# Presentation for AMC volunteers

**Introduction to Appropriate Behaviour and Conflicts of Interest**

October 2021

## Agenda

- **Introduction**
  - o Welcome to Country and Learning objectives

- **Appropriate behaviour and dedicated support**
  - o Who is a university community member?
  - o University Values and Governance Framework for expectations and managing inappropriate behaviour – *Behaviour Policy* and *Behaviour Procedure*
  - o Examples and consequences of inappropriate behaviour
  - o Safe and Fair Community Unit(SaFCU) and reporting matters

- **Relationships and Conflict of interest**
  - o Conflict of Interest Principles
  - o Managing Conflicts with the University's *Conflict of Interest Procedure.*
  - o Situations where conflicts may arise and examples of conflicts of interest

- **Questions**

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## Introduction - Learning objectives

**After attending this presentation, you will:**

- Have an awareness of the *Behaviour Policy; Behaviour Procedure*; supporting legislative and governance frameworks and be clear on the expectations of behaviour for AMC volunteers.

- Be empowered to call out and report inappropriate behaviour and to understand that there is process when matters are raised.

- Be aware and understand conflict of interest principles, situations where a conflict may arise and that the University manages conflicts with the *Conflict of Interest Procedure*.

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# Appropriate behaviour and frameworks

# University community members

**Who is a University community member?**

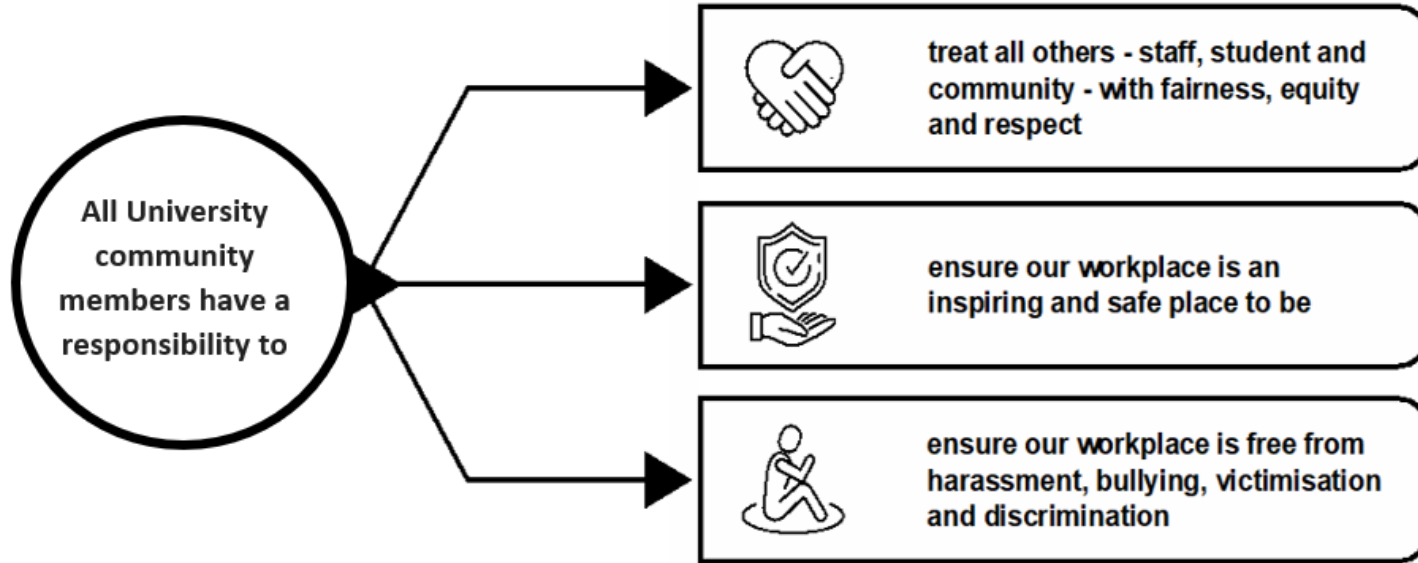The University community is considered to be all inclusive of:
- students
- employees
- committee members
- consultants
- **volunteers**
- visiting fellows
- adjunct & clinical title holders
- visitors
- contractors (undertaking non-core business)
- student clubs and unions
- affiliated residential colleges
- affiliated or controlled entity members
- individuals provided with access to University ICT services and facilities
- all other individuals engaged in activities reasonably connected with the University
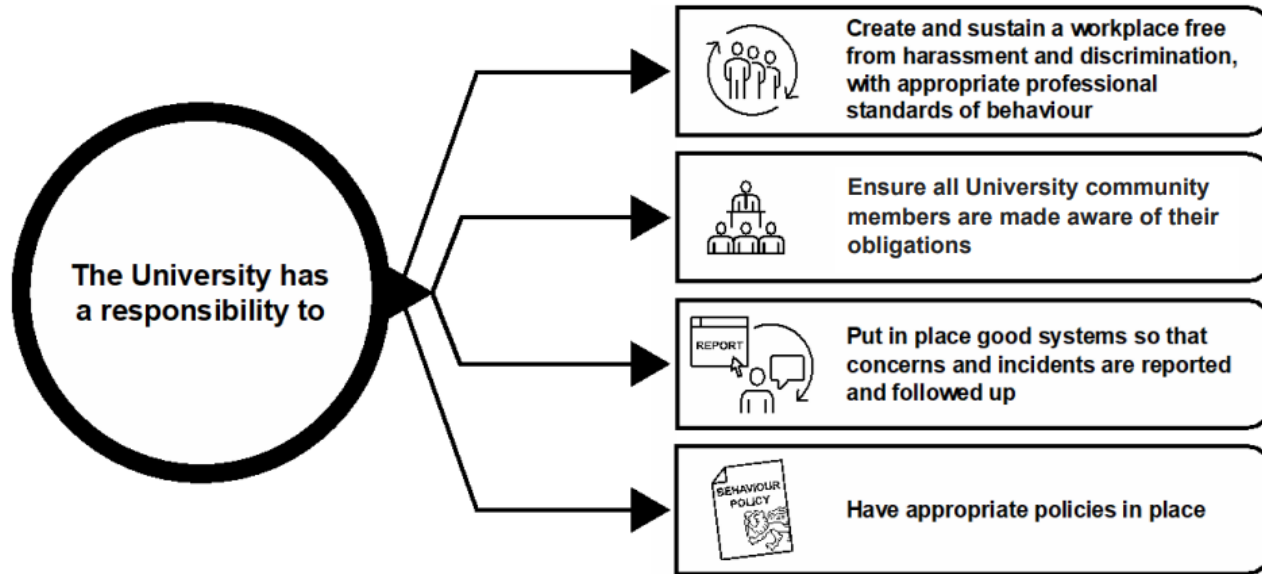
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# What expectations does the University have of its community members?

**All University community members have a responsibility to**

- treat all others - staff, student and community - with fairness, equity and respect
- ensure our workplace is an inspiring and safe place to be
- ensure our workplace is free from harassment, bullying, victimisation and discrimination

*Workplace in this context means any task undertaken in connection to AMC voluntary work, and also applies to interactions with other members of the University community.

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The University has a responsibility to

- Create and sustain a workplace free from harassment and discrimination, with appropriate professional standards of behaviour
- Ensure all University community members are made aware of their obligations
- Put in place good systems so that concerns and incidents are reported and followed up
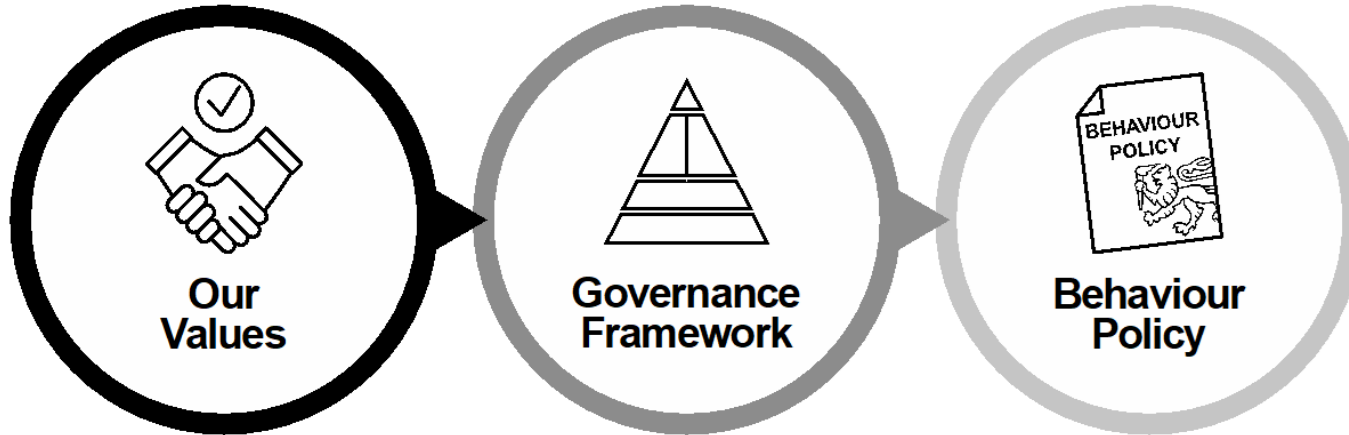- Have appropriate policies in place

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# What behaviours do we expect of ourselves and others within the University community ?

**Our Values**

**Governance Framework**

**Behaviour Policy**

Our Values underpin everything we do

Our Governance Framework describes the laws, policies and procedures which govern all aspects of how we conduct teaching, research and business at UTAS

Our UTAS Behaviour Policy describes expected behaviours at work and aligns with legislation

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# University Values

**CREATING AND SERVING SHARED PURPOSE**
We value the creation, expansion and dissemination of knowledge, and the promotion of continual learning. We are on a common journey to unlock and develop potential, foster talent and contribute to the life and work of our students, staff, alumni and wider society.

**NURTURING A VITAL & SUSTAINABLE COMMUNITY**
We value the care, connection and energy that come from a community of many levels and dimensions. Keeping our community strong supports each of us to find our place, do excellent work and extend our capabilities. We enable and participate in authentic conversations that allow us to be agents of change and transformation.

**FOCUSING ON OPPORTUNITY**
We value the creative possibilities that arise when people with skills, talents and innovative ideas come together and give each other the confidence to focus on opportunity.

**WORKING FROM THE STRENGTH DIVERSITY BRINGS**
We value diversity and the strength, resilience and creativity that it brings. We harness its gifts. In supporting the contribution and well-being of all, we create a welcoming, caring and inclusive environment.

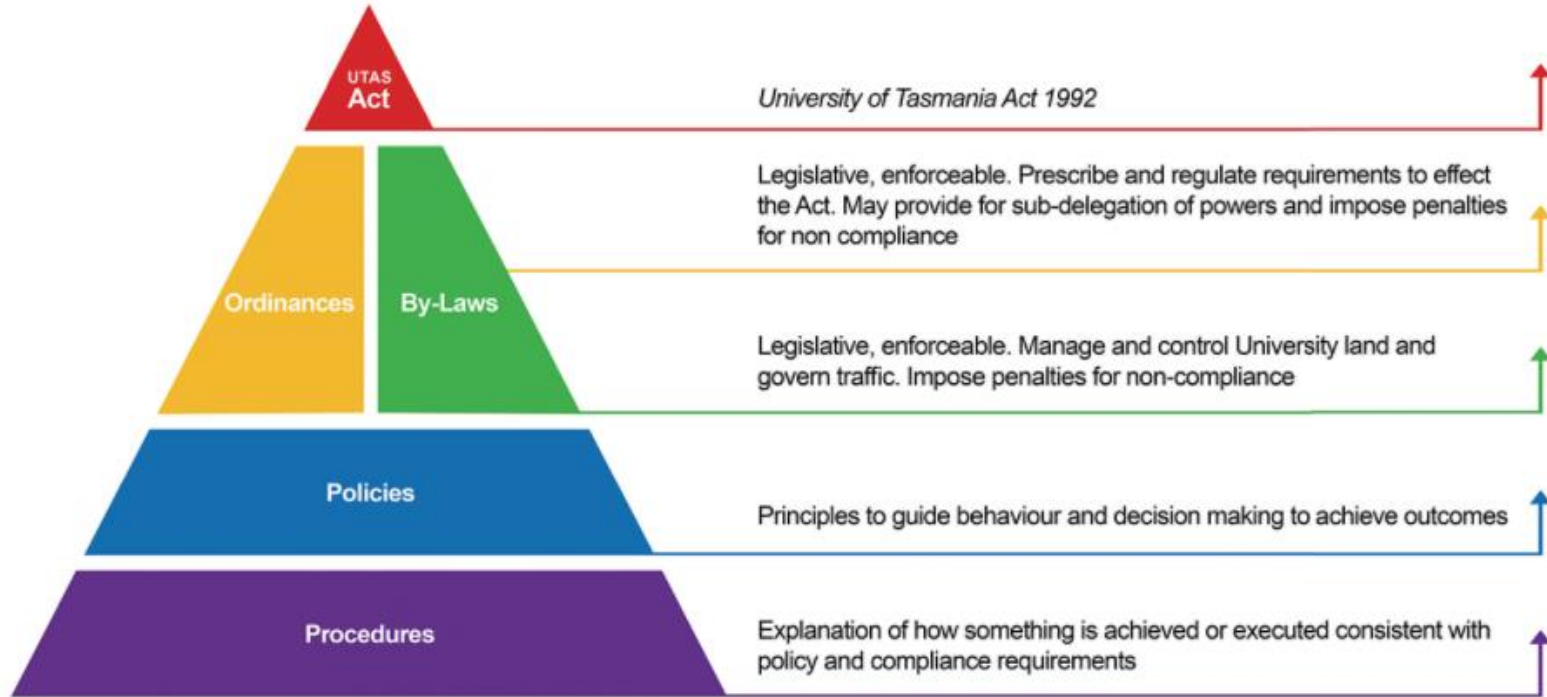**COLLABORATING IN WAYS THAT HELP US BE THE BEST WE CAN BE**
We value a community that supports each of us to collaborate and to be the best we can be, flourishing both individually and collectively. Being supported to question and reflect gives us the freedom to challenge ourselves and each other. It reminds us that listening to, engaging with and involving others are vital for our success.

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# Governance Framework



University of Tasmania Act 1992

Legislative, enforceable. Prescribe and regulate requirements to effect the Act. May provide for sub-delegation of powers and impose penalties for non compliance

Legislative, enforceable. Manage and control University land and govern traffic. Impose penalties for non-compliance

Principles to guide behaviour and decision making to achieve outcomes

Explanation of how something is achieved or executed consistent with policy and compliance requirements

UTAS Act

Ordinances    By-Laws

Policies

Procedures

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## University Behaviour Policy

- The *Behaviour Policy* requires that all members of the University community are considerate of each other and behave appropriately, acting in accordance with the University's values and comply with all University policies, procedures, ordinances, by- laws and related documents.

- The *Behaviour Policy* sets out behaviour and conduct that is **not accepted** by the University and includes any behaviour which is unlawful, unethical or would be considered improper conduct. Collectively, this is referred to as 'inappropriate behaviour'.   Examples of inappropriate behaviour are published in the *Behaviour Procedure* at Appendix A and will be discussed in the following slides.

- You can find our *Behaviour Policy* within the Policy repository on the University website at this link: https://www.utas.edu/au/policy/policies

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## University Behaviour Procedure

The University's *Behaviour Procedure* sets out how behaviour concerns are dealt with in relation to timeframes for making complaints about behaviour, processes involved and details possible outcomes. It also categorises and provides examples of inappropriate behaviour.

As defined in the *Behaviour Procedure*, volunteers are part of the University community so it applies to you.

You can find our *Behaviour Procedure* on the University website, within the Procedure repository at this link: https://www.utas.edu.au/policy/procedures

It is essential as an AMC volunteer that you are aware of its purpose and how to find it.

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# Examples of inappropriate behaviour from Behaviour Procedure

- **Behaviour that negatively impacts on the ability of others to study, research, work or undertake university activities**
  - Inappropriate or inordinate demands for workspace, time and/or attention
  - Inappropriate behaviour in classes or meetings such as calling out, distracting others by talking, monopolising discussions, unreasonable constant questioning or interruptions
  - Raising one's voice or acting with aggression during a meeting or when working with others
  - Inappropriate use of equipment or materials
  - Wilfully ignoring others
  - Inappropriate behaviour arising from the consumption of alcohol or illicit drugs

- **Bullying is repeated, unreasonable behaviour directed towards one or more persons, which creates a risk to health and safety. Bullying can occur unintentionally.**
  Examples of repeated incidents of:
  - Abusive, insulting or offensive language or comments
  - Unjustified criticism or complaints
  - Deliberately excluding someone from workplace activities
  - Withholding information that is vital for effective performance
  - Setting unreasonable timelines or constantly changing deadlines
  - Spreading misinformation or malicious rumours

# Examples of inappropriate behaviour continued

- **Unlawful discrimination - means treating a person or group less favourably on the basis of the person or group having a particular characteristic or attribute (known as protected attributes) which are prescribed under State or Federal legislation.**

  Examples of direct discrimination:
  - Refusing to employ or promote a person because of their age
  - Mocking, teasing or harassing a person because of their disability
  - Giving a person a lesser (or no) pay increase because they are about to commence parental leave.

  Examples of indirect discrimination:
  - Requiring a group of people to attend a training or study event that is held on a day of great religious significance to some people
  - Regularly holding staff meetings at school drop off or pick up times

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- **Vilification or victimisation to a person or group of people**

  Examples of vilification:
  - Publishing claims that a racial or religious group is involved in serious crimes without any proof
  - Repeated and serious verbal remarks about the race or religion of another person
  - Encouraging people to hate a racial or religious group using flyers, stickers, posters, speech or publication, or using websites or email

  Examples of victimisation:
  - A student sending a rude and aggressive note to another student because that student has complained about the behaviour of a friend of theirs
  - A supervisor humiliating a staff member because that staff member gave evidence in support of a colleague in relation to a complaint against the supervisor

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- **Behaviour which offends, humiliates or intimidates on the basis of certain attributes (for example, race, age, disability, religion, gender and gender identity, sexual orientation)**
  - Mocking or teasing someone because of their disability
  - Deliberately embarrassing a colleague who is expressing milk for the purposes of breastfeeding their child
  - Making inappropriate comments to a person who needs to leave a tutorial early to collect their child from care
  - Emailing or using social media to send jokes to someone about a particular racial group

- **Making vexatious, malicious and/or frivolous complaints**
  A complaint is vexatious, malicious or frivolous where the complaint is:
  - without merit, misconceived or lacking in substance
  - intended to cause harm
  - dishonest or contains intentionally misleading information; or
  - pursued in an unreasonable manner

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## Examples of inappropriate behaviour continued

- **Indecent or non consensual filming or photography**
  - Taking a photograph of someone without their consent
  - Sharing sexual or naked images or videos without consent

- **Theft or damage to University property, or the property of a community member (or threat of theft or damage)**
  - Stealing
  - Vandalism or graffiti

- **Fraud or corruption**
  - Theft of money or other property of the University
  - Deliberate falsification of documentation
  - Improper use of information or position
  - Abuse of position for personal gain

- **Physical assault or other forms of personal harm or violence (including threats to assault or harm)**
  - Use or threat of weapons
  - Punching or hitting
  - Domestic violence
  - Stalking

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- **Sexual Misconduct (including sexual assault and sexual harassment)**

  Examples of sexual assault may include:
  - Two people in a relationship start engaging in sexual activity but Person A changes their mind and asks to stop. Person B refuses to stop and forces sexual activity.
  - A student taking advantage of another intoxicated student at a party by encouraging them back to their room and engaging in sexual activity when the student is unable to give consent due to being affected by alcohol.
  - A research supervisor manipulates a student to engage in sexual acts in exchange for better marks.
  - A staff member who has been continually making advances towards another staff member proceeds to force themselves onto that staff person while they are alone in a meeting room, attempting to kiss and touch them under their clothing.

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- **Sexual Misconduct (including sexual assault and sexual harassment) continued**

  Examples of sexual harassment may include:
  - Staring or leering at a person in a sexual manner
  - Standing deliberately too close to someone or deliberately brushing against someone as you walk past
  - Displaying pornographic or sexually explicit material (posters, screen savers etc)
  - Sending sexually explicit emails, SMS messages
  - Inappropriate advances on social networking sites
  - Sexual insults or taunting
  - Requests for sex or repeated unwanted requests to go out on dates
  - Making promises or threats in return for sexual favours
  - Intrusive questions or remarks about a person's sexual activities

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# Categorising behaviour – activities

### Activity One

What behaviour noted below is an acceptable behaviour?

- o Bullying another community member

- o A supervisor giving a university community member constructive feedback about their performance

- o Humiliating another community member due to their sexual orientation.

### Activity Two

Categorise the following behaviour: Setting unreasonable timelines or constantly changing deadlines

- o Bullying

- o Behaviour that negatively impacts on the ability of others to study, research, work or undertake university activities

- o Sexual harassment

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# University Behaviour Policy and Procedure – when and where does it apply?

The Behaviour Policy and Behaviour Procedure applies to all University community members who engage in behaviour or conduct which is inappropriate and:

a) occurred on land or property owned or occupied by the University or University-affiliated accommodation;

b) occurred in relation to any academic or work experience or placement program which has a connection to the University (this includes digital and online environments);

c) relates to another member of the University community; or

d) otherwise has the potential to affect their suitability to continue as University community member, having regard to:

• whether they may be trusted to comply with the University's Behaviour Policy; or

• the safety and wellbeing of members of the University community.

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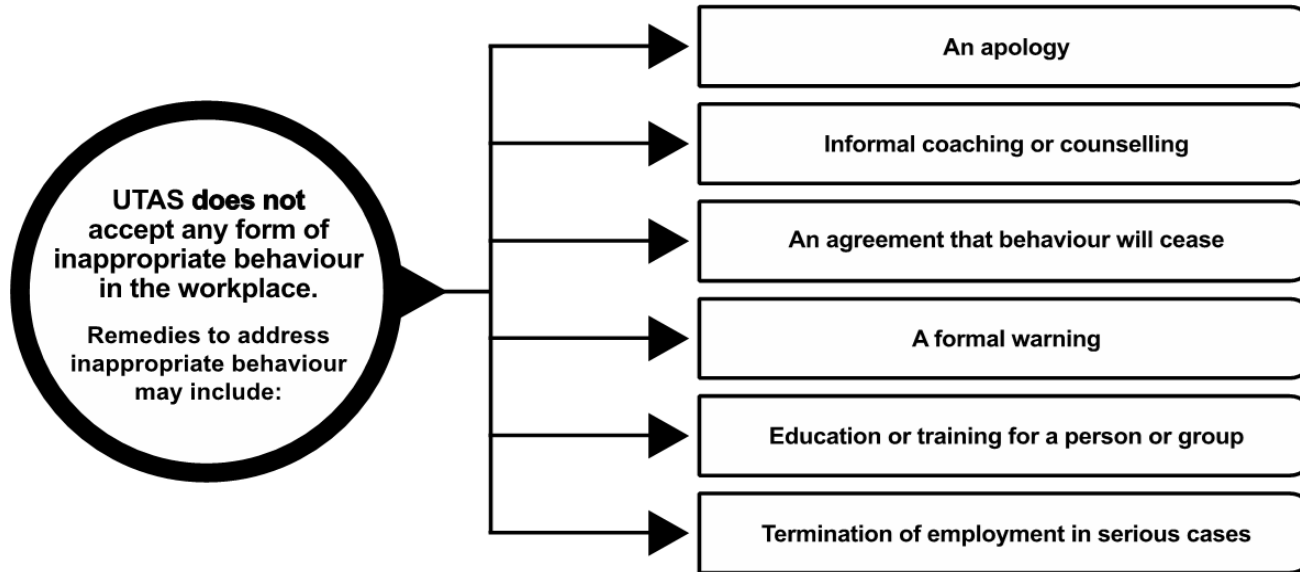
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# Application of the University Behaviour Policy and Procedure – a quiz question

Let's consider this statement and discuss

University community members only need to align with acceptable behaviours when on university premises or campuses?

True or False?

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# What are the individual consequences of inappropriate behaviour?



UTAS **does not** accept any form of inappropriate behaviour in the workplace.

Remedies to address inappropriate behaviour may include:

- An apology
- Informal coaching or counselling
- An agreement that behaviour will cease
- A formal warning
- Education or training for a person or group
- Termination of employment in serious cases

*Employment/workspace in this context means any task undertaken in connection to AMC voluntary work.

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# Dedicated support: The Safe and Fair Community Unit (SaFCU)

## What is SaFCU and its role?

The Safe and Fair Community Unit (SaFCU) is a University-wide service providing support, advice and information to assist all University community members to be safe and well.

SaFCU respond to concerns raised in relation to wellbeing or behaviour, reports of misconduct and the lodgement of general concerns or complaints and works within the framework of relevant policies and procedures relating to complaints and behaviour.

SaFCU aims for early identification and intervention of concerning behaviour which could affect the safety and wellbeing of individuals or other community members.

SaFCU provides information and advice regarding options and support, and where appropriate, will facilitate actions to assist a person with their reported situation. Reports are responded to promptly, confidentially and sensitively.

SaFCU is not an emergency or crisis service.  If you or others are at risk or in an emergency situation, please call Emergency services on 000 and alert the University's Safety and Security Team on 03 6226 7600 if on campus.

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# What should you do if you witness or receive a report of inappropriate behaviour?

If you witness or receive a report of any form of inappropriate behaviour, **you have a responsibility** to do something about it, acting promptly to support safety and wellbeing.

## Support the victim

There might be an opportunity to speak up at the time of the incident, or you may feel more comfortable approaching the victim after the event.

## Speak up

Your response may vary based on the situation, but remember that ignoring the behaviour is passive acceptance.

## Contact SaFCU

The Safe and Fair Community Unit (SaFCU) is a University-wide service providing support, advice and information to assist all our community members to be safe and well.

+61 3 6226 2560 or SaFCU@utas.edu.au

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# What can you do if you experience inappropriate workplace behaviour?

If you are experiencing any form of inappropriate behaviour, **you have a right and a responsibility** to do something about it.

## Ask the person to stop their behaviour

You might meet with the person or write to them. You should clearly state what the behaviour is that you object to; how it affects you; and ask the person to stop it.

## Talk to your supervisor/manager

Talk about the issue and ask them to assist you to resolve it informally. This can include a manager outlining expectations to the Worker, arranging mediation, or arranging training.

## Contact SaFCU

The Safe and Fair Community Unit (SaFCU) is a University-wide service providing support, advice and information to assist all our community members to be safe and well.

**+61 3 6226 2560 or SaFCU@utas.edu.au**

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# Relationships and Conflicts of Interest discussion

# What is a conflict of interest?

A conflict of interest is any situation where the private interests of a member of the University community is capable of unduly influencing the exercise of their University role and duties.

Volunteers are members of the University community and therefore they may have conflicts between their university voluntary work and their other private interests.

A conflict of interest may be:
- Actual: it is already occurring
- Perceived: a reasonable person might suspect that there is an actual conflict of interest whether or not one actually exists
- Potential: an actual conflict of interest may arise in the future if a certain condition is fulfilled

# University Governance Framework for managing conflicts of interest

- The University's *Compliance Policy* requires that:

  "All conflicts and potential conflicts of interest must be identified, disclosed, monitored and effectively managed" (Item 2.1)

- The *Conflict of Interest Procedure* outlines the steps to do this.  It requires declaring the conflict to the supervisor and establishing a management plan.

- This procedure is in the University's procedure repository at this link: [www.utas.edu.au/policy/procedures](www.utas.edu.au/policy/procedures).

- It is essential as an AMC volunteer that you follow the procedure in assessing, disclosing and managing all conflicts.

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

- personal or commercial relationships with other University employees, students, contractors, subcontractors or tenderers

- personal financial interests in matters which involve the University

- outside employment or business interests that may compromise the integrity of the University

- use of confidential information obtained in the course of University duties

- external activities and public comment, eg nominating for and contesting political elections

- simultaneously being an employee and a student where one role may conflict with another

- someone with whom a University community member has a close relationship stands to gain or lose financially by the actions of the University, where the University Community member can or might appear to be able to influence that action

## Examples of conflicts of interest and further advice

- Apart from their salary, or other expected payments from the University, a member of the University community stands to gain financially from their position at the University.

- A University community member accepts gifts of value, grants and/or favours from persons or associates who could be seen to benefit from the making of these gifts.

For information and advice regarding conflicts of interest please email:
legal.office@utas.edu.au

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# Questions?

For specific questions, please email the following:

Office of Maritime Communications: amcom@amc.edu.au

Or

AMC Amateur Radio: amc.ar@utas.edu.au

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## Conclusion

- If you have further queries in relation to SaFCU's work, please contact SaFCU via these channels:

    Email: safcu@utas.edu.au

    Phone: 03 6226 2560

- The presentation will be sent to all participants and will be made available at the AMC for all volunteers.

- Thank you!

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