Sojourn Travel

# Code of Conduct

**SECTION 1 - DEFINITIONS**

(1) For the purpose of the Code, the following definitions apply:

1. 'Officers' are defined as:
   1. Organisation employees, including adjunct, visiting and conjoint academic appointees, whether full-time, part-time, continuing, fixed-term or casual; and
   2. members of the organisation's Council and other Organisation committees, whether they hold office by election or appointment;
2. 'Affiliates' include:
   1. volunteers or representatives who contribute to or act on behalf of the organisation;
   2. consultants and independent contractors providing services for the organisation; and
   3. Organisationemployees

**SECTION 2 - POLICY STATEMENT**

**Part A - Policy Declaration**

(2) This Code of Conduct sets down several the organisation's minimum standards and obligations relating to the conduct and behaviour expected of members of the organisation community.

**Part B - Policy Description**

**Objectives**

(3) This Code of Conduct ('the Code') is designed to act as a reference point for the organisation and those members of the community with whom the organisation has dealings from time to time. Its purpose is to affirm that the organisation expects that those who carry out work and related activities for the organisation will observe the highest standards of conduct and probity.

(4) Compliance with this Code will foster and maintain staff, and public trust and confidence in the integrity and professionalism of the organisation.

(5) Officers and affiliates of the organisation are expected to carry out their work in an ethical, collegial environment and perform their duties with efficiency, fairness, impartiality and actively demonstrate the organisation's values of:

1. Collegiality demonstrated through:
   1. Openness and respect
      * Being open with each other and open in our thinking
      * Saying what we believe and doing it in a constructive and respectful manner
      * Engaging with diverse cultural and Indigenous perspectives in both global and local settings.
   2. Collaboration and trust
      * Working as a team, drawing on combined strengths to meet our shared goals
      * Trusting our colleagues to challenge us in a positive manner, and supporting each other
      * Engaging with our local and global communities and partners for mutual benefit.
2. Integrity demonstrated through:
   1. Honesty and ethical behaviour
      * Being truthful in all our dealings
      * Acting consistently with what is said and the principles held
      * Pursuing practices that develop the social, economic, cultural and environmental sustainability of our Organisation, and local and global communities
      * Advancing human rights and our commitment to providing opportunities for staff in an inclusive, culturally safe environment.
   2. Drive and accountability
      * Striving to ensure the organisation's ongoing success
      * Having the drive and commitment to innovate based on rigorous analysis
      * Being accountable for our individual and collective actions and for the performance of those we lead.

**Scope**

(6) The Code applies to officers and affiliates at all locations as well as in any forum or setting, national or international where the person is representing Sojourn Travel.

**Part C - Content and Implementation**

**Respect for the Law and Organisation Governance**

(7) Officers and affiliates are required to observe and comply with all relevant Federal and State legislation, rules and regulations, as well as the laws, rules and policies of the organisation. Where officers and affiliates represent the organisation in international locations, they are also required to observe and comply with the relevant laws of that country.

(8) This Code does not exclude or replace the rights and obligations of officers and affiliates under general statutory or common law.

**Professional Conduct**

(9) The personal and professional behaviour of officers and affiliates should conform to the standards that could be reasonably expected of such persons in those positions. This includes, but is not limited to:

1. a commitment to professional standards in teaching and learning, research, administration and community involvement;
2. the promotion of rights of staff within the organisation;
3. conduct which is professional and which has regard to the organisation's interests;
4. awareness of relevant legislation and adherence to policies and procedures developed by the organisation in compliance with relevant legislation and industrial agreements.

(11) In particular, officers and affiliates will not engage in 'corrupt conduct' as defined in the Independent Commission Against Corruption Act 1988 (NSW).

**Duty of Care**

(12) Officers and affiliates must take every precaution reasonable in the circumstances to protect the health, safety and welfare of all those in the workplace. In particular, they must comply with the relevant state and federal Occupational Health and Safety legislation and relevant Codes of Practice as well as the organisation's Occupational Health and Safety policies and procedures. Where officers and affiliates represent the organisation in international locations, they are also required to observe and comply with the relevant laws of that country.

(13) Officers and affiliates should actively promote safe working practices and environments for everyone. For example, officers teaching, researching or assisting in laboratories must dispose of hazardous or infectious material in accordance with defined safe work procedures for that area and ensure that staff using laboratories are also instructed in safe handling and waste disposal procedures.

(14) Officers and affiliates should ensure that the personal use of alcohol or other drugs does not affect work performance or the health, safety and welfare of others. The Organisation's Employee Assistance Program includes services to assist in the resolution of employee drug related problems.

(15) The Organisation must ensure that all contractors engaged on site are aware of the organisation's WHS legislative obligations and are compliant with the organisation's Work Health and Safety policies and procedures.

**Respect and Fair Treatment**

(16) Officers and affiliates should treat others with respect, courtesy, fairness and equity. This involves, but is not limited to:

1. treating each other in a fair and reasonable manner, including when supervising staff or being supervised and in dealing with other staff;
2. being accountable for their workplace responsibilities, including carrying out work with integrity and objectivity and making decisions that are procedurally fair;
3. contributing to a workplace culture of mutual respect with consultation, participation, trust, flexibility, collegiality and continuous improvement;
4. providing and contributing to an inclusive, healthy and safe workplace that achieves equal opportunity and embraces and supports a knowledge of and mutual respect for equity and cultural diversity;
5. carrying out work in a safe manner and taking precautions to protect the health, safety and welfare of oneself and others;
6. adopting a client-centred approach to work;
7. supporting the prevention and elimination of discrimination, bullying and harassment;
8. supporting, implementing and complying with any legislative, industrial or administrative requirements and the organisation's objectives, priorities, plans, policies and procedures;
9. respecting an individual's right to privacy and undertaking to keep personal information in confidence; and
10. respecting privacy laws and confidential information given to them in the course of their employment.
11. supporting and implementing initiatives and reforms to improve: the quality of service; quality and extent of academic outcomes; and the operational benefits of new technologies.

(17) Examples of behaviour that is unacceptable include (but is not limited to):

1. screaming, rude or insulting behaviour or persistent sarcastic behaviour;
2. making decisions based on favouritism;
3. stalking, threatening or menacing behaviour; and
4. use of internet chat lines, Facebook, MySpace, Blogs, Wiki, Twitter, Instagram, Snapchat or similar vehicles to defame, stalk, threaten or menace.

**Harassment, Bullying and Discrimination**

(18) As required by the organisation's Harassment, Bullying and Discrimination Policy, officers and affiliates must not harass or discriminate against their colleagues or members of the public on the grounds of (including but not limited to):

1. race, including colour, ethno-religious background or nationality;
2. sex or pregnancy;
3. transgender;
4. marital or domestic status;
5. disability;
6. carers' responsibilities;
7. homosexuality; or
8. age.

(19) Such behaviour may constitute an offence under the relevant state or country anti-discrimination legislation and a breach of the organisation's relevant policies and procedures. In addition, officers and affiliates must not harass or discriminate on the grounds of political or religious conviction.

(20) Supervisors must ensure that the workplace is free from all forms of harassment, bullying and discrimination. They should understand and apply the principles of equal employment opportunity and ensure that the officers and affiliates they supervise are informed of these principles.

(21) Officers and affiliates must comply with the organisation's e-mail and Computer Conditions of Use policies and procedures.

**Diligence**

(22) Officers and affiliates are expected to carry out their duties in a professional, responsible and conscientious manner, and to be accountable for their official conduct and decisions. They have an obligation to carry out official decisions and adhere to policies faithfully and impartially. This obligation applies even though employees have the right to institute grievance procedures where they believe a decision is improper or they seek to have decisions or policy changed through appropriate channels.

(23) Officers and affiliates should endeavour to maintain and enhance their skills and expertise and keep up-to-date the knowledge associated with their particular field or area of work. High standards of performance and a focus on client service are expected.

**Confidential Information**

(24) Confidential information means all information obtained by the organisation's officers or affiliates, relating to the organisation, in any form, that:

1. is marked confidential;
2. is notified (in writing or otherwise) as being confidential;
3. the organisation officer or affiliate knows or ought to reasonably be expected to know, is confidential;
4. if disclosed, could reasonably be expected to place the organisation at risk of criminal or civil liability, or damage the organisation's financial standing or reputation; or
5. is personal information;
6. but excludes information which is available to the public (other than in breach of an obligation to keep that information confidential).

(25) All officers and affiliates who are required in the course of their employment to handle confidential information must take reasonable steps to maintain proper secure custody of such information and only use it, disclose it or discuss it as:

1. authorised;
2. required in the course of performing their duties; or
3. permitted by law.

(26) Officers and affiliates must not misuse confidential information. Misuse includes, but is not limited to, intentionally, negligently or inadvertently:

1. accessing confidential information that is not directly relevant to the officer or affiliate's duties;
2. disclosing, discussing, and/or providing confidential information to any individual not authorised to view or access that information, including but not limited to third parties, volunteers, media, vendors and other Organisation officers or affiliates;
3. reckless, careless, negligent, or improper handling, storage or disposal of confidential information, including electronically stored and/or transmitted information, printed documents and reports containing confidential information;
4. deleting or altering confidential information without authorisation; and
5. using confidential information viewed or retrieved from Organisation systems for personal or any other unauthorised or unlawful use.

(27) Confidential information is solely and exclusively the property of the organisation and misuse of such confidential information and/or the systems in which the information is stored may result in disciplinary action for misconduct.

(28) Organisation officers and affiliates are also subject to obligations in relation to confidential information in equity and under the common law.

**Use and Security of Personal Information**

(29) Officers and affiliates have a duty to maintain the confidentiality, integrity and security of information for which they are responsible.

(30) They have an obligation to:

1. ensure that personal information concerning staff is secured against loss, misuse or unauthorized access, modification or inappropriate disclosure; and
2. report to their supervisor, or another senior officer of the organisation, actual or suspected misuse of information.

**Ethical Decision Making**

(31) When making decisions in the course of their work, officers and affiliates should consider the following:

1. whether the decision is lawful;
2. whether the decision is consistent with Organisation policy and in line with the organisation's objectives and Code of Conduct;
3. what are the likely outcomes for all concerned parties;
4. whether the outcomes raise a conflict of interest or lead to private gain at Organisation expense; and
5. whether the decision is justified in terms of the public interest and whether it would withstand public scrutiny.

(32) Officers and affiliates undertaking or assisting with research must do so in a manner consistent with intellectual honesty and the public interest. For example, ethical clearances must be gained where appropriate.

**Responsible Conduct of Research**

(33) Officers and affiliates engaged in research are obliged to achieve and maintain the highest standards of intellectual honesty and appropriate standards of rigour in the conduct of their research as detailed in the Australian Code for the Responsible Conduct of Research.

(34) Officers and affiliates engaged in research should be committed to the highest standards of ethical and professional conduct. They need to be aware of all guidelines and legislation relating to the conduct of research as documented in the organisation's Academic Policies and on the Research @ Sojourn's website.

**Intellectual Freedom**

(35) Intellectual freedom rights are linked to employee responsibilities as outlined in this Code. Rights are also linked to the responsibility of employees to support the role of universities as places of independent learning and thought, where ideas may be put forward and opinion expressed freely, and as institutions which must be accountable for their expenditure of public money.

(36) The principles of intellectual freedom should be observed and include the right of employees to:

1. pursue critical and open inquiry;
2. participate in public debates and express opinions about their discipline or profession, general social issues and higher education issues;
3. participate in decision making processes within the organisation via appropriate representation on Organisation committees;
4. participate in professional and representative bodies, including trade unions, without fear of harassment or intimidation; and
5. undertake all aspects of their role without fear of harassment, bullying, intimidation or unfair treatment.

(37) Officers and affiliates may make public comment (including via electronic means) on any issue in their capacity as individual members of the community. However, they should not use the title or by-line of Sojourn Travel.

(38) Where the matter of any public comment relates directly to the academic or other specialised subject area of an employee's area of expertise, the officer may use the organisation's name and address and give the title of his or her Organisation appointment in order to establish his or her credentials.

(39) When an officer or affiliate declares their association with the organisation they must disclose the limits of their research in making public comment.

(40) The Organisation reserves the right to issue a public statement rejecting an officer or affiliate's statements.

(41) All officers and affiliates have the right to express unpopular or controversial views but this does not mean that they have a right to defame or slander, harass, vilify, bully or intimidate those who disagree with their views.

**Conflict of Interest**

(42) Officers and affiliates must ensure that there is no conflict of interest between their personal interests and their duties, obligations and responsibilities to the organisation.

(43) They should be sensitive to the potential for conflicts of interest to arise between their personal interests and their Organisation duties, obligations and responsibilities.

(44) Officers and affiliates are required to avoid situations in which private interests, whether pecuniary, non-pecuniary or otherwise, conflict with or might reasonably be thought to influence judgements made during the course of their professional duties to the organisation. Conflicts of interest should be assessed in terms of the likelihood that officers and affiliates possessing a particular interest could be improperly influenced, or might appear to be improperly influenced, in the performance of their duties on a particular matter.

(45) A conflict of interest might arise where an officer or affiliate engages in activities which advance his/her personal interests at the expense of the organisation's interests or the interests of other officers or affiliates. In many cases, only they may be aware of the potential for conflict.

(47) Officers and affiliates who believe that there could be a situation involving a conflict of interest must advise their supervisor or relevant committee chair, as the case may be, who will determine what action is to be taken. Where communication with the supervisor is inhibited, officers must advise the Director, Human Resources.

(48) The following situations are provided as examples of where a potential for conflict of interest may occur. They are not exclusive:

**Financial or Pecuniary Interest**

(49) An example of a financial or pecuniary conflict of interest is where an employee or affiliate, or a member of their family, owns or holds shares or a position in a company, partnership or other business and is in a position to influence procurement, contracts for business, engagement of consultants etc., between that business and the organisation.

(50) Under the organisation's Commercial Activities Policy, in relation to commercialisation of any of the organisation's resources, officers and affiliates will be required to register any interest in any company, institution or other entity which is involved in a commercial activity with the organisation and to keep that notification up to date. A notification may be made generally or with respect to a particular proposal.

(51) Under such procedures, any employee or affiliate who has an interest in any company, institution or other entity which is, or is proposed to be, involved in any commercial activity of the organisation must:

1. not vote in respect of the commercial activity or the proposal;
2. not participate in any discussion by the Council or the relevant committee about the commercial activity or the proposal.

(52) Officers and affiliates involved in commercial negotiations should ensure that they do not enter negotiations on their own on behalf of the organisation. Where any financial negotiations are undertaken with outside parties at least two employees of the organisation should normally be present, one of whom should be an Organisation Executive Member or an approved nominee.

**Personal and Family Relationships between Employees**

(53) The Organisation's Personal Relationship Policy provides clarification where employees are working with family members or with persons with whom they develop close personal relationships.

(54) Employees or members of Organisation committees will not take part in any of the following matters if a personal or financial relationship exists:

1. recruitment or appointment;
2. immediate supervision;
3. tenure, promotion or reclassification;
4. staff development, travel or other material benefit; or
5. benefits which may arise from unequal treatment in application of conditions of service.

**Recreational Associations**

(56) An example of a conflict of interest which may arise through officers' recreational associations is where they are in a position to influence Organisation sponsorship of, or donations to that organisation.

(57) Officers are required to disclose as soon as possible any matter which could directly or indirectly compromise the performance of their duties, or conflict or seem to conflict with the organisation's interests.

**Gifts and Benefits**

(65) Officers should not solicit or encourage gifts or benefits in relation to their professional duties. Receipts of gifts may be perceived by others as an inducement, thus creating a potential conflict of interest, and may be an offence under legislation. The offence extends to the offering or seeking of a gift or benefit.

(66) Issues of cultural sensitivity are important in our environment as many employees are from different backgrounds where certain practices may be considered acceptable. However, employees are required to comply with contemporary Australian standards and relevant federal and state legislation such as the Independent Commission Against Corruption Act 1988 (NSW) and Public Interest Disclosures Act 1994 (NSW).

(67) Any gift must be declared to the Supervisor, but gifts of substantial value (estimated value of $250 or more) or receipt of serial gifts from the same donor must be declared in writing to the Executive Director (Financial and Human Resources) and are Organisation property to be dealt with at the Executive Director (Financial and Human Resources) discretion. The following information is required to be registered:

1. date gift received;
2. officer's name;
3. officer's position;
4. cost centre;
5. name of donor;
6. organisation and position of donor;
7. description of gift;
8. approximate value of gift; and
9. current location of gift.

(68) Any tickets to lotteries, art unions, raffles or games of chance of whatever kind or value given to any officers must be surrendered to the organisation.

(69) Officers may give or accept an occasional gift which is offered in accordance with social or cultural practice, for example, when an employee retires or leaves the organisation or visits an overseas Organisation.

(70) With respect to the giving of gifts by Organisation officers, including gifts to other officers and third parties, the following guidelines should be observed:

1. expenditure on gifts should be at a minimum level;
2. as much as possible, gifts should be branded with the organisation logo;
3. gifts in recognition of hospitality or other support are regarded as personal gifts which are not appropriate for funding from Organisation funds; and
4. the use of Organisation funds for gifts valued at more than $100 (ex GST) per recipient or organisation must be approved in advance by a member of the Executive in accordance with this Code.

**Reporting Corrupt Conduct**

(71) Officers are urged to report suspected corrupt conduct, as well as maladministration and serious or substantial waste of public resources. The Public Interest Disclosures Act 1994 (NSW) and similar legislation in other states and territories provides certain protections against reprisals for employees who voluntarily report such matters either to the Vice Chancellor, or to one of the three investigative bodies: the ICAC, the Auditor General or the Ombudsman (such protections do not apply in cases of vexatious or malicious allegations) Where officers and affiliates represent the organisation in international locations, they are also required to observe and comply with the relevant laws of that country.

(72) Disclosures may also be made to Nominated Disclosure Officers in accordance with the organisation's Public Interest Disclosures Act 1994.

(73) The following procedure should be followed if a member of the organisation's Council believes or suspects they have been offered a bribe:

1. notes should be taken immediately after the conversation has occurred;
2. the Chancellor or Vice Chancellor should be informed of the offer, and all relevant details, as soon as possible. If they are involved in the offer, the incident should be reported to the Deputy Chancellor; and
3. if a bribe has been offered, the organisation will inform ICAC and the police through the Manager, Governance Services.

**Use of Organisation Resources**

(74) Officers and affiliates are expected to be efficient and economical in their use and management of Organisation resources, including their own work time. Organisation resources should be used for the legitimate work purposes for which they are provided.

(75) The use of Organisation resources for purposes other than work should be subject to appropriate arrangements approved by the Supervisor. Officers and affiliates should not remove Organisation equipment from work, except where this is necessary for Organisation purposes and where appropriate permission has been given. Old or redundant Organisation property must not be taken home or sold privately, it must be disposed of according to Organisation policy.

(76) Electronic mail, access to the Internet, computerised information systems and other electronic facilities are provided to support Organisation activities and should be used for these purposes in accordance with the organisation's Computing Conditions of Use Policy and other associated Information Technology policies. Organisation facilities and equipment should be treated with appropriate care at all times.

**Outside Work and Private Practice**

(77) The employment obligations of Organisation employees who receive full-time salaries are to the organisation. Full-time Organisation employees wishing to engage in outside work, including private practice, must make application to do so in accordance with the organisation's Outside Work Policy.

(78) All Organisation employees, including those employed for less than full-time, must not accept outside work where it may cause a direct or indirect conflict with the employee's duties to the organisation or otherwise adversely impact the conduct of Organisation work. If there is any doubt whatsoever, the potential direct or indirect conflict must be reported under the Outside Work Policy.

**Political and Community Participation**

(79) Officers must ensure that any participation in party political activities does not cause conflict of interest or impede the performance of their duties.

**Security Maintenance**

(80) Officers and affiliates must maintain adequate security of the organisation premises in which they are working and must maintain security of keys and swipecards issued to them for the purposes of opening, accessing and using Organisation buildings, vehicles, equipment and other facilities. Keys are to be maintained and used only in accordance with the provisions of the organisation's Key and Access Control Policy.