

# Staff Code of Conduct

## 1 Background

Menzies Institute of Technology (hereinafter known as “the Institute”) acknowledges an environment where best practices are actively promoted and highest level of ethical and moral standards are adhered by all staff. The Staff Code of Conduct establishes the standards by which the Institute’s staff conducts themselves towards others and performs their professional duties on behalf of the Institute.

## 2 Purpose

The purpose of this code is to ensure the Institute’s commitment to professionalism and respect for all members of the staff and the members of the Institute’s external environment. Its aim is to help the Institute to aspire to the highest standards of ethical conduct. The Institute expects all staff members associated to the Institute to observe the standards set out in this policy.

## 3 Audience

This code applies to all vocational education employees and people representing the Institute.

## 4 Definitions

**Conflict of Interest:** refers to any conflict that may arise between the Institute and any external interests or personal partnerships. This applies when the external interests or relationships have the possibility of affecting an employee's abilities to perform their obligations or make decisions regarding his/her duties to the Institute.

**Staff:** refers to any full-time, part-time, casual or academic and non-academic staff as well as volunteer members of committees and boards.

## 5 The Code

### 5.1 Personal and Professional Behaviour

Staff members must:

- a) Uphold the vision, mission, values, policies and procedures of the Institute.
- b) Perform any duties associated with their position diligently, impartially and conscientiously, to the best of their ability.
- c) Act equitably, fairly and reasonably.
- d) Treat members of the public, students and other staff members with respect, impartiality, courtesy, compassion and sensitivity with due regard for their needs, dignity and aspirations.
- e) Exercise best professional and ethical judgement, making decisions fairly, objectively and without bias, using factual information available and where appropriate documenting these decisions.
- f) Take responsibility for mistakes, work to rectify problems as soon as possible, and ensure that those who have admitted mistakes are treated with fairness and dignity.
- g) Maintain the confidentiality of official information of the Institute.
- h) Avoid undertaking any activity that could potentially compromise the performance of their duties.
- i) Maintain co-operative and collaborative approach to all working relationships.
- j) Ensure effective use of the Institute's resources.
- k) Maintain punctuality and if late or cannot report for work, telephone/email/SMS and let the immediate Coordinator or Manager know as soon as possible.
- l) Not use work time for private gain or conduct any activities during work hours that are for personal gain or from another employment or personal business activity. If required to

leave the work premises for personal reasons, they must advise their Coordinator or Manager well in advance.

## **5.2 Conflicts of Interest**

Staff members should:

- a) Avoid any personal partnerships that could result in a conflict of interest.
- b) Omit themselves from taking part in any decisions that could potentially be a conflict of interest because of existing personal partnerships.
- c) Stay away from any Institute related obligations where it may be perceived that he/she could be influenced in making a decision based on existing personal partnerships.
- d) Never use their position within the Institute to advance them in any personal or private situation.
- e) Make certain that there are no instances where it may be perceived that a benefit has occurred in their favour due to an existing personal partnership.
- f) Refrain from using their position within the Institute to gain different external employment. This also applies to using their position to assist someone else in gaining employment.

## **5.3 Ethical conduct for representation of the Department of Education for government funding contracts or loan schemes**

The Institute must:

- a) demonstrate the highest ethical standards in its dealings and conduct in the provision of the training services and in otherwise performing its obligations under the Skills First Government Funding Contract
- b) not do or omit to do anything which may damage, ridicule, bring into disrepute or be detrimental to the Department of Education, the VET sector, the Skills First Program, the Victorian government subsidised training market, or the Department's or the State's name or reputation;
- c) behave honestly and in a way that upholds the objects and values of the Skills First Program;

- d) not behave in a manner that damages the public confidence in the integrity of the Skills First Program;
- e) be aware of the existence and requirements of, and comply with, all policies, procedures and guidelines that are binding on the Institute under, or otherwise relate to the performance by the Institute of its obligations under, the Skills First Government Funding Contract;
- f) not make improper use of the position of trust placed in the Institute in the appropriate expenditure of substantial amounts of public moneys for VET;
- g) not harass, intimidate, threaten or seek to improperly influence the exercise of any powers or functions by any person exercising powers on behalf of the Department under the Skills First Government Funding Contract.

#### **5.4 Responsibility to students**

Staff members must:

- a) train and assess the student's work professionally.
- b) provide appropriate training and assessing services fairly, impartially and objectively.
- c) develop students' knowledge, understandings, skills and attitudes as defined in the objectives of the Institute's courses and units, by providing students with training programs, course materials, activities and tasks appropriate to the development of these attributes.
- d) assist students to learn from assessment tasks by providing them with timely and constructive feedback.
- e) strive for excellence in their teaching, and to seek and pay attention to feedback from students about the effectiveness and appropriateness of training and assessment programs.
- f) support the training and learning of students and provide services, support and assistance fairly, impartially and objectively, consistent with the principles enunciated in this Code.
- g) respect students' right to express views and opinions, to demonstrate concern for their welfare and progress within a course of study.

h) implement Institute's policy on equal opportunity to ensure that all students, regardless of their background or characteristics, have an equal opportunity to learn and to demonstrate that learning;

### **5.5 Responsibility to other staff members**

- a) Staff members, at all times, have a responsibility to each other, especially when in a supervisory role, to work together and assess work performance fairly, impartially and objectively.
- b) Staff members with a supervisory role are required to:
  - i. Act equitably and consistently in their dealings with all their staff.
  - ii. Ensure their staff understand the performance standards expected of them.
  - iii. Maintain open, honest and courteous communication with all staff.
  - iv. Provide guidance and directions to staff in a reasonable way.
  - v. Provide equitable access to appropriate development and promotional opportunities.
  - vi. Provide reasonable accommodations and flexibility for staff with a disability, illness, and family responsibilities or to allow religious or cultural observance.
- c) Staff members should not be involved in the recruitment or selection of a potential staff member with whom they have, or have had, a sexual, family, financial or close personal relationship.
- d) Staff members must treat all people equitably and fairly with a commitment to an inclusive workplace that is free from harassment.
- e) Staff members are not to engage in behaviours which may be unwelcome or which may victimise, be offensive or humiliating to others regardless of whether this occurs face-to-face, in writing, via email or via social networking media

### **5.6 Acceptance of gifts and benefits**

- a) Staff must not solicit gifts or benefits that might in any way compromise or influence them in their capacity as employees of the Institute.
- b) Staff member may receive a gift which is offered as part of a social, cultural or ceremonial practice.

- c) Staff members have a responsibility to respond appropriately to offers of gifts, benefits and hospitality, including when travelling overseas for Institute work.
- d) Staff must not seek or accept gifts that could be reasonably perceived as influencing them, particularly from people or organisations about whom they are likely to make decisions involving tender processes; procurement; enforcement; licensing; regulation; recruitment processes; or student enrolment/entry procedures.
- e) Gifts of money may not be accepted in any circumstances. If a staff member is offered a bribe, the incident must be reported to the Principal Executive Officer immediately.
- f) Staff must not pay, provide or offer, either directly or indirectly, incentives to undertake courses at the Institute, whether to any prospective student or to any other person (such as an employer or social organisation).

## **5.7 Outside employment**

- a) All full-time and part-time continuing or fixed term staff members must:
  - i. Obtain prior approval to commence outside employment, in writing, from the Head of Operations
  - ii. Ensure that the outside employment does not conflict with their normal work for the Institute.
  - iii. Give primary consideration to the Institute as their employer during their contracted hours of employment.
  - iv. Perform the outside employment outside their normal working hours and not involve the use of any Institute resources or equipment.
- b) Casual staff who work at the Institute are not required to obtain approval for other work outside of the Institute, but must not utilise the Institute resources or equipment, or Institute contracted time to engage in outside employment.

## **5.8 Making public comments**

- a) Staff are encouraged to speak to the media about issues relating to their area of specialisation in teaching and/or research, as well as contribute to public debate about political and social issues.
- b) If commenting on matters outside of their discipline or area of professional expertise or on political or social issues staff may do so on their own behalf and must not claim such views represent the Institute.
- c) Staff members must not make any unauthorised statements to the media about Institute's business.
- d) Staff must advise the Head of Operations when planning to speak to the media.

### **5.9 Use of facilities, equipments, information systems and other resources**

Staff members must:

- a) Safeguard all Institute resources (materials, funds, personnel, information systems, equipment, time, facilities, etc) and use them properly to advance the Institute's interests in an efficient, careful and honest manner.
- b) Not tamper or interfere with the Institute's information and/or communication systems.
- c) Have a responsibility to use Institute's information systems and telecommunications only for official business.
- d) Not use other Institute's resources for private purposes, unless express permission has been granted by the Head of Operations
- e) Exercise good judgment when using electronic mail, following the principles of ethical behaviour and use appropriate language in electronic mail messages.
- f) Electronic equipment and copying devices represent particular areas where staff are obliged to act responsibly.
- g) Never use the Institute's networks to view, upload, download or circulate any of the following materials:

- i. sexually related or pornographic messages or material
  - ii. violent or hate-related messages or material
  - iii. racist or other offensive messages aimed at a particular group or individual
  - iv. malicious, libellous or slanderous messages or material
  - v. subversive or other messages or material related to illegal activities.
- h) Institute information systems, including software and computer equipment, must be used only by staff of the Institute pursuant to *MITP26 IT Resources and Usage Policy and Procedure*.
- i) Adhere to all financial procedures and systems to ensure that the Institute can discharge its accountabilities for expenditure of monies entrusted to it.
- j) Fraud or theft by a staff member will result in immediate dismissal and appropriate legal action being taken

#### **5.10 Harassment and discrimination**

- a) All staff must respect the privacy of students and other staff members and must not engage in offensive behaviour, actions or comments.
- b) The Institute prohibits unlawful discrimination which is based on race, colour, national origin, religion, marital status, sex, age, veteran status, disability, sexual orientation, or any other status that is protected by State, Local or Federal law in any area, operation or activity associated with the Institute.
- c) The Institute also prohibits retaliation against an individual who engages in activities protected under *MITP21 Bullying, Harassment and Discrimination Prevention Policy and Procedure* and interfering with rights or privileges that are granted under anti-discrimination laws.
- d) Staff should make themselves aware of the potential for sexual harassment, discrimination, vilification and victimization to occur and the need to take appropriate action to prevent them under *MITP22 Sexual harassment policy and procedure*.



- e) Staff members must not engage in the following behaviour.
  - i. Verbally or physically assault another staff member or a student.
  - ii. Engage in constant criticism of another through words or actions.
  - iii. Demeaning words or actions directed at an individual.
  - iv. Inappropriate use of another person's possessions without their permission.
  - v. Treatment of an individual that is noticeably different than how others are treated.
  - vi. Unacceptable actions on the part of a superior to someone that is below them.
  - vii. Any behaviour actions, words that make an individual feel uncomfortable, unwanted or afraid can be considered bullying.
- f) Staff members are required to familiarise themselves with the *MITP21 Bullying, Harassment and Discrimination Prevention Policy and Procedure* and *MITP22 Sexual harassment policy and procedure* and report any discriminatory or harassment behaviour as outlined above to the Department Manager or Human Resources Coordinator.

### **5.11 Health, safety and wellbeing**

- a) Staff members must take responsibility and commitment for maintaining a healthy and a safe workplace in which the welfare and dignity of students, staff and all visitors to the Institute are held uppermost.
- b) Staff must take reasonable care for health, safety and wellbeing of themselves and others at the workplace and who may be affected by their acts or missions at work.
- c) Identify and immediately notify any work related injury or accident to the relevant supervisor.
- d) Staff should maintain a safe, healthy and productive workplace by ensuring strict adherence to all legislative requirements and *MITP20 Health and Safety Policy and Procedure*.

### **5.12 Dress code**

- a) Staff members have an obligation to dress appropriately, in a manner, that maintains respect, establishes credibility and uphold the reputation of the Institute.
- b) Staff are required to ensure that their personal appearance and presentations are clean, tidy and appropriate for their work roles.
- c) Staff members are encouraged to wear professional attire for office, classrooms and any other official function of the Institute.

### **5.13 Use of alcohol, drugs and tobacco**

- a) Staff members must not report for work under the influence of illicit drugs or alcohol.
- b) Staff members must not possess illegal drugs or alcohol while at work.
- c) Smoking tobacco (including electronic cigarettes) is not allowed in any of the Institute's buildings or enclosed areas.
- d) Any staff member found possessing illegal drugs will be reported to the Police immediately and will result in immediate dismissal.

### **5.14 Staff complaints**

- a) Staff complaints are to be raised to direct manager and necessary and reasonable actions to be taken by management to resolve the complaint.

## 6 Breach of Code of Conduct

- a) A substantiated breach of any part of this code of conduct will result in disciplinary action. The appropriate procedure will depend on the severity of the breach.
- b) On identifying a breach, it is to be reported to the Principal Executive Officer. The Principal Executive Officer will call the employee for a meeting and explain the nature and severity of the breach. The Principal Executive may decide to involve other relevant staff members as necessary.
- c) The employee will be given reasonable time and opportunity to respond before considering the response and making a decision on appropriate action unless the breach is of a serious nature and results in immediate dismissal. The employee may have a support person (other than legal representation) present at such meetings.
- d) Once the employee has responded, the Principal Executive Officer will consider their response and decide whether disciplinary measures should be taken and, if so, determine an appropriate form of disciplinary action. Depending on the nature and severity of the breach, disciplinary action may include the following:
  - i. verbal warning
  - ii. written warning
  - iii. counselling
  - iv. a period of probation
  - v. termination of employment
  - vi. referral to appropriate law enforcement/government agencies
- e) The employee's performance or conduct will be monitored and if it does not improve, the Principal Executive Officer may give the employee a final written warning to terminate employment.

## 7 Review

This code will be subjected to a review and update at intervals of three years from the approval date. Exceptions to frequency of review can be made if necessary. Any person who wishes to enter a complaint concerning this code may do so in accordance with the appropriate policies.

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