

UQ College (UQC)

Policy and Procedure

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Title:	Staff Code of Conduct
Custodian:	CEO
Reviewer:	Senior Manager Corporate Services
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Audience:	All UQ College Staff
Associated Policies:	<p>UQC GM3.1.01 Conflict of Interest Policy and Procedure</p> <p>UQC GM1.8.01 Reportable Gifts and Benefits Procedure</p> <p>UQ PPL1.50.01 Staff Code of Conduct</p> <p>UQ PPL1.50.10 Fraud and Corrupt Conduct Policy</p> <p>UQ PPL1.50.11 Conflict of Interest Policy and Procedure</p>
Legislation	<p>Public Sector Ethics Act 1994 (Q/d)</p> <p>Human Rights Act 2019 (Q/d)</p>
Version:	3.0

Policy Statement

UQC values staff and recognises that they are the College's most valuable resource. Accordingly, the provision of supervision, support and a proper induction are seen as vital to ensuring staff carry out their roles and responsibilities properly and adhere to the Staff Code of Conduct

The UQC Staff Code of Conduct strongly recommends that staff act as leaders and set an example among their business, personal and professional acquaintances. All staff employed by UQC are expected to adhere to the standards set out in the Code which include compliance with all federal, and local laws and regulations.

UQC considers any breach of this Code to be an important matter. Management may take appropriate disciplinary action, in response to breaches. Lack of knowledge of the Code will not be considered a legitimate excuse.

Purpose and Scope

Purpose

The purpose of this Code of Conduct is to articulate UQC's values and set out the standards of conduct that the College expects and requires of all staff and contractors, and the consequences of failing to meet those standards.

As required by the *Public Sector Ethics Act 1994* (Qld), this Code of Conduct is consistent with the ethics principles of integrity and impartiality, promoting the public good, commitment to the system of government and accountability and transparency.

UQC is committed to comply with applicable laws and standards, to promote a culture of fair and ethical behaviour and to encourage the reporting of corrupt practices, breaches of the law, and matters detrimental to UQC or its reputation. UQC Board and senior management will lead by example in actively promoting and complying with this Code of Conduct.

While the focus of this Code is supportive and educative, it seeks to regulate staff behaviour. Where conduct by a staff member falls below the standards outlined in the Code of Conduct, such failure may amount to misconduct or serious misconduct and will be dealt with in accordance with the Code of Conduct. Where the breach could provide reasonable grounds for terminating a staff member's employment, all legislative reporting obligations must be complied with.

Where breaches of the Code of Conduct are identified, they must be disclosed and managed appropriately in accordance with this Code.

Scope

This Code of Conduct applies to the conduct of staff while performing their official functions for UQC.

staff means:

- a. members of the UQC Board of Directors,
- b. all continuing, fixed term, and casual staff,
- c. other persons acting in an honorary or voluntary capacity for UQC, including work experience students,
- d. any other person who is contracted or has otherwise agreed to be bound by the Code of Conduct or UQC policies.

It is an expectation of UQC that contractors will also act in accordance with this Code of Conduct while undertaking work for or on behalf of UQC.

All staff and contractors are required to comply with the Code of Conduct.

Table of Contents

Policy Statement.....	1
Purpose and Scope	2
1. Principles and Key Controls.....	4
2. Breach of the Code of Conduct	4
3. Roles, Responsibilities and Accountabilities.....	5
4. Monitoring, Review and Assurance.....	6
5. Recording and Reporting	6
6. Application of the Code of Conduct	7
7. Definitions and Interpretation	8
Document History	11

1. Principles and Key Controls

1.1 Standards of conduct

Staff and contractors are required to:

1. demonstrate and uphold the values of UQC;
2. act honestly and with integrity;
3. maintain a high standard of behaviour and conduct themselves respectfully, fairly and professionally when dealing with colleagues, students or members of the public, and encourage others to do the same;
4. perform their duties safely, responsibly, conscientiously, in an ethical and impartial manner, and not abuse any position of power;
5. accept and demonstrate accountability for their conduct and decisions, including acting within the scope of their authority and relevant delegations;
6. act in the best interests of UQC and avoid, or disclose and manage, conflicts of interest;
7. not engage in bullying, sexual misconduct, harassment, discrimination, intimidation, humiliation or threatening behaviour;
8. demonstrate and encourage the pursuit of independent scholarly learning, critical judgement, academic integrity, academic freedom and ethical sensitivity in and to their students;
9. use UQC resources effectively, efficiently, economically, safely and for their intended purpose;
10. respect the privacy of others and manage personal information in accordance with privacy principles;
11. adhere to the principles of natural justice, procedural fairness and merit-based decision-making;
12. not engage in fraud, corrupt conduct, maladministration, criminal activity or other unlawful or improper conduct;
13. report any reasonable suspicion or knowledge of fraud, maladministration or corrupt conduct;
14. comply with UQC policies and procedures and follow all reasonable directions issued by a supervisor, senior executive or other UQC officer with appropriate authority;
15. demonstrate commitment to diversity, equity and inclusion to enrich UQC's teaching, and professional capabilities; and
16. comply with all applicable laws, their contract of employment or terms of their title and any applicable and binding professional standards or codes.

1.2 Human rights

Staff must comply with the *Human Rights Act 2019* (Qld). This requires staff to act and make decisions in a way that is compatible with human rights and, when making a decision, give proper consideration to a human right relevant to the decision.

2. Breach of the Code of Conduct

Failure to comply with this policy and associated procedures will constitute a breach of the UQC Code of Conduct and may be dealt with as misconduct or serious misconduct.

Any actual, or alleged conduct that breaches this Code of Conduct will be dealt with by UQC in accordance with this Code of Conduct (see **Section 6 below**), other relevant UQ policies and, if

applicable, as misconduct or serious misconduct under the enterprise agreement or relevant employment contract.

If staff or contractors are found to have breached this Code of Conduct, UQC may take such action that it considers appropriate in the circumstances. Such action may include:

- counselling, training or retraining;
- formal warning;
- taking disciplinary measures, including suspension and/or termination of employment; and
- revocation of access to UQC services or facilities.

3. Roles, Responsibilities and Accountabilities

3.1 Executive

The UQC CEO in conjunction with UQC Board of Directors is responsible for ensuring that:

- a Code of Conduct is prepared that is consistent with the ethics principles and values of the *Public Sector Ethics Act 1994* (Qld);
- appropriate consultation occurs in relation to the Code of Conduct;
- staff have reasonable access to a copy of the ethics principles and values and this Code of Conduct;
- staff are provided with appropriate education and training about public sector ethics and this Code of Conduct;
- ensuring staff are adequately trained in affirmative action, the prevention of workplace bullying and harassment and privacy policies.
- administrative procedures and management practices have proper regard to the *Public Sector Ethics Act 1994*, the ethics principles and values and this Code of Conduct;
- each annual report includes an implementation statement giving the details of the action taken during the reporting period on paragraphs (a), (d) and (e) above.

3.1 UQC CEO

The UQC CEO is responsible for determining how particular complaints should be dealt with, including whether a complaint should be investigated and, by whom, and what resources should be made available to deal with or investigate the complaint.

The UQC CEO is also responsible for implementing the following key controls:

- Ensuring that reports of serious misconduct or breaches in the Code are thoroughly investigated and appropriate action is taken in accordance with this policy.
- Suspending staff (when appropriate) under investigation for serious misconduct.
- Summarily dismissing staff who, after investigation and appropriate counselling, are found guilty of serious misconduct.
- Ensuring all warnings, suspensions and summary dismissals are properly documented.
- Ensuring all written records of warnings (except for ones relating to serious misconduct) are removed after the period of time set out in this policy.

In accordance with the UQ Fraud and Corrupt Conduct policy (**UQ PPL 1.50.10**), all complaints involving reasonably suspected fraud or corrupt conduct must be referred to the Director, UQ Integrity Unit, for proper assessment and where necessary, referral to the Crime and Corruption Commission.

3.2 Staff

All staff must comply with this Code of Conduct and are encouraged to report any conduct that is reasonably suspected to breach this Code of Conduct. Reports can be made to a supervisor, a UQC Manager or, Senior Manager, or UQC CEO.

Reports made to a supervisor, may be escalated to a UQC Manager or, Senior Manager, or UQC CEO.

Staff are required to report any reasonable suspicion or knowledge of fraud, or corrupt conduct to their supervisor, a UQC Manager or, Senior Manager, or UQC CEO. Reports of reasonably suspected corrupt conduct can also be referred directly to the Crime and Corruption Commission.

Staff are required to report any charges or convictions of criminal activity against them and are also encouraged to report any reasonable suspicion or knowledge of criminal activity by other staff that could affect their ability to carry out their role for UQC. These reports should be made to the UQC CEO.

3.3 Supervisors

Supervisors are responsible for promoting a positive culture consistent with UQC values and this Code of Conduct. Supervisors will also manage and, if required, escalate reports, about alleged breaches of the Code of Conduct.

Where a report relates to criminal activity by a staff member that may impact on the ability of that staff member to perform their role for UQC or that may adversely affect the College's reputation, the supervisor must promptly disclose that report to the UQC, CEO.

Reports made to the CEO, may be disclosed to the Chief Operating Officer (COO), UQ.

4. Monitoring, Review and Assurance

UQC, through the UQC Board of Directors, will periodically review this policy and its procedures for their effectiveness.

5. Recording and Reporting

The UQC Senior Manager Corporate Services will maintain complete and accurate records of all previous versions of the Code of Conduct, changes to the Code of Conduct and any communications issued about the Code of Conduct.

All UQC records must be retained and disposed of in accordance with the UQC and University's policies and procedures about record management and storage.

6. Application of the Code of Conduct

6.1 Managing breaches of the Code of Conduct

Generally, UQC will manage breaches of the Code by investigating each alleged breach. The nature of the investigation is determined by the CEO, who is required to investigate any alleged breaches of the Code and look at the evidence and information that substantiates the breach.

6.2 Disciplinary outcomes

It is not acceptable to breach the Code and staff who frequently or seriously breach the Code may be subject to disciplinary action.

UQC is committed to offering staff adequate support or training to assist in the non-punitive resolution of any work-related difficulties. Supervisors can provide guidance and support to address issues relating to breaches of the Code.

6.2.1 Counselling and/or training

If the allegation is substantiated, then the perpetrator of the breach will be counselled as part of the warning process. This counselling process is informal, and its purpose is to provide the staff member with the opportunity to respond to the allegations and to find ways to prevent the breaches from re-occurring.

In cases where this policy is applied, a confidential and timely process of learning from and reflecting on its application will follow. The manager involved will guide this process. All staff are also expected to complete training in affirmative action, Work Health and Safety, Fair Trading and Privacy as required.

6.2.2 Formal warning

While a formal warning is not an automatic outcome of investigation and counselling, it is a process that could occur at each stage of the investigation and counselling process.

Except in the instance of serious misconduct, UQC will work with staff to develop a management plan for resolving problems, ensuring the plan reflects the needs of both the staff and the organisation, and remaining supportive and respectful of the staff member.

Key controls of the process:

- The warning process cannot be instigated without the involvement and approval of the relevant Senior Manager and CEO.
- Staff will be informed of the nature of any warning meetings beforehand and will be given the opportunity to bring a support person or advocate to the meetings.
- Any disagreements relating to warnings will be documented in the staff member's personnel files and on the warning letters provided.
- Warnings are cancelled after a maximum of six months if the behaviour ceases.

6.2.3 Suspension

The CEO has the authority to suspend from duty a staff member under investigation for serious misconduct. The CEO may refer the matter to the Director, UQ Integrity Unit.

6.2.4 Termination

If the allegation of serious misconduct is substantiated and constitutes a disciplinary breach providing reasonable grounds for terminating the staff member's services, the CEO will recommend this course of action to the UQ College Ltd Board of Directors for implementation. The CEO may refer the matter to the Director, UQ Integrity Unit.

7. Definitions and Interpretation

Conduct of staff performing their official functions

Conduct of staff performing their official functions means conduct that occurs during, or in connection with, the performance of the staff member's official duties, or responsibilities to or for UQC and may occur:

- via electronic media;
- at any time or in any place;
- when a staff member is representing UQC in any capacity;
- during, or in connection with, any function, activity or event related to UQC;
- using the UQ information and communication technology resources or any of the University's property, or vehicles; or
- on, or in connection with, any property owned, leased, or occupied by the University or any lands or roads within any University campus.

Staff behaviour

Staff are expected to behave honestly and with integrity, care and diligence in the course of work for UQC. At all times, staff must promote and preserve the trust inherent in the service provider/client relationship and maintain a cooperative and collaborative approach to working relationships. Staff are expected to treat clients, staff and any other persons they come into contact within the course of their work with respect and dignity.

Staff should not be physically or verbally intimidating or abusive to other staff, clients, or members of the public. Any employee whose behaviour is called into question in this regard may be subject to UQC's disciplinary procedures.

Staff performance

Staff must fulfil their work obligations as outlined in their position description. Staff are required to keep up to date with changes in their area of work and to look for ways to improve performance and achieve high standards of work.

Staff must comply with lawful and reasonable direction given by someone who has authority to give the direction.

Staff should not engage in private business or work for other companies during their normal hours of work with UQC.

Criminal activity

- the commission, or suspected commission, of a criminal offence under a law of the Commonwealth, State or Territory by a staff member;
- conduct or suspected conduct engaged in by a staff member outside of Australia which, if committed in Australia, would constitute an offence under a law of the Commonwealth, State or Territory;
- a charge for a criminal offence laid in respect of a staff member; or
- a staff member's conviction for the commission of a criminal offence.

Public duty

Staff should give priority to their appointed duties and responsibilities, except in emergencies. In the event of an emergency, such as a critical incident, staff may act in a manner that protects and preserves the safety, integrity and dignity of clients, other staff, and the general public.

Privacy and confidentiality

Staff must ensure the privacy, autonomy and dignity of clients is maintained at all times. All staff should maintain privacy of personal information and client confidentiality. Personal information is collected, used, disclosed, and destroyed in compliance with relevant privacy legislation. Staff must also observe privacy and confidentiality in relation to other staff and any privileged organisational information.

Conflict of interest

Staff must disclose any conflicts of interest (real or perceived) or matters that may affect their capacity to act with impartiality.

Staff who perform any discretionary function (for example recruiting staff or contractors, providing advice, policy development or review, etc.) must declare any potential conflicts of interest to their manager or the CEO. Wherever possible, staff in such a position disqualify themselves from any dealings that may raise a real or perceived conflict of interest.

Situations where possible conflicts of interest may occur include but are not limited to the following:

- The recruitment of friends or family members into the College as staff or contractors
- The provision of a service to family or friends
- The provision of financial assistance by a service to family or friends.
- Staff being engaged in other employment of potential or perceived conflict.

Equity principles

Staff must treat everyone with respect and courtesy. In particular, staff must accord respect to the dignity, values, history, religion and culture of the people with whom they work, including clients, fellow staff, management, other organisations and members of the general public.

All staff take responsibility for creating a workplace free from bullying, harassment and discrimination based on age, gender, marital status, career status, pregnancy, parenthood, physical features, sexuality, sexual orientation, social and economic circumstances, race, disability, religious and political beliefs and activities, industrial activity or personal association with a person who could be discriminated against.

Responsive service

Staff must provide a flexible and responsive service to all clients, other staff and the general public, providing all necessary and appropriate assistance. Staff must provide information and assistance promptly and in a manner appropriate to the needs and situation of the person. The information is clear, accurate, current and complete, and does not convey the employee's own prejudices, assumptions or judgments.

Teamwork

In recognition of the critical role teamwork plays in the effective and efficient working of UQC, everyone at UQC is expected to contribute to a positive working environment within the team. Staff should be aware of the impact of their actions, behaviour and attitudes on other team members and should endeavour to minimise any negative impact on the team. Staff should engage in open and constructive communication with all other staff and management.

Capacity to work

Staff must notify their manager or supervisor if they become aware of a matter that may seriously impact their capacity to fulfil their role, or may in any way risk the health, safety or well-being of themselves, other staff, customers or members of the general public.

In addition, if a manager or supervisor becomes aware of an issue impacting on a staff member's

capacity to fulfil their role, they must raise the issue with that individual as soon as possible and in an appropriate forum.

UQC has a responsibility to ensure steps are taken to minimise risk or harm that may arise due to an employee's personal situation. UQC does not discriminate against staff due to such matters and endeavours to develop appropriate strategies to accommodate such changes to an employee's situation.

Use of resources and position

Staff should use their authority, available resources and information for the work-related purpose intended. While private use of equipment and resources may be authorised by management, the needs of clients and UQC always take precedence.

Document History

Version	Summary of changes	Author	Action date
3.0	Updated for transfer of business to UQC CRICOS Code	Senior Manager Corporate Services	24 April 2023