b. inclusive
- c. impactful
- d. inspiring.

(6) All staff are expected to familiarise themselves with the content of this Code and the sanctions that can be applied by the University for a breach of the Code. See clause 40.

### Personal and professional conduct

(7) Staff are expected to act in a professional manner at all times. This includes the following:

- a. Maintain an awareness of and work in accordance with the University's values, strategic and operational plans,

- relevant policies and procedures, contractual agreements and legislation.
- b. Behave ethically and take action to prevent unethical behaviour.
  - c. Perform official duties with professionalism, care, skill, fairness and diligence.
  - d. Maintain currency of their knowledge, skills and technical competencies.
  - e. Treat others with courtesy, dignity and respect; communicate without bias; respect and accommodate the rights and differences of others; and ensure that their own conduct contributes to a work and study environment free of discrimination and harassment. For more detailed information on staff obligations, see the following equity, diversity and support policies:
    - i. [Equal Opportunity Policy](#)
    - ii. [Bullying, Discrimination and Harassment Prevention Policy](#)
    - iii. Sexual Harm Prevention and Response Policy
    - iv. [Communicating Without Bias Guidelines](#).
  - f. Take all reasonable care for the health, safety and wellbeing of others, and report hazards, incidents, accidents and risk of harm or injury to the appropriate University officer. For more detailed information on staff obligations, see the following health, safety and wellbeing policies:
    - i. [Work Health and Safety Policy](#)
    - ii. [Work Health and Safety Roles and Responsibilities Guidelines](#)
    - iii. [Alcohol and Other Drugs Policy](#).
  - g. Act in the best interests of the University and refrain from activities that could bring the University into disrepute.

## **Academic freedom, freedom of speech and freedom of inquiry**

(8) Charles Sturt University is committed to upholding the principles of academic freedom and freedom of speech. The promotion of free inquiry is cited as a key object in the University's [Act](#) and the [Enterprise Agreement](#) ensures protection for intellectual freedom.

(9) Every member of the staff at the University enjoys freedom of speech exercised on University land or in connection with the University, subject only to restraints or burdens imposed by:

- a. law
- b. the reasonable and proportionate regulation of conduct necessary to the discharge of the University's teaching and research activities
- c. the right and freedom of others to express themselves and to hear and receive information and opinions
- d. the reasonable and proportionate regulation of conduct to enable the University to fulfil its duty to foster the wellbeing of students and staff, and
- e. the reasonable and proportionate regulation of conduct necessary to enable the University to give effect to its legal duties including its duties to visitors to the University.

(10) Every member of the academic staff enjoys academic freedom subject only to prohibitions, restrictions or conditions imposed by:

- a. law
- b. the reasonable and proportionate regulation necessary to the discharge of the University's teaching and research activities and scholarly standards set by the University that allow these activities to be informed and advanced through argument and disagreement to help promote the University's object and functions, including the dissemination, advancement, development and application of knowledge informed by free inquiry
- c. the reasonable and proportionate regulation necessary to discharge the University's duty to foster the

wellbeing of students and staff

- d. the reasonable and proportionate regulation to enable the University to give effect to its legal duties, and
- e. the University by way of its reasonable requirements as to the courses to be delivered and the content and means of their delivery.

(11) The rights of freedom of speech, academic freedom and freedom of inquiry are accompanied by responsibilities to:

- a. support the role of the University as a place for independent thought and learning, constructive criticism and rational debate
- b. search for and disseminate knowledge and truth
- c. respect the freedom of others to engage in intellectual inquiry, to express their opinions and beliefs, and to contribute to public debate, and
- d. respect the intellectual property rights and duties of confidentiality owed to others.

### **Public comment**

(12) The University is committed to encouraging public comment and the engagement of staff in intellectual debate and cultural pursuits. Public comment includes public speaking engagements, comments on radio or television, and expressing views in letters to newspapers or in books, journals, notices or other media (including social media such as Facebook and Twitter) where it might be expected that the publication or circulation of the comment will spread to the community at large.

(13) In making written or oral comments which purport to represent the views or authority of the University and which might reasonably be expected to become public, staff have a responsibility to ensure that they have the delegated authority to make such public comments.

(14) Staff may make public comment on any issue, subject to the following:

- a. where the matter of a media statement or letter relates directly to the academic or other specialised area of a staff member's appointment, the staff member may use the University's name and address and give the title of their University appointment in order to establish their credentials, or
- b. where the matter does not relate directly to the academic or other specialised areas of a staff member's appointment, the staff member should clearly indicate that their comments are being made in a private capacity and should not be attributed as official comment of the University.
- c. For more detailed information on staff obligations when making public comment, see the following University documents:
  - i. [Enterprise Agreement](#)
  - ii. [Communications and Marketing Procedure - Media, Engagement and Public Comment](#)

(15) A staff member will not be sanctioned or censured for exercising their freedom of speech based solely on the content of their speech, actions or behaviour, except where their speech, action or behaviour is found to be in breach of the reasonable and proportionate regulations stated in this Code of Conduct.

## **Communication and use of University information**

### **Personal information and confidentiality**

(16) Staff and students are entitled to confidentiality and privacy with respect to information that is personal to them.

(17) Staff are expected to maintain the confidentiality, integrity and security of information to which they have access

as a result of their employment within the University. Refer to the:

- a. [Privacy Management Plan](#)
- b. [Learning Analytics Code of Practice](#), for information on obligations relating to learning and teaching data/analytics.

(18) Staff must not use information to which they have access as a result of their employment with the University to gain or seek to gain personal benefit for themselves or others. For more detailed information on staff obligations, see the [Intellectual Property Policy](#).

### **Disclosure of information**

(19) The University is entitled to the protection and integrity of the information it holds.

(20) Staff may only release information that they are authorised to release.

(21) Any disclosure of information:

- a. must comply with any University policy and procedure on the release of information
- b. must comply with the relevant information protection principles in the [Privacy and Personal Information Protection Act 1998 \(NSW\)](#) (see the [Privacy Management Plan](#))
- c. must not be misleading or likely to be misused, and
- d. must not contain unauthorised expression of opinion on official University policy or practice.

### **Protected disclosure of information**

(22) In the public interest, staff must report the following to an appropriate authority: breaches of this Code and any suspected corrupt conduct, maladministration or serious or substantial waste of public money.

(23) The University will endeavour to protect staff who, in good faith, report breaches referred to in clause 22. Such disclosures are not deemed to be a breach of this Code.

(24) For more detailed information on staff obligations, see the [Public Interest Disclosure \(Whistleblowing\) Policy](#).

### **University resources**

(25) Staff are expected to maintain, protect, properly use and care for the University's resources, including property, facilities, equipment, information systems, motor vehicles and funds. Fraud or theft by an employee may result in dismissal, and where appropriate, legal action will be taken.

(26) Staff may use University resources, including equipment and motor vehicles, only for official University business. Other use of University resources, or its use by persons who are not staff or students of the University, must be in accordance with University policy and undertaken only with the approval of an authorised University officer.

(27) Staff may use University information systems only for official University business. University information systems, including software and computer equipment, must be used in accordance with University policy, and only with the approval of an authorised officer of the University. Electronic equipment and copying devices represent particular areas where staff are obliged to act responsibly.

(28) For more detailed information on staff obligations, see the following Finance and Information Technology policies:

- a. [Finance Management Policy](#)
- b. [Information Technology Procedure - Acceptable Use and Access](#)

- c. [Motor Vehicle Fleet Procedure](#)
- d. [Travel Policy](#)

## **Conflict of interest**

(29) Staff are expected to take reasonable steps to avoid actual, potential or perceived conflicts of interest between their private interests and the interests of the University.

(30) If a situation that may give rise to an actual, potential or perceived conflict of interest exists or staff are unsure whether such a situation exists, disclosure must be made to their immediate supervisor or other senior officer within their organisational unit (or committee chair/presiding officer) and staff must withdraw themselves immediately and indefinitely from the situation unless authorised to act otherwise.

(31) Staff in supervisory positions must be especially alert to the various situations in which conflicts of interest may arise in the workplace and handle such situations in a sensitive manner.

(32) For more detailed information on staff obligations, see the [Conflict of Interest Procedure](#).

## **Personal relationships**

(33) Staff are expected to take care that all University-related relationships are appropriate, comply with professional and ethical standards, and do not involve a conflict of interest or breach of trust (e.g. employing family members or marking family members' assignments). They should disclose close personal relationships to their supervisor if they could result in a conflict of interest in the workplace or in the performance of their official duties.

## **Gifts and benefits**

(34) Staff must not give, solicit or receive gifts or benefits that might, or might be perceived to, in any way compromise or influence them in the performance of their duties.

(35) Gifts may be accepted in accordance with University policy.

(36) Where staff, directly or indirectly, receive a financial benefit or other advantage in respect of any work with which they are connected as University staff, disclosure must be made in accordance with University policy.

(37) For more detailed information on staff obligations, refer to the [Conflict of Interest Procedure](#).

## **Outside employment and private professional consultancy**

(38) Staff may be permitted to engage in private professional consultancy and/or employment outside the University, in accordance with terms and conditions prescribed in the [Outside Professional Activities Policy](#).

## **Election candidates**

(39) If a staff member nominates for election to a Commonwealth or State Parliament or to a local or regional Council, then they must observe the conditions set out in the [Staff who Seek Election to a Parliament or to a Local Government Body Policy](#).

## **Breach of code**

(40) Breaches of this Code will be dealt with as a breach of discipline or misconduct/serious misconduct under any relevant industrial instrument (e.g. [CSU Enterprise Agreement](#) or contract of employment) or any legislation, policy or By-law of the University.

(41) A staff member who breaches the conflict of interest provisions in this Code may be subject to one or more of the

following sanctions, depending on the seriousness of the breach:

- a. counselling
- b. formal censure
- c. withholding of a salary step
- d. demotion by one or more salary steps
- e. demotion by one or more classification levels
- f. termination of employment
- g. any other sanctions authorised under any relevant industrial instrument or any legislation, policy or By-law of the University
- h. civil action, and/or
- i. reporting of the breach to the police or any other appropriate authority external to the University.

(42) Despite clause 40, the University may, at any time and without notice to the relevant staff member, report any suspected breach of law to police or any other appropriate authority external to the University.

## Section 3 - Procedure

(43) Refer to the [Conflict of Interest Procedure](#).

## Section 4 - Guidelines

(44) Nil.

## Section 5 - Glossary

(45) For the purposes of this Code:

- a. Academic freedom means the following:
  - i. the freedom of academic staff to teach, discuss, and research and to disseminate and publish the results of their research
  - ii. the freedom of academic staff and students to engage in intellectual inquiry, to express their opinions and beliefs, and to contribute to public debate, in relation to their subjects of study and research
  - iii. the freedom of academic staff and students to express their opinions in relation to the higher education provider in which they work or are enrolled
  - iv. the freedom of academic staff to participate in professional or representative academic bodies
  - v. the freedom of students to participate in student societies and associations
  - vi. the autonomy of the higher education provider in relation to the choice of academic courses and offerings, the ways in which they are taught and the choices of research activities and the ways in which they are conducted.
- b. Duty to foster the wellbeing of staff and students - means the University's duty as stated in the policy library glossary.
- c. Public comment - means any form of public speech and includes, but is not limited to, public speaking engagements, comments on radio or television, the expression of views in letters to newspapers or in books, journals, notices or other media (including social media such as Facebook and Twitter) where it might be expected that the publication or circulation of the comment will spread to the community at large.

- d. Speech - extends to all forms of expressive conduct including oral speech and written, artistic, musical and performing works and activity and communication using social media; and the word 'speak' has a corresponding meaning.

## Status and Details

<b>Status</b>	Current
<b>Effective Date</b>	5th June 2023
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## Glossary Terms and Definitions

**"Duty to foster the wellbeing of staff and students"** - includes the duty to ensure that no member of staff and no student suffers unfair disadvantage or unfair adverse discrimination on any basis recognised at law including race, gender, sexuality, religion and political belief; includes the duty to ensure that no member of staff and no student is subject to threatening or intimidating behaviour by another person or persons on account of anything they have said or proposed to say in exercising their freedom of speech; supports reasonable and proportionate measures to prevent any person from using lawful speech which a reasonable person would regard, in the circumstances, as likely to humiliate or intimidate other persons and which is intended to have either or both of those effects; does not extend to a duty to protect any person from feeling offended or shocked or insulted by the lawful speech of another.