



Codes of Conduct Policy

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Part A: Policy

1. Purpose and Scope

These Codes of Conduct have been prepared to promote fair, ethical and responsible behaviour and decision-making, and to guide the Directors, Committees of the Board, Officers, members of boards/committees/panels/etc., employees (including contracted employees), consultants and volunteers of the College as to the practice necessary to maintain confidence in the College's integrity. In particular, the Codes of Conduct also provide guidance as to the responsibility and accountability of individuals for reporting and investigating reports of unethical practice.

These Codes of Conduct form part of the College's Corporate Governance Policy which will be posted on the College's website. Members of the College will be advised of the location by newsletter, on notices and at the AGM.

2. Policy Level

Governance/Academic/Management/Operational: Governance

3. Background

The Mission of the Australian College of Theology Limited ('the College'), as a cooperative partnership of the Anglican Church of Australia and affiliated Christian theological colleges, each with their own church and agency stakeholders, is to ...

1. exercise leadership in providing programs of demonstrable quality in Christian theological education, and other disciplines related to Christian ministry, including undergraduate degrees and masters coursework and research degrees up to doctoral awards;
2. assist affiliated colleges to deliver those programs and to maintain and improve institutional academic quality;
3. support each affiliated college in the task of equipping students for the practice of Christian ministry;
4. facilitate each college's realisation of the full potential of its formational, educative and scholarly endeavour, and
5. foster a culture of research and scholarship across the College consortium.

4. Definitions

The College is the Australian College of Theology in cooperation with affiliated colleges

Relevant Persons, for the purposes of this Policy, comprise the College Board of Directors, Committees of the Board, Officers, members of boards, committees and panels, etc., employees (including contracted employees), consultants and volunteers of the College

The Board is the Board of Directors of the Australian College of Theology Limited

5. Principles

- (A) The College operates with regard to the interests of all stakeholders.
- (B) The College is committed to the provision of a high standard of service to prospective, current, and graduated students and staff of affiliated colleges.
- (C) The College's Christian ethos is reflected in its workplace. It is committed to employment and work practices which are non-discriminatory in terms of race, ethnicity or gender, and to on-going training and professional development, retention of employees, and the provision of a safe working environment.

- (D) Through its policies and procedures, including these Codes of Conduct, the College is committed to compliance with applicable legal requirements. These include, but are not limited to, the Corporations Act 2001, ASIC, HESA, ESOS, and OH&S requirements, trade practices and fair dealing laws, consumer protection and the protection of privacy.

6. Policy Content

(A) Code of Company Conduct and Responsibility

- A1. The College undertakes to deal fairly with the staff and students of affiliated colleges and to address complaints using approved dispute resolution procedures.
- A2. The College strives to protect the health and welfare of its people by providing an environment free from discrimination and harassment and which enables both staff and students to balance their College life with their family responsibilities and outside activities.
- A3. The Board and staff of the College shall protect the privacy of members, staff and students, and confidential information, except where disclosure is required by law.
- A4. Relevant Persons are required to execute their duties at all times with regard to the mission of the College and interests of all stakeholders of the College.
- A5. Relevant Persons are required to meet all legal and other obligations to other legitimate stakeholders of the College, including students and staff of affiliated colleges, members, regulatory bodies, creditors, suppliers and associations of which the College is a member.
- A6. The Relevant Persons, in carrying out their role in the College, are expected to ...
- a. act ethically and in good faith, and with honesty, integrity, transparency and impartiality;
 - b. act with diligence and responsiveness and treating others with fairness, respect and courtesy and without discrimination or harassment or engagement in misleading or deceptive conduct;
 - c. foster and protect the reputation of the College;
 - d. take reasonable steps to ensure adequate protection of all confidential information;
 - e. carry out duties as well as possible within any delegated authority;
 - f. constantly enhance their professional knowledge;
 - g. be accountable for all actions and decisions, and providing documentation and sound reasons for them;
 - h. not act in a manner that inhibits another person from fulfilling the requirements of their position;
 - i. use College resources properly and in accordance with occupational health and safety obligations; and,
 - j. protect of those who report violations or fraud or corrupt conduct in good faith.
- A7. Relevant Persons shall not compromise the College's integrity and control in any dealings by an actual or perceived conflict of interest. In the event that a conflict of interest is recognised, the Conflict of Interest Policy must be applied.
- A8. Relevant Persons shall neither solicit nor accept gifts or benefits that may appear to influence any aspect of their work. Such gifts or benefits might include things like money, property, a discounted service or goods (consideration), a service, or hospitality.
- In general ...
- a. gifts of money may not be accepted under any circumstances;

- b. unsolicited gifts or benefits of a nominal value attached to social and cultural events, promotional activities or visits may be accepted, if the acceptance poses no compromise – accepted gifts shall be declared to and noted by either the Dean or Chair of the relevant board/committee/panel and gifts above nominal value as determined by the Dean/Chair shall be deemed gifts to the College; and,
- c. where practicable, consumable gifts may be donated to charitable organisations.

(B) Code of Conduct for Directors and Executive Officers

- B1. A Director should act honestly, in good faith, for a proper purpose and in the best interests of the College as a whole, and should not engage in conduct that is likely to bring discredit upon the College.
- B2. A Director has a duty to perform the functions of office and exercise the powers attached to that office with a degree of care and diligence that a reasonable person would exercise if they were a Director in the same circumstances.
- B3. A Director should recognize that his/her primary responsibility is to the College as a whole (with this obligation to be observed in priority to any duty a Director may owe to those electing or appointing him or her) but should, where appropriate, have regard for the interest of all stakeholders of the College.
- B4. A Director should not make improper use of information acquired as a Director, nor take improper advantage of the position of Director. In particular a Director should not take advantage of property, information, position, or opportunities arising from these for personal gain or gain by another person, either directly or indirectly, or to cause detriment to the College.
- B5. A Director must protect and ensure the proper use of the College's assets.
- B6. A Director should properly manage any conflict with the interests of the College. Directors have an obligation to disclose to the Board any actual or perceived conflicts of interest of a direct or indirect nature which could compromise in any way the performance or reputation of the College. Directors shall comply with the Conflicts of Interest Policy of the College.
- B7. A Director has an obligation to be independent in judgement and actions and to take all reasonable steps to be satisfied as to the soundness of all decisions taken by the Board.
- B8. Confidential information received by the Director in the course of the exercise of Directorial duties remains the property of the College and it is improper to disclose it, or allow it to be disclosed, unless that disclosure has been authorized by the College, or the person from whom the information is provided, or is required by law. A Director will be expected to resign from the Board if he/she commits a breach of this obligation.
- B9. A Director has an obligation, at all times, not only to comply with the spirit, as well as the letter, of the law and with the principles of this Code but also to promote compliance with all relevant laws, regulations and the provisions of this code.
- B10. A Director has an obligation to report any instances of unlawful or unethical behaviour. The Board has an obligation to actively promote ethical behaviour and protect those who report violations in good faith.

Number of Outside Directorships

- B11. A Director should continually evaluate the number of boards on which s/he serves to ensure that s/he can give the time and attention to detail required to properly fulfil the duties and responsibilities as a member of the Board.
- B12. A Director shall table, at his/her first meeting after appointment and at the first meeting in each calendar year thereafter, a declaration of other relevant interests, including all directorships,

and shall notify the Board, as soon as practicable, if taking on a subsequent new relevant interest.

(C) Code of Conduct of College Staff

Protection from Liability

- C1. The College will indemnify its staff against liabilities incurred by them while carrying out their duties in good faith for the College. It will stand behind its staff and meet the costs of actions that might be taken against them personally as though the action had been taken against the College, provided that the staff member concerned was acting in good faith.

Exercising Care and Diligence in Employment

- C2. Staff members are expected to carry out their duties honestly, responsibly and impartially to the best of their ability.

For example, all staff members should:

- carry out their duties in a professional, responsible and conscientious manner;
- carry out official directions and policies in a faithful, impartial and transparent manner;
- ensure decisions can be seen to be reasonable, fair and appropriate to the circumstances based on consideration of all the relevant facts and supported by adequate documentation;
- report genuinely suspected or known fraud or corrupt conduct to the Dean;
- refrain from any conduct including alcohol or substance abuse or misuse, which could adversely affect personal work performance or the safety and well-being of others;
- properly protect confidential information and return any confidential information that must be taken from the College office;
- take reasonable steps to ensure the protection of intellectual property;
- maintain as appropriate the confidentiality of College dealings when interacting with outside organisations and others within the College;
- ensure that any official College information is not used, without College authorisation, in order to gain a financial or other benefit for themselves or any other person or group;
- be sensitive to the fact that if they occasionally need to use College resources, for instance to make a telephone call for private purposes, they are using College resources, and should endeavour to ensure that such use is kept to a minimum;
- give due credit to the contributions of other staff members and students;
- assess any student's documentation fairly, objectively and consistently in any particular circumstances;
- maintain adequate security over College property, facilities and resources and information;
- ensure that College resources are managed effectively, efficiently and for their specified purpose; and
- ensure that resources are used in a manner which does not harm the environment.

Health and Safety

- C3. Staff members shall:
- take reasonable care for the health and safety of persons who are at their place of work and who may be affected by their acts or omissions at work; and
 - co-operate so far as it is necessary to enable compliance with any requirement imposed under occupational health and safety legislation in the interests of health, safety and welfare on College staff or any other person.

Reporting corrupt conduct, maladministration and serious and substantial waste of resources

- C4. Staff members are urged to report suspicions of corrupt conduct, maladministration and serious and substantial waste of College resources.
- C5. When a staff member suspects corrupt conduct has occurred the staff member may report the allegation in confidence to the Dean. Any such allegations will be treated in strict confidence and investigated as considered appropriate.
- C6. If a staff member does not consider it appropriate to disclose an allegation of suspected corrupt conduct to the Dean, disclosure should be made directly to the Chair of the Board of Directors.

Making fair decisions

- C7. When making a decision, taking action of a discretionary nature or resolving a grievance which may adversely affect a person's rights, liberties, interests or legitimate expectations, the principles of procedural fairness should be applied. This means that persons affected should have the opportunity to respond to allegations or assertions made and to have a decision made without bias. Decisions should be based on considerations relevant to the matter at hand. Decisions may be accepted more readily if reasons are given.

(D) Monitoring and Compliance

- D1. The Board is responsible for investigating breaches of the Code of Conduct and for the protection of those who report violations.

7. Associated Documents

(A) Related External Documents

- a. National Governance Protocols for Higher Education Providers not listed in Table A of the Higher Education Support Act (HESA).

(B) Related Internal Documents

- a. Conflicts of Interest Policy
- b. Dispute Resolution Policy for Domestic Students
- c. Dispute Resolution Policy for International Students
- d. Directors' and Officers' Liability Insurance

8. Responsibility and Authority

Body/Position with authority to initially approve the policy and procedures and amend the policy:

Board of Directors

Body/Position(s) with delegated authority to amend the procedures consistent with the policy:

Dean

Body/Position(s) accountable for:

Responsibility	Position
Development of the policy	Quality Manager
Provision of advice in development of the policy	Directors, Dean, College Staff
Distribution of the policy	Quality Manager
Implementation of/Advice concerning the policy	Chairs of Directors, A/Board, Committees, Dean
Monitoring of and compliance with the policy	Company Secretary/Quality Manager
Evaluation and recommending amendment of the policy	Quality Manager

9. Approvals

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10. Communications

Date	Recipient	Purpose	Mode
29 May 08	College staff	Draft early version of this policy for comment	Email
25 June 08	Directors	Draft early version of this policy for comment	Email
26 June 08	College staff	Draft early version with section re College Staff	Email

Part B: Procedures

1. Introduction

(A) Commitment to the Codes of Conduct

- A1. Directors and external members of Committees of the Board of Directors shall commit to the Company Code of Conduct and Responsibility and Code of Conduct for Directors and Executive Officers.
- A2. The Dean (and Executive Officer) shall commit to the Company Code of Conduct and Responsibility and Code of Conduct for Directors and Executive Officers.
- A3. Chairs and Members of the Academic Board and related committees/panels shall commit to the Company Code of Conduct and Responsibility.
- A4. Employees (including contract employees), consultants and volunteers shall commit to the Company Code of Conduct and Responsibility and to the Code of Conduct of College Staff.

2. Procedures

(A) Timing of Commitment to Codes of Conduct

- A1. Directors shall commit to their codes prior to appointment and prior to any occasion for re-appointment.
- A2. External members of committees of the Board of Directors shall commit to their codes on appointment for tabling on the first occasion of attendance at a meeting of the committee.
- A3. The Dean and Executive Officer shall commit to his/her codes on acceptance of appointment and on the occasion of each annual review.
- A4. Chairs and members of the Academic Board and related committees/panels shall commit to their code on appointment for tabling on the first occasion of attendance at a meeting of their board/committee/panel.
- A5. Permanent (full-time or fractional) and long-term casual staff of the ACT Office shall commit to their codes on acceptance of appointment and on the occasion of each annual review.
- A6. ACT staff on short-term appointment shall commit to their codes on occasions as determined by the Dean.