

STAFF CODE OF CONDUCT PROCEDURE

Approving authority	Executive Management Team
Purpose	This procedure outlines the standard of behaviour expected of Staff and contractors of Ozford Institute of Higher Education.
Responsible Officer	President and CEO
Next scheduled review	September 2026
Document Location	http://www.ozford.edu.au/higher-education/policies-and-procedures/
Associated documents	<p>Academic Staff Professional Development Policy and Procedure</p> <p>Anti-Bullying and Harassment Policy and Procedure</p> <p>Anti-Discrimination Policy and Procedure</p> <p>Child Safety Policy and Procedure</p> <p>Diversity and Equity Policy and Procedure</p> <p>Human Resources Policy and Procedure (Manual)</p> <p>Occupational Health and Safety Policy</p> <p>Privacy Policy and Procedure</p> <p>Professional Staff Professional Development Policy and Procedure</p> <p>Records Management Policy and Procedure</p> <p>Sexual Assault and Sexual Harassment Policy and Procedure</p> <p>Social Media Policy and Procedure (Staff)</p> <p>Student Code of Conduct Policy and Procedure</p> <p>Use of Information Technology Facilities and Services Policy and Procedure (Staff)</p> <p>Younger Students Policy and Procedure</p> <p>Staff Code of Conduct Policy</p>

1. PRINCIPLES

Ozford Institute of Higher Education (hereafter referred to as the “Institute”) is committed to the highest standards of conduct in education, training and administration. To meet this commitment, this Staff Code of Conduct covers all departments and aligns employee and contractor conduct with the organisational values, policies and procedures.

It clarifies the standards of behaviour that are expected of the Institute’s Staff and contractors in the performance of their duties and provides guidance in areas where Staff and contractors need to make personal and ethical decisions.

This Staff Code of Conduct does not cover all situations; it sets out standards of behaviour expected and provides a broad framework that will help staff and contractors decide on an appropriate course of action when faced with an ethical issue.

2. SCOPE

This procedure applies to all staff and contractors.

3. DEFINITIONS

Academic or Professional Misconduct

Academic Misconduct is where Staff and contractors:

- claim possession of qualifications that have not been awarded;
- give pass grades or above to student work that is known to be not authentic (copied, someone else's work, plagiarised, colluded with others, exam cheating) or not correct;
- accepts any form of gift or money or services for favourable grades or admission;
- provides information (questions and/or responses) about assessments or examinations to students or third parties that gives students unfair advantage, uses assessment examination material that is not original (i.e. has been used before);
- fails to check the authenticity of students submitted assessments prior to awarding a pass grade,
- fabricates or alters student assessment or examination results;
- claims publication or research or academic work history that is not true;
- fabricates or falsifies findings of own research; or
- publishes work that has been plagiarised or undertaken by someone else (including students) without acknowledgement.

Child abuse

Child abuse is defined in the Child Wellbeing and Safety Act 2005 (Vic) as including:

- a sexual offence committed against a child
- an offence committed against a child under section 49M(1) of the Crimes Act 1958 (Vic), such as grooming
- physical violence against a child
- causing serious emotional or psychological harm to a child
- serious neglect of a child

Child connected work

Work authorised by the Institute and performed by an adult in any Institute environments where children are likely to be present or engaged.

Conflict of Interest:

Conflict of Interest is assessed in terms of the likelihood that Staff and contractors' members or contractor possessing a particular interest could be improperly influenced or might appear to be improperly influenced in the performance of their duties.

A conflict of interest arises in circumstances where an employee's private interests can influence or be seen to influence their work. A conflict of interest can involve pecuniary interests or non-pecuniary interests i.e., favours, personal relationships and associations. A conflict exists when a reasonably minded and informed person would form that view.

Contractor

Contractor means any person/organisation engaged in contractual service with the Institute or for its students.

Cultural safety

Cultural safety is the positive recognition and celebration of cultures. It is more than just the absence of racism or discrimination and more than ‘cultural awareness’ and ‘cultural sensitivity’. It empowers people and allows them to contribute and feel safe to be themselves.

Culturally and linguistically diverse

Culturally and linguistically diverse is a broad and inclusive term for communities with diverse language, ethnic background, nationality, dress, traditions, food, societal structures, art and religion characteristics.

Disciplinary Actions

Disciplinary Actions means measures taken by the Institute in relation to unsatisfactory performance, misconduct or serious misconduct and includes but is not limited to:

- formal counselling of an employee by an appropriate supervisor or internal or external counsellor;
- giving an employee a written warning (including where appropriate, a final warning);
- suspension with or without pay;
- withhold of an increment or payment of an invoice;
- removal from Office while remaining an employee of the Institution;
- termination of employment or contract agreement.

General misconduct

General misconduct is where Staff and contractors:

- act dishonestly;
- bully or harass other Staff and contractors;
- interfere with other Staff and contractors’ work;
- prevent or disrupt learning;
- disobey/fail to comply with contractual or legal requirements;
- misuse, damage or steal Institute’s property or the property of others;
- alter/deface the Institute documents or records;
- prejudice the good name of the Institute, or
- otherwise act in an improper manner.

Inclusive environment

An inclusive environment:

- value all students
- respect their rights
- challenge all forms of discrimination
- understand and respond to the needs and capabilities of all students and their families, including Aboriginal children and their families
- adjust their approaches to ensure all students feel safe, welcome and can participate.

Institute Environments

Institute environments means any physical or virtual place made available by the Institute for use by a child for teaching, learning or Institute activities, including:

- the campus;
- Online learning environments; and
- Other physical environments where the Institute operates or conducts activities.

Physical environments are the physical places where an organisation operates or conducts activities, such as a building, facility or space and includes physical environments operated by third parties such as student advocates and homestay accommodation.

Online environments are any technological platforms which an organisation uses or controls, such as computers, phones, websites, intranet, email, social media and video conference facilities regardless of where such platforms may be accessed by students.

Serious misconduct

Serious misconduct includes but not limited to

- Acting dishonestly including any fraud in respect to the Institute, students or stakeholders;
- Knowingly making any false or misleading representation;
- Harassing or intimidating a student, a member of staff, a visitor to the Institute, or any other person, because of race, ethnic or national origin, sex, marital status, sexual preference, disability, age, political conviction, religious belief or for any other reason;
- Misuse of the facility in a manner which is illegal, or which is or will be detrimental to the rights or property of others. This includes the misuse, in any way, of any computing or communications equipment or capacity to which the employee has access at or away from the Institute premises while acting as an Institute employee, in a manner which is illegal, or which is or will be detrimental to the rights or property of others;
- Theft or an action to steal, destroy or damage a facility or property of the Institute or for which the Institute is responsible.
- Any form of violence against a student, staff member or stakeholder of the Institute that is substantiated;
- A child abuse incident where the allegation is substantiated; or
- Being under the influence of alcohol or illegal drug during working hours.

Staff or Employee

Staff means a person engaged by an organisation as an employee, worker, contractor, labour hire worker, officer or office holder, minister of religion or religious or pastoral leader, regardless of whether that person's role relates to children.

Younger student

A student under the age of 18 years.

4. PROCEDURE

Training and Awareness

- 4.1. The ***Staff Code of Conduct Policy and Procedure*** will be made accessible on the Institute's website.
- 4.2. The Staff Code of Conduct will be supplied to students during orientation and made available to students in the Human Resources Procedure (manual).

- 4.3. All staff are informed about and are expected to understand the Staff Code of Conduct Policy and Procedure and staff are expected to support the Institute in communicating policies and procedures and expectations of appropriate behaviour.
- 4.4. Managers have responsibility to:
- model appropriate behaviour
 - promote the Institute's policies and procedures.
 - provide training or advice to staff and develop cross-cultural awareness and sensitivity among professional and academic staff;
 - inform staff or students who experience misbehaviour of the appropriate policy and procedures to resolve their concerns;
 - ensure that staff who raise an issue are not victimised for doing so and respect their privacy and confidentiality at all times;
 - maintain appropriate records.
- 4.5. Staff will provide a positive learning environment for the benefit of all parties. All staff will be required to use a positive approach.

Breaches of Code of conduct

- 4.6. Any breach of the Staff Code of Conduct Policy will be seen as a serious matter and will be investigated in a timely manner. Disciplinary action may be taken if the breach is substantiated.
- 4.7. The Institute encourages all staff to seek advice and support when they feel they have been experienced or witnessed concerning behaviour or a possible breach. If the possible breach is by their Manager/Supervisor then it should be reported to the next in line of Management. If the concern is with the President and CEO, the matter should be reported to the Chair of the Governing Board..
- 4.8. Staff and contractors are expected to report their concerns about the inappropriate actions of any other employee to their manager or a member of the Executive Management Team. This includes suspecting or becoming aware of a crime committed by a student, colleagues or other stakeholders.
- 4.9. Complaints about staff or contractors should be referred to the employee's manager and, where appropriate, an Incident Form should be completed.
- 4.10. Where an allegation of misconduct is made, an investigation of the matter will commence in accordance with the Institute's ***Human Resources Policy and Procedure***.
- 4.11. Staff should consider any associated Policy and Procedure in the conduct of the investigation and the actions taken as the policies and procedures may set out specific requirements and have external reporting obligations:
- ***Academic Integrity Policy and Procedure***
 - ***Anti-Bullying and Harassment Policy and Procedure***
 - ***Anti-Discrimination Policy and Procedure***
 - ***Child Safe Policy and Procedure***
 - ***Diversity and Equity Policy and Procedure***
 - ***Occupational Health and Safety Policy***

- ***Social Media (Staff) Policy and Procedures***
 - ***Sexual Assault and Sexual Harassment Policy and Procedure***
 - ***Use of Information Technology Facilities and Services Policy and Procedure (Staff)***
 - ***Younger Students Policy and Procedure***
- 4.12. Each case will be assessed on the facts and according to its own circumstances to determine the appropriate action to take, including reporting of serious matters and those where an employee has failed to follow a lawful direction. Procedural fairness requires the investigator to inform an employee or contractor of the allegations made against them; providing the employee or the contractor an opportunity to respond and ensuring that any staff involved in the investigation do not have a conflict of interest.
- 4.13. The issues to consider when deciding what action to take include:
- the seriousness of the breach;
 - the likelihood of the breach occurring again;
 - whether the officer has committed the breach more than once;
 - the risk the breach poses to Staff, students or any others, and
 - whether the breach would be serious enough to warrant formal disciplinary action.
- 4.14. Serious misconduct may require immediate investigation and the employee's withdrawal from their workplace or discontinuance of contract engagement until the outcome is determined.
- 4.15. The ***Human Resources Procedure (Manual)*** Unsatisfactory Performance management section outlines the procedures that shall be applied to situations of inappropriate or unsatisfactory performance and breaches of discipline by Staff including the disciplinary actions that may be taken.
- 4.16. The President and CEO or their delegated authority has the right to dismiss any staff member without notice for serious misconduct.

Reporting and monitoring of incidents

- 4.17. The President and CEO will report on any staff misconduct to the Governing Board as a confidential agenda item. Confidentiality and information privacy will be upheld, in accordance with the legislative requirements and the Institute ***Privacy Policy and Procedure***.
- 4.18. Any suggested improvement required to enhance the Institute will be discussed and implemented as appropriate.

5. QUALITY ASSURANCE

To ensure that this procedure is fit for purpose and meet the requirements of the HES Threshold Standards the procedure will be:

- 5.1 internally approved by the Executive Management Team on development or review;
- 5.2 externally reviewed as part of any independent review of the HES Threshold Standards approved by the Governing Board;

- 5.3 internally reviewed by the Responsible Officer every three years from the date of approval (if not earlier);
- 5.4 referenced to the applicable HES threshold Standard and/or other legislation/regulation.

6. FEEDBACK

Feedback or comments on this procedure is welcomed by the listed Responsible officers of the Institute.

7. ACKNOWLEDGEMENT

This procedure was developed with reference to the following:

- Australian National University, Policy: Code of Conduct ([ANU Policy Library - Policy - Code of conduct](#))
- Federation University, Staff Code of Conduct, 2023 ([Staff Code of Conduct \(federation.edu.au\)](#))
- Melbourne University, Child Safety Policy, 2022 ([Child Safety Policy \(unimelb.edu.au\)](#))
- Monash University, Child Safe Standards Framework, 2022 ([Child-Safe-Standards-Framework-2022-14.06.22.pdf \(monash.edu\)](#))
- Commission for Children and Young People, Information and website resources ([CCYP | Resources and support for the Child Safe Standards](#))
- Victorian Department of Education, Protect information and website resources ([PROTECT | Victorian Government \(www.vic.gov.au\)](#))
- The Ozford College Child Safe Policies and Procedures (see Ozford website)

8. VERSION CONTROL

Version	Date approved	Description	Approved by
1.0	March 2016	Initial issue	EMT
2.0	June 2018	Internal review	EMT
3.0	June 2023	Internal Review	EMT
3.1	September 2023	Internal review – minor formatting changes and add external referencing	EMT
Related legislation/ regulation/standard	Tertiary Education Quality and Standards Act 2011 Higher Education Standards Framework (Threshold Standards) 2021 Education Services for Overseas Students Act (ESOS) 2000 Education Services for Overseas Students Regulations 2019 The National Code of Practice for Providers of Education and Training to Overseas Students 2018 Racial Discrimination Act 1975 (Cth) Sex Discrimination Act 1984 (Cth) Disability Discrimination Act 1992 (Cth) Disability Standards for Education 2005 (Cth) Australian Human Rights Commission Act 1986 (Cth) Workplace Gender Equality Act 2012 (Cth)		

	Age Discrimination Act 2004 (Cth) Fair Work Act 2009 (Cth) Victorian Legislation Equal Opportunity Act 2010 Racial and Religious Tolerance Act 2001 (VIC) Spent Convictions Act 2021
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Note: EMT = Executive Management team