

## Code Of Conduct

### 1 Principles

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This Code has been formulated to provide a clear statement of the University's expectations of its staff and affiliates in respect of their professional and personal conduct.

The Code reflects, and is intended both to advance the object of the University, namely the promotion of scholarship, research, free inquiry, the interaction of research and teaching, and academic excellence, as well as to secure the observance of its values of:

- responsibility and service through leadership in the community;
- quality and sustainability in meeting the needs of the University's stakeholders;
- merit, equity and diversity in our student body;
- integrity, professionalism and collegiality in our staff; and
- lifelong relationship and friendship with our alumni.

These values must inform the conduct of staff and affiliates in upholding and advancing:

- freedom to pursue critical and open inquiry in a responsible manner;
- recognition of the importance of ideas and ideals;
- tolerance, honesty, respect, and ethical behaviour; and
- understanding the needs of those we serve.

### 2 Application of the Code

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This Code applies to:

- all University staff (including casual staff) (referred to in this document as “**staff**”); and
- clinical title holders; adjunct, conjoint and honorary appointees; consultants and contractors to the University; holders of offices in University entities, members of Boards of University Foundations, members of University Committees; and any other persons appointed or engaged by the University to perform duties or functions on its behalf (referred to in this document as “**affiliates**”).

All staff are required to comply with the obligations set out in this Code and act in a way that furthers the University's object and upholds its values. Affiliates are required to comply with the Code in respect of their activities relating to or impacting upon the University and/or its staff or students. The University may take disciplinary action against staff for a breach of the Code, and may take commensurate action against affiliates.

The duties and obligations of members of Senate are set out in the [University of Sydney Act 1989](#) and the [University of Sydney \(Senate\) Rule 2002](#) and this Code does not apply to Fellows when acting in that capacity. Nor does this Code apply to students, who are covered by the University's [Code of Conduct for Students](#).

### 3 Definitions and interpretation

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In this document:

**Affiliate** means a clinical title holder, an adjunct, conjoint and honorary appointee, a consultant or contractor to the University, an office holder in a University entity, a member of any University Committee and any other person appointed or engaged by the University to perform duties or functions on its behalf. The application of this Code of Conduct to affiliates is set out in Part 2 above.

**Intellectual property** means intellectual property as defined in the [Intellectual Property Policy 2016](#)

**Policy** means a University policy as introduced, altered or replaced by the University from time to time.

**Political donation** means a gift, whether by monetary payment or in-kind contribution, made to or for the benefit of:

- (a) a political party;
- (b) an elected member of a parliament or local government authority; or
- (c) a candidate or group of candidates for election to a parliament or a local government authority.

This includes amounts paid as a contribution, entry fee or other payment for participation in, or otherwise obtaining a benefit from, a fundraising venture or function.

**Staff or staff member** means an employee of the University, including a casual employee.

Supervisor means:

- (a) in the case of a staff member, the person nominated by the University from time to time as the staff member's supervisor;
- (b) in the case of a clinical title holder, an adjunct, conjoint and honorary appointee, the Dean of the relevant Faculty;
- (c) in the case of a consultant or contractor to the University, the University officer nominated as the relevant contact officer in relation to their engagement;
- (d) in the case of an office holder in a University Entity or a member of any University Committee, the Chair of the relevant Entity or Committee; and
- (e) in any other case, the University officer nominated as the relevant contact officer in relation to the person's engagement.

**University Committee** means any committee or governing body of any entity established by or with the authority of the Senate.

**University Entity** means any entity established by or with the authority of the Senate.

A reference to any **legislation**, includes subordinate legislation made under it, and includes that legislation and subordinate legislation as amended or replaced from time to time.

## 4 Personal and Professional Behaviour

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In performing their University duties and functions, the behaviour and conduct of staff and affiliates must be informed by the University's object and its values and the principles enunciated in Part 1 above. All staff and affiliates must:

- maintain and develop knowledge and understanding of their area of expertise or professional field;
- exercise their best professional and ethical judgement and carry out their duties and functions with integrity and objectivity;
- act diligently and conscientiously;
- act fairly and reasonably, and treat students, staff, affiliates, visitors to the University and members of the public with respect, impartiality, courtesy and sensitivity;
- avoid conflicts of interest;
- maintain a co-operative and collaborative approach to working relationships; and
- comply with all applicable legislation, industrial instruments, professional codes of conduct or practice and University policies, including in relation to:
  - the conduct of research;
  - confidentiality and privacy of information;
  - equal opportunity;
  - health and safety policies and practices;
  - efficient and effective use of University resources including information communication and technology resources; and
  - protection of the University's interests in intellectual property arising from its teaching and research.

## 5 Conflicts of Interest

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All staff and affiliates must:

- comply with the University's [External Interests Policy 2010](#) and ensure that there is no actual, potential or perceived conflict between their personal interests or their duties to other parties and their duties and responsibilities as staff or affiliates of the University;
- promptly make full disclosure to the University of all relevant facts and circumstances giving rise to an actual, potential or perceived conflict of interest and cooperate with the University to ensure that all appropriate steps are taken to eliminate or manage such conflicts in accordance with the University's [External Interests Policy 2010](#); and
- comply with the University's [Guidelines Concerning Commercial Activities](#).

## 6 Intellectual Property

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All staff and affiliates must comply with the [Intellectual Property Policy 2016](#).

## 7 Secondary Employment and Outside Earnings

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All staff and affiliates engaged in paid University work must ensure that any non-University work they perform (including provision of assistance to government, the professions and industry through, for example, consulting work, contracting, collaborative research and participation on committees):

- does not conflict with their University work;
- does not adversely affect their University work performance;
- does not involve the use of University resources (except in the case of academic staff, as permitted by the University's [Outside Earnings of Academic Staff Policy 2011](#));
- is performed outside their normal University working hours, unless, in the case of academic staff, the work has been approved under the University's [Outside Earnings of Academic Staff Policy 2011](#).

In addition, academic staff must comply with the University's [Outside Earnings of Academic Staff Policy 2011](#).

## 8 Acceptance of Gifts and Benefits

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Staff and affiliates must not solicit nor accept gifts or benefits, either for themselves or for another person, which either might in any way, either directly or indirectly, compromise or influence them in their official University capacity or might appear to do so.

Consistently with and subject to that general principle, staff and affiliates may accept occasional gifts or benefits, subject to the following requirements:

- Gifts may be accepted only if the recipient is satisfied that they cannot be compromised, or be seen as having been compromised, by doing so;
- A staff member or affiliate who is in a position in the course of their University work to confer a benefit on a third party must not accept a gift from that party;
- Where the value of the gift or benefit exceeds \$300, it may be retained only if reported for registration on the [Declaration of External Interests system](#) and approved by the Executive Supervisor; and
- Cash or gift vouchers must not be accepted from any third party which derives a commercial benefit from a contractual relationship with the University under any circumstances.

Any gift or benefit that cannot be considered as occasional and token should be declined stating that it is the University's requirement that such gifts or benefits should not be accepted. If this is not possible because of the environment in which the gift or benefit is offered, the gift or benefit may be accepted on behalf of the University, and it should then be

retained by the relevant School or Administrative Unit.

For the purposes of this Code, “gifts” include honorariums which may be retained subject, if required, to being declared on the [Declaration of External Interests system](#).

Staff and affiliates must report any offers of bribes to their supervisor, who should then ensure that the matter is reported as corrupt behaviour in accordance with Part 12 of this Code.

## 9 Public Comment

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Staff and affiliates are encouraged to engage in debate on matters of public importance.

However, staff and affiliates who make public comment or representations and, in doing so, identify themselves as staff or affiliates of the University must comply with the University's [Public Comment Policy](#).

### 9A Political Donations

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Staff and affiliates are encouraged to participate in the political process in accordance with their rights and obligations as private citizens, and the University's [Public Comment Policy](#).

However, University funds and other resources must not be used to support any political party or candidate.

Political donations and tickets for political fundraising activities, including dinners, functions and similar events, are a personal expense.

## 10 Use and Security of Official Information

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Staff and affiliates must:

- maintain the integrity, confidentiality and privacy of University records and information to which they have access in the course of their employment;
- take all reasonable precautions to prevent unauthorised access to, or misuse of, University records and information; and
- comply with the University's [Privacy Policy and Information Security Policy](#).

Staff and affiliates must not:

- disclose, or offer to supply, confidential or private University records or information, except when authorised to do so as a part of their normal duties or functions, or when required or permitted to do so by University policy, State or Commonwealth law, court order or other legal instrument;
- access or use information, including information on electronic systems and hardcopy files, other than for an authorised purpose; or
- destroy, or authorise the destruction of, University records other than in accordance

with University policy and relevant legislation.

## 11 Use of University Resources

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Staff and affiliates must:

- use all University resources in an efficient manner and for University purposes only, unless express permission has been granted for non-University or private usage; and
- comply with the University's policy on [Use of University Information and Communication Technology Resources](#).

Staff and affiliates must not access or transfer pornographic or other inappropriate material through University information and communication technology resources (other than with the specific approval of the University's Ethics Committee for bona fide research purposes).

The University's mail, telephones (including mobile phones), facsimile machines, email and internet are provided for University use. Excessive and/or unauthorised personal use of any of these facilities can lead to the University taking disciplinary action against a staff member and commensurate action against affiliates. Emails (including personal emails) remain the property of the University at all times and may be accessed under court orders, Freedom of Information requests and in accordance with the University's policy on [Use of University Information and Communication Technology Resources](#).

Staff and affiliates should be aware that the University will, from time to time, access its communication resources to ensure that use of these resources is appropriate to carrying out the functions of the University.

## 12 Notification of Wrongdoing

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Instances of wrongdoing, including, corrupt conduct, maladministration, serious or substantial waste of public money, government information contravention, or other kinds of wrongdoing should be reported in accordance with the University's [Reporting Wrongdoing Policy 2012](#).

Reports should be made to an authorised disclosure officer under that policy. Currently these are any of:

- Vice-Chancellor
- General Counsel
- Director, Internal Audit
- Senior Solicitor
- Workplace Relations Director
- Manager, Archives & Records Management Services
- Associate Director, Workplace Relations

Some reports made by staff and others may be protected disclosures under either or both of the [Public Interest Disclosures Act 1994 \(NSW\)](#) or the [Corporations Act 2001 \(Cth\)](#). Further information about what disclosures are protected, and the nature of the applicable protection, is provided in the [Reporting Wrongdoing Policy 2012](#).

## 13 Equity of Access and Prevention of Harassment and Discrimination

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Staff and affiliates must comply with the University's [Bullying, Harassment and Discrimination Prevention Policy 2015](#) and must not harass or discriminate against students, staff, affiliates, visitors to the University's campus, or members of the public.

## 14 Work Health & Safety

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While at work or performing duties or functions for the University, staff and affiliates must:

- comply with the University's [Work Health and Safety Policy 2016](#) and [Work Health and Safety Procedures 2016](#)
- take reasonable care for their own health and safety and the health and safety of others who may be affected by their acts or omissions at work; and
- cooperate with the University to ensure compliance with all relevant health and safety laws.

Staff and affiliates must take care not to put themselves or other University community members at risk or reduce their ability to carry out their duties through the misuse of alcohol or drugs. Under no circumstances should staff or affiliates attend for duty under the influence of alcohol or drugs.

## 15 Management responsibility

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Chief Human Resources Officer

## 16 Implementation responsibility

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Chief Human Resources Officer

## 17 Dates

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Document originally approved by Senate on 7.10.97.

Revision 1 approved by Professor G Brown, Vice-Chancellor, on 26.10.00.

Revision 2 approved by Professor G Brown, Vice-Chancellor, on 28.3.02.

Revision 3 approved by Professor K Eltis, Senior Deputy Vice-Chancellor, on 19.6.03.

This review approved by Professor Gavin Brown, Vice-Chancellor, on 15 April 2008

Amendment to clause 12 approved by Professor Ann Brewer, Acting Vice-Chancellor, on 21 May 2012, to incorporate the new Reporting Wrongdoing Policy 2012 dated 16 January 2012.

A new clause 9A covering Political Donations was approved by Professor Stephen Garton, Acting Vice-Chancellor on 7 September 2016, effective 12 September 2016.

Amendment to clause 8 to increase the value of gifts to be declared from \$100 to \$300 approved by Dr Michael Spence, Vice Chancellor on 6 October 2017, effective 16 October 2017.

Amendment to clause 12 consequential upon amendments to the Reporting Wrongdoing Policy 2012, implementing amendments to the Corporations Act 2001 (Cth), effective 14 April 2020.