



## STAFF CODE OF CONDUCT

### Purpose

The Staff Code of Conduct provides the framework on the standards of conduct expected of staff at Lincoln Education Australia (LEA\*\*).

LEA is committed to providing a fulfilling working environment, and this commitment is underpinned by an expectation that staff conduct themselves in a manner consistent with LEA's values.

The purpose of this Code is to define the standards of behaviour by which all Staff agree to be bound as a condition of their employment and/or engagement with LEA.

This Code operates within the context of broader Australian State and Commonwealth laws about anti-discrimination and anti-harassment legislation, and in the context of other LEA policies and procedures.

\*\*The trading name for the Lincoln Institute of Higher Education (LIHE) is Lincoln Education Australia (LEA).

### Scope

This *Staff Code of Conduct* applies to LEA staff members, contractors, visitors to LEA premises, honorary appointees, volunteers, members of Boards and Committees, and others who may be engaged by or represent LEA's interests. In this policy "Staff" refers to any and all of these persons.

### Principles

The *Staff Code of Conduct* has been formulated to provide a clear statement of LEA's expectations of its Staff in respect of their professional and personal conduct.

The Code reflects the objects of LEA, to advance education through the delivery of quality higher education to domestic and international students as approved by Australia's national regulator for higher education, and to promote academic excellence and social responsibility whilst supporting free intellectual inquiry in its academic endeavours.

### Standard of Conduct

All LEA Staff shall, in undertaking their roles, uphold and advance:

- Integrity, professionalism and collegiality
- Freedom to pursue critical and open inquiry in a responsible manner



- Recognition of the importance of ideas and ideals, and
- Tolerance, honesty, respect, and ethical behaviour

All LEA Staff shall:

- Carry out official decisions and policies faithfully and impartially
- Carry out official directions and policies in a faithful and impartial manner
- 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
- Seek high standards in teaching, scholarship, community service, administration and governance
- Act diligently and conscientiously
- Avoid conflicts of interest
- Maintain a co-operative and collaborative approach to working relationships
- Report fraudulent or Corrupt Conduct appropriately
- Act within the limits of their delegated authority
- Take reasonable steps to protect confidential Information
- Take reasonable steps to ensure compliance with LEA's *Intellectual Property Policy*
- Give due credit to the contributions of Employees and Students
- Ensure they are informed of LEA policies and guidelines

### ***Respect for Persons***

LEA Staff are expected to:

- Act fairly and reasonably, and treat others with respect, impartiality, courtesy and sensitivity
- Be responsive and prompt in dealing with staff, students and the general community
- Observe procedural fairness when engaged in decision making
- Not engage in discriminatory conduct on grounds such as gender, sex, race, disability, cultural background, religion, age or political conviction
- Not engage in behaviour which may reasonably be perceived as Workplace Bullying and Harassment, intimidation or Harassment, and
- Have respect for cultural differences

## ***Sexual Harassment and Sexual Assault***

LEA takes a '**zero tolerance**' approach to sexual harassment and assault by students and / or Staff.

Sexual harassment may include:

- staring or leering
- unnecessary familiarity, such as deliberately brushing up against you or unwelcome touching
- suggestive comments or jokes
- insults or taunts of a sexual nature
- intrusive questions or statements about your private life
- displaying posters, magazines or screen savers of a sexual nature
- sending sexually explicit emails or text messages
- inappropriate advances on social networking sites
- accessing sexually explicit internet sites
- requests for sex or repeated unwanted requests to go out on dates
- behaviour that may also be considered to be an offence under criminal law, such as physical assault, indecent exposure, sexual assault, stalking or obscene communications.

LEA encourages the reporting of any incidents of sexual harassment. Incidents of sexual harassment shall be investigated, and perpetrators risk disciplinary action and/or termination of their engagement with LEA.

Sexual assault is any unwanted sexual behaviour that makes a person feel uncomfortable, threatened or scared. It encompasses:

- Rape – forced, unwanted sex or sexual acts
- Child sexual abuse – using power over a child or young person to involve them in sexual activity
- Indecent assault – indecent behaviour before, during or after an assault

Sexual assault is a crime and shall be reported to police.

Further details can be found in LEA's *Sexual Harassment and Sexual Assault Policy and Procedures*.

## ***Academic Freedom***

The obligations under this Code are not intended to detract from the concepts of intellectual and academic freedom and the rights of free speech. It is recognised and acknowledged that guarantees of intellectual and academic freedom are essential to the proper functioning of LEA as an institute of higher learning. These rights are linked to the responsibilities of LEA Staff and Students to support the role of LEA as a place of independent learning and thought where ideas may be put forward and opinions expressed freely.



Academic freedom, however, carries with it the duty of LEA Staff to use the freedom in a manner consistent with a responsible and honest search for and dissemination of knowledge and truth.

Further details can be found in LEA's *Academic Freedom Policy*.

## ***Conflicts of Interest***

LEA Staff are to avoid situations in which their private interests, whether pecuniary, personal or otherwise, might reasonably be thought to create a potential, perceived or actual Conflict of Interest with their duties to LEA. There is an expectation that individuals shall identify, declare and manage perceived, potential or actual conflicts of interest.

Any matter that could directly or indirectly compromise the performance of duties, or conflict with LEA's interests shall be immediately declared to the employee's manager or other senior employee in the first instance and steps taken to resolve the conflict situation. Where an Employee is unsure about the potential for a conflict, they should discuss the situation with their manager or other senior employee as appropriate.

Situations that may generate a conflict of interest can arise out of:

- Personal financial interests in matters which involve LEA
- Outside employment that may compromise the integrity of LEA
- Use of confidential Information obtained in the course of LEA duties
- External activities and public comment, i.e. nominating for and contesting political elections

Further details are provided in LEA's *Conflict of Interest Policy & Procedures*.

## ***Secondary Employment and Outside Earnings***

All Staff engaged in paid LEA work shall ensure that any non-LEA 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 LEA work
- Does not adversely affect their LEA work performance
- Does not involve the use of LEA resources (except where approved by the CEO or delegate)
- Is performed outside their normal LEA working hours



## ***Gifts and Benefits***

LEA Staff shall 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 LEA capacity or might appear to do so.

Any gift or benefit that cannot be considered as **occasional and token** should be declined stating that it is LEA'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 LEA, and it should then be retained by LEA and/or be used for the benefit of all Staff.

Staff who are in a position, in the course of their LEA work, to confer a benefit on a third party **shall not accept** a gift from that party.

Cash or gift vouchers shall not be accepted from any third party which derives a commercial benefit from a contractual relationship with LEA under any circumstances

Gifts may be accepted subject to the following:

- The recipient is satisfied that they cannot be compromised, or be seen as having been compromised, by doing so, and
- Where the value of the gift or benefit **exceeds \$250** it may be retained only if reported in the Register of Gifts and approved by the CEO (or the delegate)

## ***Public Comment***

LEA Staff are encouraged to engage in debate on matters of public importance. However, if making public comment or representations identifying themselves as LEA Staff, they shall act in good faith and not misrepresent their expertise.

Staff commenting publicly on an issue not in their field of their expertise should do so from a private address (whether postal or email) and not use LEA letterhead or emails.

If they wish to identify themselves as LEA Staff, they shall also indicate unambiguously that they are expressing their personal opinion and not presenting the opinion or position of LEA and shall not injure a person's reputation or create a basis for defamation action. In such cases, LEA shall not be responsible for any claims in defamation or otherwise that may follow such comment.

## ***Political Donations***

Staff are encouraged to participate in the political process in accordance with their rights and obligations as private citizens. However, LEA funds and other resources shall 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.



## ***Use and Security of Official Information***

LEA Staff shall:

- Maintain the integrity, confidentiality and privacy of LEA records and information to which they have access in the course of their engagement/ employment
- Take all reasonable precautions to prevent unauthorised access to, or misuse of, LEA records and information, and
- Comply with LEA's *Privacy Policy*

LEA Staff shall not:

- Disclose, or offer to supply, confidential or private LEA 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 LEA 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, LEA records other than in accordance with LEA policies and relevant legislation

## ***Use of LEA Resources***

Staff shall:

- Use all LEA resources in an efficient manner and for LEA purposes only, unless express permission has been granted for non-LEA or private usage, and
- Comply with LEA's policy on Use of LEA Information and Communication Technology Resources

Staff shall not access or transfer pornographic or other inappropriate material through LEA information and communication technology resources.

LEA's mail, telephones (including mobile phones), email and internet are provided for LEA use. Excessive and/or unauthorised personal use of any of these facilities can lead to LEA taking disciplinary action against a Staff member and commensurate action against other Staff.

Emails sent on the LEA email system (including personal emails) remain the property of LEA at all times and may be accessed under court orders. Staff should be aware that LEA shall, from time to time, access its communication resources to ensure that use of these resources is appropriate for carrying out the functions of LEA.

## ***Notification of Wrongdoing***

Instances of wrongdoing, including, corrupt conduct, maladministration, serious or substantial waste of LEA funds, privacy or other government information breaches, or other

kinds of wrongdoing should be reported to the CEO, Registrar or the Chair of the Governing Board.

### Compliance

All staff and students at LEA are required to comply with this policy and its procedures, and with related policies and procedures. Non-compliance may result in disciplinary action.

<b>File Number</b>	LEA-GEN-COR-70013-D
<b>Responsible Officer</b>	Chief Executive Officer
<b>Contact Officer</b>	Registrar
<b>Legislative Compliance</b>	<ul style="list-style-type: none"> <li>• <i>Higher Education Standards Framework (Threshold Standards) 2015</i></li> <li>• <i>Tertiary Education Quality and Standards Agency Act 2011</i></li> </ul>
<b>Supporting Documents</b>	
<b>Related Documents</b>	<ul style="list-style-type: none"> <li>• <i>Academic Integrity and Misconduct Policy</i></li> <li>• <i>Anti-Discrimination Policy and Procedures</i></li> <li>• <i>Sexual Harassment and Assault Policy and Procedures</i></li> <li>• <i>Conflict of Interest Policy &amp; Procedures</i></li> <li>• <i>Privacy Policy</i></li> <li>• <i>Academic Freedom Policy</i></li> <li>• <i>Staff Grievance Policy</i></li> </ul>
<b>Superseded Documents</b>	
<b>Effective Date</b>	1 January 2022
<b>Next Review</b>	3 years from the effective date

### Review Schedule

This Code of Conduct shall be reviewed by the Corporate Governance Board every 3 years.

Version History			
Version number:	Approved by:	Approval Date:	Revision Notes:
1.0	Corporate Governance Board	17/12/2020	New policy
1.1	Corporate Governance Board	22/02/2023	TEQSA and CRICOS requirements incorporated