



Code of Conduct

Category/Business Group	Human Resources
Published Externally (Yes/No)	Yes
Approver	Chief Executive Officer
Responsible Officer	Head of People and Organisational Development
Contact Officer	Human Resources Manager
Effective Date	1/07/2019
Next Review Date	1/07/2022
Version	2.1

Policy Approval

Approver	Responsible Officer	Policy Officer
Ken Grime	Glenn Jacob	Ken Grime
Date:28/06/2019	Date:21/06/2019	Date:27/06/2019

1. Background

UNSW College is committed to promoting the highest personal and professional standards across the organisation. Our Code of Conduct should be a highly visible document that serves as the key source of reference in relation to how people interact with and behave towards colleagues, students and other external parties. It guides decision making and actions in a way that is consistent with UNSW College overall vision, mission and values. Our Code of Conduct cannot cover every eventuality that might arise day to day, but instead, serves to complement other policies and procedures and guide discussion in dealing with ethical dilemmas and other ambiguities that need to be addressed.

2. Purpose

The purpose of this Policy is to ensure that all Employees of UNSW College are aware of the expectations of UNSW College with regard to the behaviour and attitudes of its Employees.

3. Scope

This Policy applies to all Employees of UNSW College including full-time, part-time, casual and fixed term contract Employees. This Policy also applies to contractors and labour-hire employees whilst engaged at UNSW College.

4. Definitions

Close Personal Relationship for the purpose of this Policy means an interpersonal relationship that involves physical or emotional proximity, or financial dependency, or common interest of a commercial or non-commercial nature. These kind of relationships usually go beyond the bounds of platonic relationships and as such may give rise to actual or potential or perceived conflict of interest. Close Personal Relationships may include:

- (a) being personally involved, i.e. dating, romantic relationships, sexual and similar close personal relationships that may be consensually undertaken by both individuals;
- (b) a close relationship, i.e. friendships formed outside the workplace, relationship by marriage or law, current or former business relationship, cultural connections or relationships;
- (c) immediate family (a spouse, de facto partner, child, parent, grandparent, grandchild or sibling of the Employee; or a child, parent, grandparent, grandchild or sibling of a spouse or de facto partner of the Employee);
- (d) a member of the Employee's household;
- (e) a relationship where one Employee is financially dependent on another; and
- (f) a relationship which gives rise to an actual or potential or perceived conflict of interest and includes relatives and financial relationships.

Confidential Information includes, but is not limited to, any trade or business secrets, customer or client details and lists, supplier details and lists, the identity and source of the Employer's suppliers, pricing information, marketing information, strategic information, financial information, employee remuneration and employee personal information or any other information that you know or reasonably know to be confidential or sensitive to the business of the Employer.

Conflict of Interest occurs when an Employee is influenced by a private interest (financial or otherwise) when carrying out their work-related duties. A conflict of interest that knowingly leads to partial or biased decisions for personal benefit may constitute corrupt conduct. Conflicts of interest may be actual (involving a real and direct conflict between an Employee's current duties and responsibilities and existing private interests); potential (arising when an Employee has private interests that could conflict with their official duties in the future); and/or perceived

(existing where it could be perceived by a third party that an Employee's private interests could improperly influence the performance of their duties, whether or not this is in fact the case).

Employee means a person who carries out work in any capacity for a person conducting a business or undertaking (PCBU), including work as: an employee, contractor or subcontractor, an employee of a contractor or subcontractor, or an employee of a labour hire company assigned to work for a PCBU, an outsourced employee, an apprentice or trainee, a student gaining work experience, volunteer.

Intellectual Property means all forms of intellectual property rights throughout the world including (present and future) copyright, registered patent, design, trade mark and Confidential Information, including know-how, trade secrets, signs, distinctive marks, biological material, devices, models, formulae, graphs, photographs, drawings, business plans, methodologies, inventions, policies, records, memoranda and notes.

Interests are those that do not pertain or relate to money and may include but are not limited to family and close personal relationships, and involvement with commercial, volunteer, political, religious or other organisations.

Pecuniary means matters relating to money.

5. Policy Statement

This Code of Conduct is a statement of the values that govern the operations of UNSW College. The Code of Conduct is a guide which enables Employees of UNSW College to recognise and resolve ethical and moral issues that may arise in the course of their duties. It supports good judgement and is not a set of prescriptions to replace it.

5.1. UNSW College's values

UNSW College is an organisation committed to:

- (a) the highest ethical standards;
- (b) a work environment free from discrimination and harassment; and
- (c) respecting and valuing the diverse communities it serves.

5.2. The UNSW College workplace

People who work for or with UNSW College are entitled to expect a workplace in which they will:

- (a) be treated fairly, with respect and without discrimination;
- (b) be provided with a safe work environment;
- (c) work in a harmonious and productive environment;
- (d) have their professional expertise respected by their co-workers;
- (e) be provided with opportunities to learn and develop in their roles;
- (f) receive open, inclusive and honest communication; and
- (g) be treated in a professional, helpful and courteous manner.

5.3. Compliance with Legislation

All UNSW College Employees are expected to adhere to all legislation pertinent to UNSW College's operations, and this Code states the requirements of principled conduct within the framework of legal rights and obligations that govern the organisation.

5.4. Non-compliance with the Code

Failure to comply with the Code and the behaviours and standards expected of you, may occasion disciplinary action, up to and including termination of your employment or engagement.

6. Responsibilities under the Code

6.1. Personal responsibilities

All UNSW College Employees must:

- (a) behave in a lawful manner;
- (b) act within your delegated authority and in accordance with UNSW College policies and procedures, and any relevant legislative, industrial and administrative requirements;
- (c) conduct yourself in a professional and ethical manner at all times while at work or when your actions can be associated with UNSW College;
- (d) ensure you present an appropriate image of professionalism and that what you wear to work is suitable for your duties;
- (e) not bring UNSW College into disrepute by your actions or conduct;
- (f) be prepared to take personal responsibility and be accountable for your own conduct, actions or omissions;
- (g) co-operate with and obey lawful requests, directions or instructions given to you in the course of your employment by any person having the authority to do so;
- (h) be prepared to adapt your practice where benefits and improvements are identified;
- (i) keep up to date with advances and changes in your area of expertise and in UNSW College;
- (j) disclose to your manager or supervisor any charge of conviction, that may impact on your capacity to carry out your duties (e.g. loss of driver's licence);
- (k) promptly disclose any Close Personal Relationship to your immediate supervisor or manager, or where there is a Close Personal Relationship with that person, to the next-in-line manager or supervisor;
- (l) where a Close Personal Relationship exists, Employees must act in a professional and ethical manner while conducting UNSW College's work so as to avoid any actual or perceived conflict of interest;
- (m) participate in an annual performance development process, setting objectives and goals for each calendar year; and
- (n) report behaviour that breaches UNSW College policy.

6.2. Manager and supervisor responsibilities

An essential function of all managers and supervisors is the fair and effective management of their Employees. If you are a manager or supervisor you are expected to promote and demonstrate ethical conduct, fairness and equity, and to lead by good example. You are required to:

- (a) be accountable for your own actions or omissions;
- (b) carry out activities in ways that are lawful, fair, ethical, reasonable and professional;

- (c) ensure your Employees are held properly accountable for their conduct, performance and use of UNSW College resources and monitor compliance effectively;
- (d) be fully informed about the matters you deal with;
- (e) record and give reasons for your decisions and actions to those people who are affected;
- (f) ensure workplace systems, procedures and practices are promoted, developed, complied with, and regularly reviewed in your area;
- (g) ensure your Employees are informed of their duties and responsibilities, and received adequate information, instruction and training to perform them effectively, efficiently and safely;
- (h) inform Employees of the performance standards and results expected, provide your Employees with constructive feedback on their performance and deal with any concerns as they arise;
- (i) promote open, honest and two-way communication in the workplace;
- (j) share information with your Employees and encourage open communication and Employee participation in the business of the workplace through individual and team consultation;
- (k) use your best endeavours to ensure the workplace is free from all forms of harassment, discrimination and bullying and resolve workplace disputes and grievances in a fair and timely manner and in accordance with the relevant policy;
- (l) ensure a safe workplace by undertaking appropriate risk assessments and establish safe work methods;
- (m) treat your Employees courteously and fairly and consider different views;
- (n) value your Employees by treating them with respect, honesty and courtesy, respecting their rights;
- (o) promote and acknowledge excellence and innovation and deal fairly and effectively with instances of underperformance;
- (p) ensure that any Close Personal Relationship reported to you is managed appropriately in accordance with relevant UNSW College policies and procedures;
- (q) ensure work practices consider the diversity of Employees members and customers; and
- (r) ensure adequate supervision so all tasks are developed, performed and completed safely and with regard to the safety of others.

6.3. Conflicts of Interest

- (a) A conflict of interest exists when it is likely that you could be influenced, or may appear to be influenced, by a personal interest (financial or otherwise) in carrying out your UNSW College duties.
- (b) You must not use your position to gain an advantage for you or some other person. Conflicts of interest that lead to partial or biased decisions may constitute corrupt conduct.
- (c) Some circumstances that may give rise to a conflict of interest include, but are not limited to:
 - (i) Where you, a family member, relative, friend or associate has a financial interest in a matter you deal with or have the power to influence;

- (ii) Secondary employment or activities that conflict your duties, or the efficient and safe work of UNSW College;
- (iii) Making adverse public comments that relate to UNSW College work or affect your capacity to undertake your duties effectively;
- (iv) Misusing your position or business information you have access to, to secure future employment advantages outside UNSW College or to benefit any other person or organisation; and/or
- (v) Maintaining a Close Personal Relationship which may impact, have the potential to impact, or be perceived to impact, on your capacity to undertake your duties effectively.

6.4. Disclosing Conflicts of Interest

- (a) You may often be the only person aware of the potential for a conflict of interest. To ensure that your honesty and integrity is not questioned, it is your responsibility to:
 - (i) Recognise and disclose any actual or potential conflict of interest to your immediate manager or other senior manager and to Human Resources;
 - (ii) Recognise and disclose any Close Personal Relationship to Human Resources in accordance with the Conflict of Interest Procedure;
 - (iii) Take appropriate steps to resolve the conflict of interest in accordance with policy and prior to engaging in the affected work;
 - (iv) Not misuse your position or make decisions that may, or may appear to, obtain a benefit of any kind for yourself, family members, relatives, close friends or associates;
 - (v) Ensure that your work is not influenced by plans for, or offers of, employment outside of UNSW College; and
 - (vi) Seek written approval prior to embarking on any other proposed private employment while employed by UNSW College.
- (b) When you are uncertain whether a conflict exists, you should discuss this with your manager.

6.5. Respect for People

- (a) UNSW College is committed to creating an environment where we can all enjoy rewarding and fulfilling professional working relationships and where differences are respected.
- (b) Administrative decisions are to be based on sound management principles and on respect for people. As an Employee you are required to:
 - (i) Treat other Employees, customers or members of the public fairly, with courtesy, respect and not give any preferential treatment;
 - (ii) Respect the professional expertise of other Employees;
 - (iii) Ensure you do not discriminate against, harass, intimidate, bully or threaten Employees, customers or students;
 - (iv) Ensure you do not victimise Employees, customers, or students for any reason.
 - (v) Not use the internet or email to access, create, store or distribute offensive documents or images including material that may be discriminatory, harassing,

offensive, graphic or pornographic. Any inappropriate email inadvertently opened by you should be deleted and/or reported immediately;

- (vi) Be respectful of colleagues in shared work spaces. Language must always be polite, professional and of an appropriate tone and volume;
 - (vii) Commit to resolving personal or work-related disputes or differences in a constructive, co-operative and timely manner; and
 - (viii) Be sensitive to and respect the culture of the Aboriginal and Torres Strait Islander community of Australia and the diverse ethnic and cultural background of Employees and students.
- (c) Harassment or discrimination on the grounds of sex, marital status, pregnancy, age, race, social origin, carers' responsibility, religion, disability, political opinion, industrial activity and irrelevant criminal record, transgender status (actual or presumed), or sexual orientation (actual or presumed) may be an offence under Federal and State anti-discrimination legislation. In addition, Employees must not harass or discriminate against others on the grounds of political or religious conviction or membership of a union.
- (d) Report instances of discrimination, intimidation, victimisation, harassment or workplace bullying that come to your attention to your manager or other senior manager. All such reports must also be referred to the Head of Human Resources.

6.6. Customer service

Customers (including students) of UNSW College and Employees have a legitimate expectation that the service they receive from UNSW College is of the highest standard that can be achieved with the available resources. In order to achieve a high level of customer service, UNSW College and you as an Employee are required to:

- (a) Ensure our customers are provided with accurate information and timely service delivery;
- (b) Deal with customers and their enquiries sensitively, consistently, promptly, fairly, with respect and courtesy and, where appropriate, confidentially;
- (c) Provide our customers with information that is clear, appropriate to their enquiry, up to date and without undue delay;
- (d) Deliver services in the most efficient and timely way;
- (e) Strive to improve standards of service;
- (f) Raise any anomalies with your manager and consider alternative outcomes;
- (g) Ensure that correspondence with UNSW College customers and students is written in plain language, using simple terms and in easily understandable formats; and
- (h) Where required, ensure that appropriate interpreting or translating services are used.

6.7. Gifts and Hospitality

- (a) Token gifts and expressions of appreciation are common in international business, and while it is preferable to avoid any ambiguity by refraining from such exchanges, this can be difficult in practice. Employees should use their judgement in such matters. Gifts above a token value create avoidable ambiguities and place the recipient under an obligation.
- (b) UNSW College competes on merit and will not pay or offer to pay either directly or indirectly an undisclosed commission, contribution, gift or other consideration in order to

secure business. UNSW College Employees may neither offer nor receive a gift which is intended to influence or will have the effect of influencing decisions involving the operations of the organisation. It is important that UNSW College Employees recognise that gift-giving, hospitality and other marks of respect in the culture of a client can give rise to an ethical issue.

- (c) If you have any doubts about whether a gift should be accepted or disclosed, you must speak to your manager.
- (d) Employees of UNSW College must not knowingly use agents in foreign countries to circumvent prohibitions on secret commissions and bribes. Employees should take all reasonable steps to ensure that their agents do not use such methods.

7. Drugs and Alcohol

Alcohol and other drug related problems can occur in any workplace. Employees of UNSW College have a responsibility to reasonable care for the health and safety of all people at work (including themselves) and an obligation to cooperate with UNSW College to protect safety.

Employees of UNSW College must not be adversely affected by drugs or alcohol at work or while at work functions and must at all times be fit to perform their work safely.

7.1. Employees' Responsibilities in relation to Drugs and Alcohol

- (a) It is every Employee's responsibility to ensure that they are not:
 - (i) adversely affected by drugs or Alcohol:
 - (ii) in such a state as to endanger their own safety or the safety of any other person at work; and/or
 - (iii) unable to perform work at the expected standards.
- (b) Employees who have concerns relating to working with other Employees, due to effects of the possible use of drugs or alcohol must immediately consult with their manager or Human Resources.
- (c) Any Employee who is on a course of prescribed medication must notify their manager if their work performance is likely to be compromised or if there is risk to themselves or other Employees.
- (d) Where possible, confidentiality will be maintained in these matters.

7.2. Managers' Responsibilities in relation to Drugs and Alcohol

Managers have a responsibility to implement this Code of Conduct in order to maintain a safe working environment for all Employees. The decision on a person's ability to work safely will be made by the relevant manager. The manager is not required to assess whether, in their opinion, an Employee is affected by drugs or alcohol or to what degree this may be the case. The test is whether, in the manager's considered opinion, an Employee is capable of performing their normal duties in a safe and efficient manner.

7.3. Detection of a Drug or Alcohol at Work

A person who cannot perform their normal duties in a safe manner due to the suspected use of drugs or alcohol will be suspended from work immediately (see Managers' Responsibilities at paragraph 7.2 above).

A person who has been suspended from work will be assisted to ensure safe transport home.

7.4. Rehabilitation

UNSW College encourages Employees facing issues with alcohol or drug use to seek assistance and rehabilitation. UNSW College will endeavour to support Employees seeking treatment for addiction or problematic drug and alcohol use. UNSW College will ensure that Employees are aware of the availability of treatment and counselling to be made available through the UNSW College Employee Assistance Program (EAP). The person will not be discriminated against nor disadvantaged for utilising this service.

Where an Employee identifies to UNSW College that they are having problems with drugs or alcohol, UNSW College will take reasonable steps to accommodate any treatment and rehabilitation programs that the Employee may be attending or utilising.

7.5. Monitoring for Drugs and Alcohol

Employees who are suspected of being adversely affected by alcohol or drugs may be directed to, and must, answer any questions to respond to the suspicion, undertake a medical examination and provide blood or urine samples for testing as required to verify to UNSW College whether they are affected by any alcohol or drug.

UNSW College may also conduct random drug or alcohol testing. You must submit yourself for drug and alcohol testing as soon as reasonably practicable after it has been requested of you.

7.6. Drug Testing Procedures

The method of drug and/or alcohol testing will be as recommended by the medical authorities and will be conducted on the following basis:

- (a) The test is carried out by a trained and qualified person in private.
- (b) The test accuracy can be verified if necessary at an approved laboratory.

In the event that the test is positive, the Employee will be given the opportunity to undertake a rehabilitation program.

7.7. Disciplinary Action

Breaches of this policy will result in the appropriate disciplinary action in accordance with the Managing Unsatisfactory Performance and Conduct Policy.

8. Intellectual Property and Confidential Information

UNSW College's Intellectual Property and Confidential Information are assets that must be valued and treated in the same way as physical assets. Employees must respect and protect UNSW College's Intellectual Property and Confidential Information to ensure that the value of such Intellectual Property and Confidential Information is maintained, and UNSW College is able to use and exploit its Intellectual Property and Confidential Information for the maximum benefit of the company.

8.1. Ownership of UNSW College's Intellectual Property and Confidential Information

All Intellectual Property and Confidential Information created during the course of employment with UNSW College, unless otherwise agreed in writing, will be owned by UNSW College.

8.2. Using UNSW College's Intellectual Property and Confidential Information

You must not, during or any time after your employment, use or disclose to any person, whether for your own gain or another's gain or for any other business, any Intellectual Property or Confidential Information other than in the proper course of the performance of your duties.

For all UNSW College Intellectual Property and Confidential Information, Employees must comply with the following requirements:

- (a) identify and record its existence with management (if this has not been done already);
- (b) take reasonable steps to protect it and UNSW College's rights to it;
- (c) use it only as authorised for UNSW College purposes; and
- (d) ensure that agreements with service providers contain suitable provisions, where appropriate, to ensure that any new Intellectual Property created for a project will either be owned by UNSW College or UNSW College will have a perpetual right to freely use and adapt it for UNSW College purposes.

9. Social Media

- (a) Social media tools (like Facebook, Twitter, Instagram and LinkedIn) can, if not used appropriately, present risks for your employment. As such employees are required to use social media appropriately and responsibly.
- (b) All UNSW College Employees must exercise sound judgment and common sense when using social media tools. Social media posts made outside of work hours, or from non-work devices or computers may still have an impact on your work and employment in some circumstances.
- (c) You must ensure that any content or material published by you on any social media tool:
 - (i) is in full compliance with all confidentiality obligations;
 - (ii) protects the privacy of customers, clients, students, suppliers and Employees of UNSW College;
 - (iii) does not infringe any intellectual property rights of UNSW College;
 - (iv) does not breach any contractual obligations;
 - (v) does not bring the business of the UNSW College or its customers, clients and suppliers into disrepute;
 - (vi) does not bring you into disrepute in a manner that could reflect adversely on the business of UNSW College or your employment or engagement by UNSW College;
 - (vii) is not obscene, offensive, threatening, derogatory, harassing, discriminatory or hateful to another person or organisation and in particular: UNSW College, its Employees, partner organisations, officers, competitors, clients and customers, suppliers and other businesses with whom you or UNSW College has dealings or may have dealings;
 - (viii) is accurate and not misleading and deceptive; and
 - (ix) does not impact negatively on your effectiveness at work.
- (d) Failure to comply with these directions may lead to disciplinary action up to and including termination of your employment.

10. Legal and Policy Framework

10.1. Responsibilities

- (a) *Approver*
The Chief Executive Officer is responsible for the approval of this policy.

- (b) *Responsible Officer*
The Head of People and Organisational Development is responsible for the implementation, dissemination and review of this policy.
- (c) *Contact Officer (if applicable)*
The Human Resource Coordinator is responsible for the day to day implementation of this policy and is the first point of contact for all enquiries that relate to this policy.
- (d) *Policy and Compliance Officer*
The Policy and Compliance Officer is responsible for the administration and publishing of this policy.
- (e) *Employees, Supervisors and Executives*
UNSW College staff, supervisors and executives are responsible for assisting in the implementation of and adherence to this policy.

10.2. Review

This policy is due for review three (3) years from its date of implementation or in case of legislative or regulatory changes.

11. Breaches of Policy

- (a) Breaches of the Code, or UNSW College policies and procedures may result in disciplinary action being taken, up to and including termination of employment.
- (b) Victimisation of Employees who may be involved in investigations of harassment, misconduct or corrupt conduct will not be tolerated and may result in disciplinary action up to and including termination of employment.

12. Related Policies and Procedures

- (a) [Anti-Discrimination, Bullying and Harassment Procedure](#)
- (b) [Conflict Resolution and Complaint Management Procedure](#)
- (c) [Managing Unsatisfactory Performance and Conduct Procedure](#)
- (d) [Conflict of Interest Policy](#)
- (e) [Conflicts of Interest Procedure](#)
- (f) [Gifts and Benefits Procedure](#)
- (g) [Recruitment and Selection Policy](#)
- (h) [Acceptable Use of ICT Resources Policy \(Staff\)](#)

Version History

Version Control	Date Effective	Approved By	Amendment Notes
N/A	N/A	N/A	Administrative updates: change of a Policy template to reflect the new UNSW College Branding Guideline.
2.0	See page 1	See page 1	<ul style="list-style-type: none"> • Definition of Close Personal Relationship added to clause 4 • Close Personal Relationships added to Employees' Personal Responsibilities – clauses 6.1 (k) and (l) • Close Personal Relationships added to Manager and Supervisor Responsibilities – clause 6.2 (p) • Close Personal Relationships added to clause 6.3 • Close Personal Relationships added to clause 6.4 • Conflict of Interest Policy; Conflicts of Interest Procedure; Gifts and Benefits Procedure; Recruitment and Selection Policy; Acceptable Use of IT Resources Policy added to clause 12.
2.1	See page 1	See page 1	<ul style="list-style-type: none"> • Employee remuneration and employee personal information added to definition of Confidential Information • Administrative and editorial changes
N/A	N/A	Sarita Walpola	<ul style="list-style-type: none"> • Words 'sexual preference' replaced with 'sexual orientation'. Change made upon a request from the UNSW Division of Equity, Diversity and Inclusion in order to continue improving LGBTIQ+ workplace inclusion by using the correct terminology within the policy documentation.