

REGULATION 82
CODE OF CONDUCT



Current version with effect from: 1 Jan 2020

Approved by: Council

Approval History: 31 Jan 2019, 9 Oct 2019

82.1 Regulation of Conduct and Misconduct

82.1.1 The University of Divinity is committed to the highest standards of conduct. This commitment is expressed by ensuring academic integrity, academic freedom, fair treatment of all people, and the safety and wellbeing of members of the University.

82.1.2 Using the powers contained in section 30 (h) of the *University of Divinity Act*, the Council has resolved that all matters concerning conduct or misconduct of members of the University, including making, responding to, investigating and determining the outcome of a complaint in relation to alleged or actual misconduct of a member of the University, are subject to this Regulation and policies of the University pursuant to it.

82.1.3 This Regulation applies to all members of the University. For the purposes of this Regulation, members of the University are:

- a) students who are enrolled in an award or undertaking a unit of study of the University (including students on leave of absence)
- b) higher degree by research students whose candidature has lapsed but who are still eligible to submit a thesis for examination
- c) academic staff who are accredited under Regulation 40 (including honorary appointments)
- d) University Scholars who are accredited under Regulation 79
- e) Persons appointed by a College of the University under Regulation 3 to the role of Principal, Academic Dean, Registrar or Research Coordinator, or as a course advisor
- f) Persons employed by the University
- g) Members of the Council, the Academic Board, and their Committees.

82.1.4 In this Regulation references to the University include Colleges but only to the extent to which a College facility, premises or service is used to deliver University activities.

82.2 Code of Conduct

82.2.1 The Council must ensure that the University has a Code of Conduct which is aligned with the values of the University as expressed in its Vision, Mission and Graduate Attributes.

82.2.2 The Code of Conduct is applicable to all members of the University.

82.2.3 The Council must ensure that the Code of Conduct is communicated to:

- a) all current and prospective members of the University such that they are aware of their responsibilities under the Code of Conduct
- b) persons who are auditing classes held by the University but who are not members of the University in the expectation that they observe the Code of Conduct to the extent that it applies to the scope of their participation in such classes
- c) staff appointed or employed by Colleges or Libraries of the University but who are not members of the University with the expectation that they will abide by the Code of Conduct to the extent that it applies to the terms of their appointment or employment
- d) contractors engaged by the University with the expectation that they will abide by the Code of Conduct to the extent that it applies to the scope of their engagement.

82.3 Policies

82.3.1 The Council must ensure the University has effective policies for:

- a) ensuring the academic integrity of all academic activities undertaken by members of the University, taking into account the advice of the Academic Board
- b) maintaining academic freedom, including respect for the integrity and diversity of Christian theological traditions represented in the Colleges of the University
- c) ensuring the fair treatment of all members of the University, including safeguards to protect children, young people and vulnerable adults
- d) receiving complaints made in good faith in relation to the conduct of members of the University, including safeguards for complainants, investigating such complaints and, where misconduct is found to have occurred, the imposition of penalties
- e) appeals to be made against a decision of a committee or officer of the University.

82.3.2 University policies made under Regulation 82.3.1 must ensure that procedures for reporting or investigating misconduct include:

- a) transparent, evidence-based decision-making processes
- b) measures to support timely outcomes.
- c) appropriate provisions for confidentiality and privacy
- d) measures to support the fair and just treatment of participants

82.3.3 The Vice-Chancellor has delegated authority to appoint authorised officers as required by University policies made under Regulation 82.3.1, provided that:

- a) any authorised officer with decision-making power in relation to an appeal against a decision of the University is independent from an authorised officer who made the decision in question
- b) any matter concerning the conduct of the Vice-Chancellor is referred to the Chancellor who may appoint an authorised officer or officers to investigate the matter in accordance with this Regulation.

82.4 Penalties

- 82.4.1 Where misconduct has been found to have occurred, an authorised officer has delegated authority to impose a penalty as provided for by University policies made under Regulation 82.3.1.
- 82.4.2 Permitted penalties are:
- a) Reprimand
 - b) Recording of misconduct
 - c) Referral or reporting of misconduct to a third party
 - d) Consent penalty (a penalty agreed to by the subject of a complaint, such as an apology, reflective piece, counselling, community service)
 - e) Restitution
 - f) Prohibition (from access to designated spaces or contact with designated persons)
 - g) Suspension of membership of the University
 - h) Termination of membership of the University
 - i) Revocation of a qualification, prize, award, grant, scholarship, accreditation or classification made by the University.
- 82.4.3 The Council may impose the penalty of revocation on a person who is a graduate of the University who is not otherwise a member of the University if the person has been found to have engaged in serious misconduct during the person's period of enrolment as a student at the University.
- 82.4.4 The Council may revoke a penalty imposed under this Regulation or University policies made under Regulation 82.3.1.

CODE OF CONDUCT

Approved by the Council: 9 October 2019

The Code of Conduct applies to all members of the University of Divinity as defined in Regulation 82.

While on University or College premises, using University or College facilities and services, or engaging in University or College activities related to my duties or responsibilities as a member of the University of Divinity, I must

1. Strive to act with honesty and integrity

This includes

- a) refusing to initiate or engage in cheating, plagiarism or fraud
- b) complying with ethical standards in research and academic practice
- c) disclosing conflicts of interest
- d) being willing to report academic misconduct

2. Promote the responsible exercise of academic freedom and academic judgement

This includes

- a) applying structured argument and critical thought
- b) forming an opinion or making a decision on the basis of evidence
- c) respecting the integrity and diversity of theological traditions represented in the Colleges of the University
- d) pursuing excellence

3. Be courteous towards all persons in my behaviour and communication

This includes

- a) complying with reasonable directions issued by responsible persons
- b) respecting the privacy of others and information given in confidence
- c) being willing to engage with views different from my own

4. Protect from harm myself and others, especially children, young people and vulnerable adults

This includes

- a) refraining from and refusing to participate in abuse, harassment, bullying and assault
- b) supporting activities that ensure the University is a safe and healthy environment

c) being willing to report general misconduct

5. Use University resources responsibly

This includes

a) making judicious use of staff time, library collections, physical spaces, and technology

b) supporting activities that promote environmental and economic sustainability

6. Comply with University policies and procedures and applicable Australian laws

This includes

a) complying with applicable policies and procedures of my home College

b) complying with any contractual arrangements I have entered into with the University or with one of its Colleges

As a member of the University I have the right

a) to seek a review of, or to appeal, a decision made by an officer of the University

b) to make a complaint if I believe in good faith that a breach of this Code of Conduct may have occurred