

## **STAFF CODE OF CONDUCT FREQUENTLY ASKED QUESTIONS**

### **1. *I am a casual staff member - is the Staff Code of Conduct binding on me?***

- Yes – the Code is binding on all staff, irrespective of whether you are employed on a continuing, fixed term or casual basis, and compliance with the Code is required through your employment contract with the University. By accepting employment with VU you agree to comply with VU's minimum standards for workplace behaviour and conduct even if your private views regarding acceptable behaviour may differ from the University's.

### **2. *What happens if I breach the Code?***

- You must be aware that any breach of the Code will be viewed seriously, but the specific course of action taken will depend on several factors including the nature of the breach and the industrial/employment agreement under which you are employed.

### **3. *Does the Code only cover my behaviour and conduct at work?***

The Code covers your behaviour and conduct at work but an understanding of what defines 'the workplace' is key. The 'workplace' is the place where you work and take part in any work-related activity or work-organised social activity, even if it is outside the physical boundaries of your normal worksite.

- Although some settings might not therefore appear to be a 'workplace' as it is commonly understood, eg a weekend social event sponsored by the University, behaviour and conduct in such settings is subject to the Code.
- Remember you have the right, as does everyone when involved in University business, to be treated with respect and courtesy and without discrimination or harassment regardless of the setting.

### **4. *What if I can't find an answer to my question in the Staff Code of Conduct?***

- The Code cannot explicitly address every situation that may be encountered. However, you may find it helpful to follow the 5 step ethical decision-making model outlined in Part B of the Code to approach a particular situation. You are also encouraged to discuss any questions on Code-related issues with your supervisor who can provide guidance and support.

### **5. *Can I use the Internet for personal use during my lunchtime?***

- IT resources, including Internet access, are made available for legitimate University business and operations, and a small amount of private use is tolerated. Legitimate
- University business includes teaching, research and independent study. In line with the *Appropriate Use of ICT* policy, internet access is provided on the understanding that all staff are responsible for exercising good judgment regarding a reasonable level of personal use, with guidance from their supervisor.
- Costs for internet use are directly incurred by the institution. Costs incurred by the University through excessive personal use may be recovered directly from the individual concerned, and may lead to disciplinary/legal actions.

**6. *Can I have my child work at VU casually during the school holidays?***

Assuming your child is of the minimum legal age for the purposes of paid work, you may put forward your child's details as a potential casual employee to recruiting areas. In line with the Recruitment and Selection Policy the principles of merit, equity, diversity and social justice will apply to any appointment. Under any circumstances you must not be involved in any recruitment decisions regarding your child nor will your child report to you.

**7. *Can I still be a member of the selection panel even though one of my friends is an applicant?***

- As a selection panel member, you must report any actual, potential or perceived conflicts of interest to the Chair of the Panel immediately. If you believe you are unable to be impartial, or would appear to be impartial, (this is likely if an applicant is a close friend) you must report this and the Chair of the Selection Panel should seek a replacement.
- If you are the Chair of the Selection Panel in this situation, you must declare a conflict of interest to the Delegated Officer and step down from the Selection Panel.
- You should be aware that, in remaining involved in a selection process in this situation, you must act fairly, impartially and in the interests of recruitment and selection principles. Failure to do so may be grounds for a complaint about the process as well as constituting improper conduct.

**8. *What do I do if I suspect fraud?***

- Victoria University considers fraud seriously and does not tolerate such behaviour. In line with the Fraud Prevention Policy, you have the responsibility and obligation to report known or suspected instances of fraudulent conduct to either:
  - VU's Protected Disclosure Coordinator, in accordance with the University's Whistleblowers Protection procedures, if seeking protection under the Whistleblowers Protection Act, or,
  - your supervisor if no protection is sought under the Whistleblowers Protection Act.
- This reporting will enable proper and prompt investigation proceedings to occur.
- Once you become suspicious of fraud, you should take notes of all observations and actions, and keep this evidence in a secure place maintaining confidentiality.
- You should note that failure to report suspected fraud is a breach of the Policy and the Code and may result in the University taking disciplinary action upon you.

**9. *(a) What do I do if I know that another staff member is in a personal relationship with a student that puts them at risk of a conflict of interest?***

- Ideally you should make the staff member aware of the University's conflict of interest guidelines and encourage them to declare the situation to their supervisor who will manage the situation accordingly. However, if you do not feel comfortable in approaching the staff member you should report the situation in confidence to your supervisor. Failing to act on a situation which can potentially put the University or a student at risk is a breach of the Code and may result in the University taking disciplinary action upon you.

- ***(b) What do I do if I know that another staff member is in a personal relationship with a student that is under 18 years of age?***

It is illegal for a staff member, or student on a placement as part of their studies, of the University to have a personal or inappropriate relationship with a student under 18 years as outlined in 3.2 of Part B above - *Personal Relationships – Students Under 18 Years of Age*.

If you know that another staff member is in a personal relationship with a student that is under 18 years, it is recommended that you make the staff member aware of the University's Staff Code of Conduct and encourage them to declare the situation to their supervisor who will manage the situation accordingly. However, if you do not feel comfortable in approaching the staff member you should report the situation in confidence to your supervisor. Failing to act on a situation which can potentially put a student or the University at risk is a breach of the Code and may result in the University taking disciplinary action upon you.

**10. *Why isn't there a dress code prescribed in the Staff Code of Conduct?***

- Whilst the University does not wish to be specific nor impose 'uniform' dress, you should dress in a comfortable but professional manner being mindful of the appropriateness of your dress for your role.

**11. *I work in VU's Marketing and Communications Department and a marketing consulting firm have approached me to review their operational procedures because of my Marketing expertise. Am I allowed to do this?***

- You must discuss this with your supervisor who, in line with the Guidelines on Outside Employment and Other Professional Activities, may determine that the opportunity belongs to VU and not yourself.

**12. *I recently witnessed a colleague repeatedly shouting at another colleague – what should I do?***

- It is not acceptable to repeatedly raise your voice even if you have a valid reason to be angry/upset. You have the right - and it is encouraged – that you approach the colleague and request that they refrain from shouting as this behaviour is not acceptable in the VU workplace. Alternatively you may wish to raise the matter with your supervisor or seek information and support from a Discrimination Harassment and Bullying Contact Officer.

**13. *Is swearing in jest appropriate in the workplace?***

- No – you may believe that swearing makes a situation amusing but others may see it as offensive and may wish to take the matter further.

**14. *What should I do if I develop a sexual relationship with a colleague?***

- Should the relationship be with someone within your work area you should declare this to your supervisor, if that is your wish, requesting their confidence. You and your colleague have responsibility to ensure that you do not place yourselves in a situation where a conflict of interest would exist or be perceived to exist or where the University is put at risk because of your mutually consenting relationship.

**15. *My daughter is a student in my School. What should I do?***

- You should ensure that your supervisor is aware of the relationship and that you remove yourself from any situation where a conflict of interest could exist or be perceived to exist. This includes any assessment and marking of your daughter's work submitted as part of her studies with VU.

**16. *My supervisor regularly asks to meet me about being late for work. I feel I am being bullied. Am I?***

- A supervisor has a right to – and should - discuss any concerns regarding conduct, including punctuality, with a staff member. Your supervisor has a duty to manage the performance of your duties and should be conducting the discussions in a reasonable manner with the purpose of reinforcing that punctuality in your role is key. Your lateness will be adversely impacting the operations of the work area and formal disciplinary action will be taken should your punctuality not improve. Having regular meetings is not bullying but is a way of giving you a fair opportunity to explain your lateness. Should the supervisor determine that you have no reasonable reason for regular lateness, they have a right to initiate formal disciplinary action.

**17. *One of my staff members arrived at work smelling of alcohol and appearing unsteady on their feet. What should I do?***

- As staff, we all have an obligation under OHS Act to minimise harm and prevent people from hurting themselves or others, even when they don't see that themselves. As the supervisor, if you feel this employee cannot safely perform their work, you are within your rights and under OHS obligations, to inform this staff member of work performance concerns in terms of their behaviour and their ability to perform all tasks safely and direct them to temporarily refrain from duties until they recover or send them home. (If a staff member affected by alcohol or another drug is sent home to recover, normal sick leave entitlements apply.)
- A one off incident may not lead to disciplinary action, however any further incidents, should initiate a consideration of the health of the individual (and support for the employee should be offered via the Employee Assistance Program) and the likelihood of formal disciplinary procedures.

**18. *I witnessed a colleague stuffing reams of paper into their bag to take home. What should I do?***

- You should feel comfortable in checking with the colleague that they are taking the paper for work purposes and that they have got the approval of their supervisor to do so. You may also want to point out that taking paper home for non-work purposes is theft and will lead to disciplinary action.

**19. *How do I know that a University Policy is the official approved and up to date version?***

- All approved University Policies are stored and updated on the University Central Policy Register, a quick link from the Intranet home page.

**20. *I am aware that a colleague lecturer recently deleted an email without responding from a student who was requesting advice. Should I say anything to them?***

This type of staff behaviour towards our students is inappropriate and not consistent with the behaviours we promote in the Code. All of us should be encouraged to strive for a responsive customer service culture not 'I am too busy, so I shall ignore it' culture. Respect is a VU value and it is therefore not acceptable that lecturers do not respond to students without valid reason. A culture of responding to student emails should be prevalent amongst all teaching staff. You should therefore feel confident in approaching the lecturer to point this out to them and refer them to the expectations within the Code.

**21. *I was arrested for drunken and disorderly behaviour in Melbourne on Saturday night. Do I have to tell my supervisor?***

- You are not obliged to report this to your supervisor should:
  - The incident not have occurred in the workplace as clarified in FAQ 3 above, and,
  - the criminal offence, even if found guilty, could not reasonably be seen to affect your ability to meet the inherent requirements of the work you are engaged to perform.

**22. *I get distracted by other managers using their iphones in meetings. What should I do?***

- If you feel comfortable in doing so, request that they be courteous and turn their phones off; respect for others includes giving full attention in meetings. Should you not feel comfortable, you should raise this with the Chair of the meeting.

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**23. *Does the OHS Act apply to me or just the Vice Chancellor?***

- Whether you are a supervisor, teacher, part-time employee, sessional, casual, contractor, volunteer or visitor – the answer is YES, the OHS Act 2004 ([link](#)) applies to you.
- The obligations and penalties placed upon you under the OHS Act are similar to the Road Traffic Act and Road Safety Act, where individual breaches of the Act can result in penalties, court appearances and gaol time. Under the OHS Act an individual can face up to 5 years gaol and \$200,000 worth of fines.
- In summary, you will find that whatever your occupation or status within the university, there is a section of the OHS Act that was written just for YOU! Ensure you are familiar with the Act.

**24. *As a supervisor, how can I ensure all staff in my area are aware of and understand the Code?***

- In addition to you sending regular reminders to ensure your staff are familiar with the Code by providing the link or hard copies, you may wish to devote some departmental meeting time to discussing and developing further examples of expected behaviour linked to the VU values appropriate to your own workplace environment.

**25. *Where do I send any feedback or suggestions on the Code?***

- We are keen to receive ongoing feedback on the Code to ensure it appropriately and meaningfully enhances the workplace environment at VU. Any feedback, comments or suggestions should be directed to the General Manager Workplace Environment and Culture within People and Culture.