

Australian Capital Territory

Public Sector Management (Canberra Institute of Technology) Supplementary Code of Practice 2014*

Notifiable instrument NI2014-227

made under the

Public Sector Management Standards 2006, s 7 (Supplementary code of conduct)

1 Name of instrument

This instrument is the *Public Sector Management (Canberra Institute of Technology) Supplementary Code of Practice 2014*.

2 Commencement

This instrument commences on the day after notification.

3 Supplementary ACT Public Service Code of Conduct

CIT has developed the attached Canberra Institute of Technology Code of Practice as additional conduct requirements for all staff supplementary to the ACT Public Service Code of Conduct.

Adrian Marron
Chief Executive
26 May 2014

*Name amended under Legislation Act, s 60



CIT Code of Practice

Respect, Integrity, Collaboration and Innovation

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CIT is committed to offering a quality experience and outcome for students and businesses. Quality in technical and further education and training will only be achieved through our commitment to live the CIT values of respect, integrity, collaboration and innovation. To do this we as staff of CIT need to know what our responsibilities as professionals are, as well of course, as our rights.

Whatever the context and environment you are in it is important that we all take time to reflect on what it means to be a professional at CIT. We are becoming a learning organisation where the lessons of the past can and should be reflected on to help each of us commit to better behaviours now and into the future. I encourage you to read the CIT Code of Practice. I also encourage you to return to the CIT Code of Practice from time to time to ensure that the decisions you make daily demonstrate quality technical and further education.

Jenny Dodd
Chief Executive (Acting)
September 2013

The Canberra Institute of Technology (CIT) *Code of Practice* sets the standards of behaviours and expectations for CIT staff consistent with the **ACT Public Service Code of Conduct**.

Employee values of respect, integrity, collaboration and innovation are enshrined in the **ACT Public Service Code of Conduct** which is drawn from the **Public Sector Management Standards**.

This code is based on ACT legislation, regulations and Government policies and the **CIT Enterprise Agreement**. **CIT Governance Framework** provides a comprehensive understanding of the major legislation relating to the operation of CIT.

The significant legislation and agreements applying to CIT employees:

Canberra Institute of Technology Act 1987

Public Sector Management Act 1994

CIT Enterprise Agreements

Children and Young People Act 2008

Working with Vulnerable People (Background Checking) Act 2011

Work Health and Safety Act 2011

Important legislation that also applies to CIT employees:

Copyright Act 1968 (Commonwealth)

Disability Discrimination Act 1992 (Commonwealth)

Discrimination Act 1991

Education Act 2004

Education Services for Overseas Students Act 2000 (Commonwealth)

Fair Work Act 2009 (Commonwealth)

Financial Management Act 1996

Freedom of Information Act 1999

Government Procurement Act 2001

Higher Education Support Act 2003 (Commonwealth)

Human Rights Act 2004

National Vocational Education and Training Regulator Act 2011(Commonwealth)

Privacy Act 1988 (Commonwealth)

Public Interest Disclosure Act 2012

Skilling Australia's Workforce Act 2005 (Commonwealth)

Territory Records Act 2002

CIT has a number of policies which can be found on the [Staff Information Site](#) (SIS).

CIT employees are expected to comply with the CIT Code of Practice. If there is an inconsistency between the legislation and this code, legislation will take priority.

Please note that this is a working/living document and the latest version, after consultation, will be placed on the [Staff Information Site](#) (SIS).

CIT would like to acknowledge the Australian Education Union ACT Branch and the New South Wales Department of Education and Training for granting permission to reproduce content.

This document replaces the Professional Practice at CIT January 2010

Approved:

Implementation date:

Contact person: Executive Director, People and Organisational Governance

Phone: 6207 3133

The purpose of this code is to customise the ACTPS Code of Conduct for CIT employees by establishing clear guidelines on the standards of behaviour and professional practice expected of you while working at CIT.

This code provides a broad framework that will help guide you on the best action when faced with an ethical issue; it does not attempt to provide an exhaustive list of every aspect of your work. In practice, deciding on the best action will often involve weighing up competing priorities and responsibilities. As a simple guide to help you in responding to any given situation you should ask yourself the following questions:

1. Is the action lawful and in accordance with CIT policy?
2. Could you adequately defend your actions to your supervisor, the government and the public?
3. Would there be an expectation of something from you in return and could you retain your independence in future dealings?
4. What might another person perceive from the action?
5. What would it be like to be on the receiving end of your decision or action?

CIT achieves good outcomes when you exercise sound judgement in fulfilling the expectations of your particular role. Many of you will have a direct impact on the lives of your co-workers and students, and you may influence the community, government, industry bodies and other education providers. You are in a position of trust and responsibility and there are high expectations that you will behave in a way consistent with the values of **respect, integrity, collaboration** and **innovation**.

This code supports continuous improvement and is designed to encourage conversations that enable change.

CIT welcomes feedback regarding the code. Suggestions should be forwarded to Executive Director, People and Organisational Governance.

This Code of Practice applies to all employees of Canberra Institute of Technology (CIT), whether employed on a permanent, temporary, or casual basis. The Code also covers contractors, consultants and volunteers.

All CIT staff are expected to have read the Code of Practice and act in accordance with its provisions. Understanding the code will help you make sound judgements in your dealings with colleagues, students and the public.

Employees

- 3.1 By accepting employment at CIT, you undertake to comply with the code as part of your terms and conditions of employment.
- 3.2 This code also applies at times when an employee is not performing work duties including when an employee is on leave.

Contractors and Volunteers

- 3.3 Contractors, consultants and volunteers working with CIT must be aware of this code and act in line with the conduct described in it. While contractors, consultants and volunteers are not subject to disciplinary action, conduct that would be assessed as being inconsistent with the *Code of Practice* may result in their services being terminated.
- 3.4 If you are engaging or managing external consultants, contractors or volunteers, it is your responsibility to make them aware of CIT's expectations of behaviour during the period of their engagement. It is also your responsibility to take the necessary action to address any concerns about their behaviour.

As a CIT employee you have an obligation under Section 9 of the *Public Sector Management Act 1994* (S9 PSM Act).

You should understand and adhere to all laws, regulations, policies, industrial agreements and frameworks relevant to your work. CIT policies and procedures can be found on the [Staff Information Site](#) (SIS). If you need clarification on any policy ask your Supervisor or Director.

Managers are required to inform staff regarding essential information and to make documents easily accessible to them.

Section 9 Public Sector Management Act 1994 (S9 PSM Act) Code of Ethics

General obligations of public employees

A public employee shall, in performing his or her duties:

- a. exercise reasonable care and skill;
- b. act impartially;
- c. act with probity;
- d. treat members of the public and other public employees with courtesy and sensitivity to their rights, duties and aspirations;
- e. in dealing with members of the public, make all reasonable efforts to assist them to understand their entitlements under territory laws and to understand any requirements that they are obliged to satisfy under those laws;
- f. not harass a member of the public or another public employee, whether sexual or otherwise;
- g. not unlawfully coerce a member of the public or another public employee;
- h. comply with this Act, the management standards and all other territory laws;
- i. comply with any lawful and reasonable direction given by a person having authority to give the direction;
- j. if the employee has an interest, pecuniary or otherwise, that could conflict, or appear to conflict, with the proper performance of his or her duties –
 - i. disclose the interest to his or her supervisor, and
 - ii. take reasonable action to avoid the conflict
 as soon as possible after the relevant facts come to the employee's notice;
- k. not take, or seek to take, improper advantage of his or her position in order to obtain a benefit for the employee or any other person;
- l. not take, or seek to take, improper advantage, for the benefit of the employee or any other person, of any information acquired, or any document to which the employee has access, as a consequence of his or her employment;

- m. not disclose, without lawful authority –
 - i. any information acquired by him or her as a consequence of his or her employment; or
 - ii. any information acquired by him or her from any document to which he or she has access as a consequence of his or her employment;
- n. not make a comment that he or she is not authorised to make where the comment may be expected to be taken to be an official comment;
- o. not make improper use of the property of the Territory;
- p. avoid waste and extravagance in the use of the property of the Territory;
- q. report to an appropriate authority –
 - i. any corrupt or fraudulent conduct in the public sector that comes to his or her attention; or
 - ii. any possible mal administration (mismanagement) in the public sector that he or she has reason to suspect.

At times, you may have personal views that differ from those of the CIT management or the elected Government. You also may not personally agree with all decisions made by your supervisor. However, your opinions should not interfere or be seen to interfere with the performance of your duties; nor can they take precedence over CIT or Government policy and decisions.

You are required to comply with reasonable directions related to your work. If you consider a direction unreasonable, you should say so to the person issuing the direction in a civil manner, giving your reasons for concern and allowing the person an opportunity to respond.

If, after the response, you are still concerned or object to the direction, you may seek advice at the next management level. You can seek advice of your union at any time.

Managers should be open to constructive questions regarding their directions. They have a responsibility to respond appropriately and promote collaborative and collegial workplaces, as do all staff.

As a CIT employee, you hold a position of trust and are accountable for your actions.

5.1 CIT is committed to building a positive workplace culture. If you suspect that a person may have acted contrary to their obligations under Section 9 of the *Public Service Management Act 1994* (S9 PSM Act 1994) and you require advice or support you could discuss the issue with an impartial person. This could be:

- your immediate supervisor
- a CIT supervisor or manager
- a **RED contact officer**
- CIT Human Resources
- a union representative
- Shared Services Employee Relations and Training

5.2 Potential misconduct under *S9 PSM Act 1994* should be reported to your supervisor, college/division director or the CIT Chief Operating Officer as soon as possible. Potential misconduct will be managed in accordance with the misconduct and discipline provisions of the relevant **CIT Enterprise Agreement**. Where an action may be criminal in nature, the matter may also be reported to the police.

5.3 Where allegations of misconduct are raised against an employee they have a right to natural justice and procedural fairness, which means that if allegations are made regarding their conduct they are:

- informed of the allegation(s) against them (unless it is inappropriate to do so)
- given an opportunity to respond to the allegation(s)

and in a manner that promotes the values and general principles of the ACT Public Service (ACTPS).

5.4 Where a finding of misconduct is made, the following factors are taken into consideration in determining the disciplinary action that would be taken against an employee:

- the nature and seriousness of the misconduct
- the degree of relevance to the employee's duties or to the reputation of the CIT
- the circumstances of the misconduct
- any mitigating factors, including any full admission of guilt
- the previous employment history and the general conduct of the employee.

5.7 If you are a supervisor or manager, you are responsible for reporting a possible breach of the **S9 PSM Act 1994** by an employee as soon as you become aware of it, including reporting of serious matters to the CIT Chief Operating Officer

Resources:

Public Sector Management Act 1994

Public Interest Disclosure Act 2012

CIT Teachers Enterprise Agreement – Misconduct Provisions

CIT General Staff Enterprise Agreement – Misconduct Provisions

Resolving Workplace Issues Policy

CIT is committed to a workplace that treats people with respect, courtesy and sensitivity.

In all interactions with other people, you should be able to accommodate and tolerate different opinions and perspectives, and discuss your views through rational, appropriate discussion.

Rational discussion presupposes that there is open communication and the freedom to voice points of view. Such a discussion should not involve verbal abuse, or physical or psychological intimidation. For example, you may disagree with a person's ideas or opinion however this should not turn into a personal attack and you should not verbally abuse, vilify or belittle colleagues, students or the public personally or to others.

- 6.1 You must not discriminate against, bully or harass your colleagues, students or the public on a number of grounds including: sex, marital status, pregnancy, age, culture, race, ethnicity, national origin, religious beliefs, political conviction, physical or intellectual impairment or sexual preference. Such harassment or discrimination may constitute an offence under anti-discrimination laws.
- 6.2 Managers must lead by example and must take all necessary steps to ensure that workplaces are free from all forms of harassment, bullying and unlawful discrimination, and that staff are informed and implement the principles of equal opportunity and anti-discrimination behaviours.
- 6.3 If you believe you or anyone else in your workplace is being treated in a discriminatory, bullying or harassing manner, in the first instance it is your obligation to report the behaviour to your supervisor or manager. Alternatively you could raise the issue with another person as listed in 5.1 of this document. CIT takes reports of discrimination, bullying and harassment seriously and will address any concerns raised.
- 6.4 You must not make unfounded complaints with malicious, frivolous or vexatious intent against an employee or work colleague.
- 6.5 All staff have responsibility for modelling acceptable behaviour, effective leadership and respect in your interaction with your colleagues.
- 6.6 Rude or insulting behaviour, including verbal and non-verbal aggression, abusive, threatening or derogatory language, physical abuse, intimidation, dismissive and/or deliberate exclusionary behaviour towards colleagues, students or the public is unacceptable.
- 6.7 You must not use information and communication technologies, such as email, mobile phones, text or instant messaging and websites to engage in behaviour that could reasonably be considered to be disrespectful, cause them harm, or make them feel unsafe.
- 6.8 CIT is committed to ensuring communication supports you to feel that you are well informed regarding decisions, potential change or impacts within the workplace.

Examples of respecting people:

- genuinely acknowledging and smiling at a person when you first see or meet them
- inviting everyone in the team or work area to morning tea
- thanking your colleague for helping you
- listening to colleagues when they speak and valuing their opinion
- not talking negatively about your colleague/ supervisor behind their back
- not mocking or teasing anyone

Resources:

Human Rights Act 2004

Public Sector Management Act 1994

Working with Vulnerable People(Background Checking) Act 2011

Age Discrimination Act 2004

Australian Human Rights Commission Act 1986

Disability Discrimination Act 1992

Racial Discrimination Act 1975

Sex Discrimination Act 1984

Australian Capital Territory Discrimination Act 1991

ACT Public Service Code of Conduct

ACT Public Service Respect, Equity and Diversity Framework

Working Together: Promoting mental health and wellbeing at work

A duty of care is the legal obligation to provide reasonable care while performing your duties at work. CIT has a duty of care to provide an environment that is as safe as possible for staff, students and the public.

- 7.1 CIT will do all that is reasonably practical to protect all workers (staff, students, contractors) and visitors while at CIT. The Work Health and Safety Act 2011 and WHS Regulations 2011 require persons who have a duty to ensure health and safety to 'manage risks' by eliminating health and safety risks so far as is reasonably practicable, and if it is not reasonably practicable to do so, to minimise those risks so far as is reasonably practicable. In this Act, 'reasonably practicable', in relation to a duty to ensure health and safety, means that which is, or was at a particular time, reasonably able to be done to ensure health and safety, taking into account and weighing up all relevant matters.
- 7.2 All staff have a duty of care to ensure that they work in a manner that is not harmful to their own health and safety and the health and safety of others. Prior to conducting an activity the risks and hazards must be assessed to ensure that persons are not put at risk and that control measures are put in place to control any risks that have been identified.
- 7.3 All staff have a responsibility to ensure that where they believe that a person who is under the age of 18 may be harmed, they have an obligation to report the incident.
- 7.5 All staff have an obligation to report all incidents, accidents and near misses (A "near miss" is an incident/accident that had the potential to cause harm, for example tripping over but not sustaining an injury).

Examples of appropriate duty of care:

- You notice that an electrical lead has not been tagged and there could be a safety issue. You immediately report the problem to your manager and Facilities Management.
- You are organising an excursion where students are expected to walk through the bush. As you check the weather report you find that there is a definite fire risk and very high temperatures forecast. You decide the risk is too high and cancel the excursion.

Resources:

Work Health and Safety Act 2011 (ACT)
Education Act 2004
Children and Young People Act 2008
Age Discrimination Act 2004
Australian Human Rights Commission Act 1986
Disability Discrimination Act 1992
Racial Discrimination Act 1975
Sex Discrimination Act 1984
Australian Capital Territory Discrimination Act 1991
Public Sector Management Act 1994
Human Rights Act 2004
Working with Vulnerable People (Background Checking) Act 2011
ACT Public Service Respect, Equity and Diversity Framework
Disability students Policy
CIT Students Under 18 Years of Age Policy
CIT Welfare Arrangements of International Students under the Age of 18 years Policy
Off-Campus Activities Policy/Procedures
Working Together: Promoting mental health and wellbeing at work
Children at CIT Policy
Workplace Health and Safety Arrangements Policy

The *Working with Vulnerable People (Background Checking) Act 2011* (the Act) commenced on **8 November 2012**. The Act aims to reduce the risk of harm or neglect to vulnerable people in the A.C.T.

- 8.1 The Act requires people who have contact with vulnerable people while engaging in regulated activities and services to register with the Office of Regulatory Services (ORS). Once registered you will be issued with a Working with Vulnerable People registration card.
- 8.2 Many staff employed at CIT are required to be registered to work with vulnerable people. Where an employee's work involves working or volunteering in 'Activities or Services for Children' the employee is required to obtain registration by no later than 7 November 2013.
- 8.3 By 7 November 2015 all CIT staff working with vulnerable people are required to be registered under the **Working with Vulnerable People (Background Checking) Act 2011** (exceptions below). Staff must carry the registration card with them at all times.
- 8.4 There are three types of registration: general, role-based and conditional. General registration allows you to move between all regulated activities and employers for up to three years without the need to reapply.
- 8.5 Your registration card will need to be presented to your supervisor and scanned, in order to be placed on the CIT register.

Examples of vulnerable people:

- A child under the age of 18 years
- An adult who is experiencing disadvantage and accesses a regulated activity or service related to the disadvantage.

Exceptions – Staff not required to have a registration card:

- Technical officers
- Administrative staff that provide information or a service at a shop front, counter, or by telephone
- Administrative staff that deal with records of vulnerable people
- General service officers (GSOs)
- Counsellors (under a different Act)

Resources:

A Guide to Working with Vulnerable People in the ACT

[http://www.ors.act.gov.au/publication/view/1804/title/a-guide-to-working-with Working with Vulnerable People \(Background Checking\) Act 2011](http://www.ors.act.gov.au/publication/view/1804/title/a-guide-to-working-with-Working-with-Vulnerable-People-(Background-Checking)-Act-2011)

Register for working with vulnerable people

All employees need to demonstrate high standards of professional practice.

9.1 All staff must demonstrate high standards of professional practice by:

- being clean, presentable and welcoming (see section 38 Dress Code)
- projecting a positive attitude towards people
- being clear and concise in your verbal and written skills
- conducting administrative processes in an accurate, rigorous manner
- listening to people and not interrupting
- displaying integrity and trust
- treating everyone with courtesy and respect
- being understanding and have empathy
- working cooperatively in a team environment
- respecting confidentiality of information
- always focusing on positive solutions and thinking innovation
- keeping people informed and following through on your actions
- being timely in all aspects of your employment eg. meetings, entering results
- supporting the personal and professional development of others
- providing constructive feedback to colleagues that is considered and helpful
- working co-operatively and collaboratively with others to achieve college and CIT goals
- wearing a corporate uniform where appropriate
- wearing a name badge that identifies you and/or your role when operating a client service function eg. CIT Student Services
- accepting responsibility for own professional learning and development
- informing people of their rights and entitlements where appropriate and
- respecting peoples' cultural and religious beliefs eg. ask to photograph, film, add to a birthday lists, celebrate religious or national days.

9.2 Teachers also need to demonstrate high standards of professional practice by:

- engaging students in their learning eg. Universal design for learning
- working to achieve high level outcomes for all students
- maintaining records in a timely manner in order to manage, monitor, assess and improve student learning and ensuring the confidentiality of those records
- using research and student achievement data to inform professional practice
- engaging in reflective practice and developing professional knowledge and teaching skills
- assisting in developing and mentoring beginning teachers
- entering teaching load by week 7 of the semester.

Resources:

ACT Public Service Customer Service standards
AEU Policy for Ethical and Professional Practice of teachers at CIT
CIT Student Services Client Service Standards
CIT Student Services Client Services Standards Charter
Disability Standards for Education 2005
Universal Design for Learning

What is innovation?

As a CIT employee you are expected to reflect on your work practices and are encouraged to find better and more innovative ways to improve your work processes and outcomes. Innovation can take many forms and goes beyond creativity or the generation of new ideas. It is a process that can be replicated. Some innovation will be ground breaking or transformational in that it represents a departure from the past. Other innovation will be more incremental in nature. Innovation can be instigated by anyone in the organisation at any level, or by external influences.

Innovation and continuous improvement can position CIT to realise its vision of being Australia's premier vocational education and training provider.

10.1 As one of our core values, you are encouraged to be **innovative** in order to:

- promote health, happiness and wellbeing
- create better teaching and learning practices
- enhance collaboration
- strengthen interpersonal relationships
- increase productivity
- streamline processes and systems
- grow the business and increase our sustainability
- ensure our activities are safe
- improve and create new products and services.

10.2 All ACT Government employees are required to complete and review a **Performance Plan and Learning and Development Plan** annually. The *Performance Plan and Learning and Development Plan* is a vehicle to enable regular discussion between you and your supervisor, regarding your attributes, capacity to perform and the support you require to work effectively. This process aims to encourage constructive feedback for continuous improvement, through open communication and self-reflection.

Resources:

ACT Public Service Code of Conduct
Performance Management Policy
CIT Innovation

A 'conflict of interest' occurs when an employee's private or personal interests improperly influence the performance of the employee's official duties and responsibilities. Such a 'conflict of interest' may be potential, perceived or actual. Refer to the [Conflict of Interest and Commitment Policy](#) for further information.

- 11.1 As a CIT employee your private interests should not influence the performance of your duties.
- 11.3 The objective test of conflict of interest, is whether an employee could be influenced, or appear to be influenced, by a private interest in carrying out their duties and responsibilities.
- 11.4 The test should focus on the official role and the private relationships and interests of the employee concerned, and whether a reasonable and disinterested person would think that these relationships and interests could conceivably conflict or appear to conflict with the employee's public role.
- 11.5 Potential, perceived or actual conflicts of interest should be declared in writing to your immediate supervisor/manager. The manager will determine whether any further action other than your declaration is necessary to avoid a conflict of interest.

It is recommended that all employees familiarise themselves with the [Conflict of Interest and Commitment Policy](#) to ensure they safeguard their professional reputation and that of CIT.

Examples of conflict of interests situations include:

- Supervising a relative or close friend and/or determining their promotions, pay increases or leave entitlements
- Entering grades or Banner details of a close friend or relation
- Referring a student to a close friend or relation for extra paid tuition
- Working in an approved second job and recommending CIT use that company
- Employing your student to work in your business, which is operated in an approved private capacity outside work hours
- Agreeing to assess each other in RPL process in your team without external validation

If a conflict of interest does arise:

- declare the conflict and alter your personal interest to resolve or mitigate the impact of the conflict on yourself and others; or
- declare the conflict and in conjunction with your manager, make arrangements to resolve or mitigate the impact of the conflict on yourself and others.

Resources:

Public Sector Management Act 1994
ACTPS Integrity Policy
Conflict of Interest and Commitment Policy

12 Professional relationships

All staff and students have a right to a safe physical and emotional environment which is supported through both collegial and professional interactions.

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- 12.1 CIT employees are expected to at all times behave in ways that promote the safety, welfare and wellbeing of colleagues, students and the public.
- 12.2 Employees should also be aware of their statutory obligations under the [Children and Young People Act 1999](#) and the [Working with Vulnerable People \(Background Checking\) Act 2011](#).
- 12.3 In particular, CIT employees are encouraged to develop professional relationships with students that cannot be misinterpreted as a personal, as opposed to a professional interest in a student.
- 12.4 Where a personal relationship, such as family relationship or close personal relationship exists between you and a colleague or student, or where there is an intimate relationship with an adult student, it is expected that staff declare the relationship in accordance with the [Conflict of Interest and Commitment Policy](#) so as to avoid any actual, potential and/or perceived conflict or interest. The declaration may be made to your supervisor or director.
- 12.3 Wherever practical CIT employees should avoid teaching or being involved in educational decisions (eg. assessment, grade, extension) involving family members or those with whom they have a close personal relationship. Where this is not practical significant decisions relating to educational outcomes for the student, or the employment of a colleague should be referred to your supervisor.

Ensure you behave professionally when you:

- attend, conferences, social events or work related activities

Your professionalism may be compromised if you:

- enter into personal relationships where there is a significant imbalance of power and/or status
- interact with your colleagues or students using personal social media

Resources:

Public Sector Management Act 1994

ACTPS Integrity Policy

Conflict of Interest and Commitment Policy

Children and Young People Act 1999

Working with Vulnerable People (Background Checking) Act 2011

To avoid discrimination, harassment or bullying conduct yourself with fairness, dignity and integrity, respecting the rights of colleagues, students and the public.

- 13.1 CIT staff have an obligation to act with fairness, dignity, integrity and respect in their daily work activities and decision-making.
- 13.2 You should be aware of the social, cultural and religious backgrounds of colleagues, students and the public and treat them appropriately having regard to their individual backgrounds, values, skill and knowledge.
- 13.3 Include relevant people in decisions that affect them.
- 13.4 You must not bully a person. Bullying is repeated unreasonable behaviour by an individual that:
 - i. is directed toward a person, or group of people
 - ii. is offensive, intimidating, humiliating or threatening
 - iii. is unwelcome and unsolicited, that
 - iv. creates a risk to health, safety and welfare of others.

All CIT staff are required to complete **CIT's Bullying Prevention and Awareness Learning Program** annually.

- 13.5 You must not discriminate or harass. Discrimination is treating a person unfavourably because the other person has obvious differences such as gender, sexual orientation, race, religious or cultural beliefs, political conviction, physical differences, ability or disability, socio-economic status, age, pregnancy or breastfeeding. A **single act** of discrimination or harassment may be an offence under the [Discrimination Act 1991](#).
- 13.6 CIT does not tolerate sexual harassment in any form. Sexual harassment includes:
 - subjecting a person to an unsolicited act of physical intimacy
 - making an unsolicited demand or request (whether directly or implied) for sexual favours from another person
 - making a remark with sexual connotations
 - engaging in any other unwelcome conduct of a sexual nature in relation to the other person in circumstances where a reasonable person would have anticipated the possibility that the other person would be offended, humiliated or intimidated by the conduct.

- 13.7 CIT staff who experience or witness discrimination, harassment (including sexual harassment) or bullying should report the incident to their supervisor immediately and complete an **Accident Incident Report Form** within 24 hours. Staff may also **submit a workplace issue**.

Example of inappropriate action by a supervisor: A staff member has a disagreement with their supervisor. As a result the supervisor treats the staff member over a period of months in a belittling manner by:

- unfairly challenging their work performance in front of peers
- directing them to do excessive extra duties
- not inviting them to important meetings
- seeking negative responses from other employees about the staff member.

If the staff member has concerns then they should raise them with their manager and if no satisfaction from their manager's manager.

Example of inappropriate action by a staff member would be:

- ignoring directions
- refusing to attend meetings
- threatening to take leave
- rolling their eyes.

Resources:

Public Sector Management Act 1994
Discrimination Act 1991
Human Rights Act 2004
ACT Government Values and Code of Conduct
ACTPS Integrity Policy
Anti-Bullying and Harassment Policy
Resolving Workplace Issues Policy
Accident/Incident Reporting and Investigation Policy and Procedure
Working Together: Promoting mental health and wellbeing at work

The *Public Interest Disclosure Act 2012* provides rights and protection for those who report corrupt, illegal or improper conduct or substantial waste of public resources.

CIT encourages people to come forward with their concerns. It is especially important that staff feel confident about coming forward if they have witnessed what they consider to be wrongdoing in the workplace.

Sometimes matters raised are so serious that they sit outside of the normal complaint or feedback system. When a person provides information about disclosable conduct, complaints of this nature are usually sensitive and often complex, and its investigation requires a great deal of care. Disclosures trigger a special framework put in place to handle these kinds of serious or systemic concerns. The *Public Interest Disclosure Act 2012* (PID scheme) takes these matters out of the regular complaint handling process system and addresses them separately through a special PID process.

Staff wanting to make a PID should contact the Chief Operating Officer.

- 14.1 All employees are required to report suspected instances of suspected corrupt conduct, maladministration or serious and substantial waste to the Chief Operating Officer.
- 14.2 If you are aware that a report has been made, it is an offence under the Act if you take detrimental action against the complainant in reprisal for making the report.
- 14.3 You are required to report all serious crime to the Australian Federal Police.

Resources:

Public Interest Disclosure Act 2012
Public Interest Disclosure Policy
Conflict of Interest and Commitment Policy
Privacy Act, 1988

- 15.1 As far as practicable workplace issues should be managed within the local area with the relevant people. If this is not successful or appropriate the matter should be referred to your supervisor and/or Director who will decide whether they are the appropriate person to manage the issue or if it should be referred to the Executive Director, People and Organisational Governance. If the issue is sufficiently serious if you have concerns about raising the matter with your supervisor or director the matter may be referred to the Executive Director, People and Organisational Governance.
- 15.2 The **Procedures for Resolving Workplace Issues** can be found at the back of the **Resolving Workplace Issues Policy**. Issues raised will be logged on a central register (Complaints Handling System - CHS) for monitoring and reporting purposes, including anonymous issues.
- 15.3 All parties, principally the complainant and respondent are entitled to fair, respectful and timely resolution of complaints in accordance with the principles of natural justice and procedural fairness; and working in accordance with the **ACT Government Values and Code of Conduct**.
- 15.4 All workplace issues should be managed confidentially in accordance with the **Privacy Act 1988**.
- 15.5 RED Contact Officers can assist staff by providing information and options in a non-judgmental way when they may be faced with challenges in the workplace. RED Contact Officers are not expected to fix or resolve issues within the workplace.

Resources:

Public Sector Management Act 1994

Privacy Act 1988

ACT Government Values and Code of Conduct

CIT Enterprise Agreements

Resolving Workplace Issues Policy

Working Together: Promoting mental health and wellbeing at work

Resolve student or community issues in a timely manner with respect and fairness to all parties.

- 16.1 All CIT students and community members have the right to make a complaint, regarding anything they feel is unreasonable or unfair.
- 16.2 You have an obligation to act on complaints raised by students or members of the community.
- 16.3 The **Procedures for Resolving Complaints** can be found at the back of the **Complaints Policy – Student and Community**.
- 16.3 On receipt of a complaint it is important to initially assess whether the issue is of low or high risk. Low risk issues should be discussed at the local level with the relevant person/people. If this is not possible, the complaint should be discussed with the relevant manager or director. High risk issues where there has been a breach of CIT Policy or legislation – a **complaint form** should be completed and logged on the CIT Complaints Handling System and CIT's formal complaints management process comes into action until the complaint is resolved.
- 16.4 If a student chooses to access the complaints process, the student's enrolment or academic progress is not to be jeopardised.
- 16.5 All parties are entitled to fair, respectful and timely resolution of student or community issues in accordance with the principles of natural justice and procedural fairness; and working in accordance with the **ACT Government Values and Code of Conduct**.
- 16.6 All complaints should be managed confidentially in accordance with the **Privacy Act 1988**.

Resources:

Public Sector Management Act 1994
Privacy Act 1988
ACT Government Values and Code of Conduct
Complaints Policy – Student and Community
Complaint Form
Complaint Process Feedback Form

You have a responsibility to report any reasonable suspicion that a child or young person has or is suffering sexual abuse, or non-accidental physical injury.

- 17.1 If you have reasonable suspicion that a child or person under the age of 18 is 'at risk' of serious harm, then you have a mandatory responsibility to report this directly to ACT Government Community Services, Centralised Intake Service on 1300 556 728. Contact CIT Counselling Service on (02) 6207 3290 for confidential assistance and advice. Information identifying a person making a child protection report is treated with the highest confidentiality and will not be disclosed except where a Court orders the disclosure.
- 17.2 Failure to report a child or person under the age of 18 who is 'at risk' could result in criminal prosecution.
- 17.3 Staff should note this is the one time when student related information will be shared with a third party. At all other time all students, regardless of age, are covered by the *Privacy Act 1988*.

Examples of mandatory reporting:

- A young person comes to CIT every week with bruises on their face and arms. You suspect physical abuse from a parent.
- If you observe a young person behaving in a way that is consistent with substance abuse.

Resources:

Children and Young People Act 2008
Human Rights Act 2004
Privacy Act 1988
Student Confidentiality Policy

CIT is committed to taking all reasonably practicable steps to provide a safe and healthy work environment for staff members, contractors, visitors, students, volunteers and third parties.

18.1 All staff are responsible for ensuring that their workplace is maintained in a safe and healthy manner by:

- complying with CIT Workplace Health and Safety (WHS) instructions, training, policies and procedures
- immediately reporting any workplace hazards, incidents, accidents or near misses to their supervisor and/or their Health Safety Representative (HSR) and ensuring that an Accident and Incident Report form is submitted within the required timeframes
- maintaining the area in which they work in a safe and healthy manner for themselves, other workers and third parties
- fostering a culture that promotes the benefits of the CIT health and wellbeing program
- using safe tools, equipment and systems of work to undertake their job
- using equipment in accordance with Safe Operating Procedures (SOP) Safe Work Method (SWMS) and wearing appropriate Personal Protective Equipment (PPE)
- actively participating in the development and implementation of SOPs, SWMSs and WHS risk identification and risk management processes
- contributing to audit, inspections and reviews
- cooperating with management to effectively manage WHS issues
- complying with lawful directions
- reporting WHS matters to Facilities Management when applicable
- actively participating in all CIT WHS prevention and early intervention strategies as directed, both with respect to physical and psychological health/safety.

18.2 All staff are encouraged to:

- be aware of, and understand, the [CIT Health and Safety Arrangements Policy](#)
- support and encourage those who take part in health and wellbeing initiatives at CIT
- actively contribute to the objectives of CIT in implementing the principles of workplace health and wellbeing
- assist in identifying and sharing ideas for promoting health and wellbeing in the workplace
- take reasonable care of your health and wellbeing and embrace the assistance CIT offers you.

Resources:

Work Health and Safety Act 2011 (ACT)

Public Sector Management Act 1994

Whole of Government Workplace Health and Wellbeing

Working Together: Promoting mental health and wellbeing at work Communicable Diseases Policy

Eyesight Testing ...and the Use of Screen Based Equipment Policy

Workplace Health and Safety Arrangements Policy

19 Informing students

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Students have a right to be informed about their entitlements, requirements and responsibilities.

- 19.1 CIT staff have an obligation to inform students of their entitlements including: scholarships, advocacy (CITSA), career and program information, counselling services, disability support, financial support and the support for Aboriginal and Torres Strait Islander students (CIT Yurauna Centre).
- 19.2 Teachers have a responsibility by the end of the second week of attendance in the program to inform students of the following:
- subject purpose
 - learning outcomes
 - assessment strategies
 - due dates for work to be assessed
 - suggested length of written work or duration of oral presentation
 - format requirements regarding work - presentation
 - clear information on the criteria for grading and how the results will be drawn together into a final grade
 - when assignments will be marked and returned, and in what form students will receive feedback
 - what students need to do if they are having trouble keeping up with the assessment requirements
 - information on reassessment/resit/resubmit rules and processes
 - information on how to review or appeal results.
- 19.3 Teachers are required to inform students of their rights and responsibilities. Student rights and responsibilities are found in the online [Student Information](#).

Resources:

Human Rights Act 2004
Responsibilities in the Learning Environment Policy
Student Information Booklet

CIT students have a right to a valid, reliable, flexible and fair assessment process.

- 20.1 All CIT teachers conducting student assessment must have as a minimum a Certificate IV level qualification in Training and Assessment (such as a TAE 40110 or equivalent qualifications) as set out in the [Teacher/Assessor Qualifications, Experience and Increments Policy](#).
- 20.2 Currently all new teaching staff will be required, where they do not already hold this qualification, to obtain the above qualification in the first 12 months of employment.
- 20.3 CIT teaching staff have a legal responsibility to assess student's work with reasonable and appropriate expertise, skill and care. If you assess a student to be competent and subsequently through lack of skill or knowledge, on the part of the student, the student's actions lead to damage or injury of a third party, then you may be **personally liable**.
- 20.4 Teaching staff are required to ensure:
 - a. VET sector program requirements are consistent with [Australian Quality Standards \(nssc.natese.gov.au\)](#) and the requirements of training packages or accreditation courses, and CIT Educational Policies
 - b. higher education programs accredited by TEQSA are consistent with the requirements of the program accreditation documentation and CIT Educational Policies
 - c. higher education programs accredited by other higher education providers are consistent with the requirements detailed in the program accreditation documentation and provider requirements
 - d. ACT Year 12 courses are consistent with the requirements of the ACT Board of Senior Secondary Studies (BSSS).

Resources:

AVQS Quality Framework Standards
TAA04 Training and Assessment Training Package, Assessment Guidelines (pages 66 & 67)
CIT Enterprise Agreement
CIT Assessment Policy
CIT Assessment Procedures
Teacher/Assessor Qualifications, Experience & Increments Policy

The assessor code of practice detailed below is included in the Assessment Guidelines of the Training and Education Training Package. It supports professionally responsible and ethical assessment practice and guides TAE10 assessors in the responsibilities of their work. The code is loosely based on an international code developed by the US-based National Council for Measurement in Education and reinforces the performance outcomes of assessment units in the TAE10 Training and Education Training Package.

- The differing needs and requirements of the candidates, the local enterprises and/or industry are identified and handled with sensitivity.
- Potential forms of conflict of interest in the assessment process and/or outcomes are identified, and appropriate referrals are made, if necessary.
- All forms of harassment are avoided throughout the assessment process and in the review and reporting of assessment outcomes.
- The rights of candidates are protected during and after the assessment process.
- Candidates are made aware of their rights and processes of appeal.
- Personal or interpersonal factors that are irrelevant to the assessment of competence must not influence the assessment outcomes.
- Evidence is verified against the rules of evidence.
- Assessment decisions are based on available evidence that can be produced and verified by another assessor.
- Assessments are conducted within the boundaries of the assessment system policies and procedures.
- Formal agreement is obtained from candidates and the assessor that the assessment was carried out in accordance with agreed procedures.
- Assessment systems and tools are consistent with equal opportunity legislation.
- Candidates are informed of all assessment reporting processes prior to the assessment.
- Candidates are informed of all known potential consequences of assessment decisions, prior to the assessment.
- Confidentiality is maintained regarding assessment decisions/outcomes and records of individual assessment outcomes which identify personal details and are only released with the written permission of the candidate/s.
- Assessment outcomes are used consistently with the purposes explained to candidates.
- Self-assessments are periodically conducted to ensure current competence against TAE10 Training and Education Training Package competency standards.
- Professional development opportunities are identified and sought.
- Opportunities for networking amongst assessors are created and maintained.
- Opportunities are created for technical assistance in planning, conducting and reviewing assessment practice and participating in validation.

21 Educational research

Educational research, whether by students or staff, internal or external, should meet high standards of professional conduct.

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- 21.1 All research conducted by CIT staff and students must conform to the relevant guidelines set out in the [CIT Research Handbook](#).
- 21.2 Research proposals may require approval by the CIT Research Ethics Committee. Research proposals must conform to the National Statement on Ethical Conduct Involving Human Research (2007) and outline where necessary human rights and privacy considerations.
- 21.3 Ensure the research is ethical by protecting all those involved in the research from being harmed by the research. For example:
 - a. preventing physical harm by following all appropriate Workplace Health and Safety policies and procedures
 - b. preventing psychological or emotional harm by protecting participants' privacy
 - c. preventing economic harm
 - d. preventing spiritual offense from research which intrudes on a person's cultural or religious beliefs.
- 21.4 The CIT research approval process can help you to avoid issues – either as a researcher or a participant in research. Ensuring that research is ethical also means that you will be able to undertake research within the laws concerning copyright, intellectual property and privacy. It will therefore enable you to protect the CIT's interests, individuals' interests and your own interests.

Resources:

Public Sector Management Act 1994
Privacy Act 1988
Copyright Act 1968
Copyright Amendment (Digital Agenda) 2000
National Statement on Ethical Conduct Involving Human Research (2007)
Educational Research Policy
Scholarly Activity – Higher Education Policy
Intellectual Property Policy
CIT Research Handbook
ACTPS Integrity Policy

You can engage in outside employment to undertake paid or unpaid secondary work, as long as you seek approval from your manager and it does not affect or compromise your commitment to your duties as a CIT employee.

- 22.1 All permanent and temporary staff must seek approval to engage in outside employment (second job). To gain approval employees should read the [CIT Guidelines for Approval to Engage in Outside Employment \(Second Job\)](#) and complete the ACT Public Service “[Application for Approval for a Second Job](#)” available on the Staff Information Site (SIS).
- 22.2 As outlined in the guidelines above, casual staff may not be required to gain approval for other employment where the other employment is not the employee’s primary employment. The Director will have discretion over whether an approval is required or not. In all cases employees must ensure that there are no conflicts of interest and that their responsibilities to CIT are not adversely affected.
- 22.3 If there is an actual, potential or perceived conflict of interest, then the employee must declare the conflict to their supervisor. The supervisor will assess the manageability of the conflict of interest and/or review the approval or continuation of the secondary employment.

Resources:

Public Sector Management Act 1994
Institute Guidelines for Approval to Engage in Outside Employment
Application for Approval for a Second Job
Industry Currency Policy
Industry Placement Policy
Performance Management Policy
CIT

23 Record keeping

The making and keeping of full and accurate records of CIT's activities is essential if CIT is to attain our stated outcomes. It is essential therefore for all employees to make and keep full and accurate records of their activities, to ensure that such records are incorporated into CIT's recordkeeping system and to comply with all records management procedures.

Effective recordkeeping underpins all actions and decisions taken in CIT, whether they are in a written or oral form. Without properly documented records, CIT would not be able to function efficiently and in a timely manner and an accountable way.

All staff in one way or another receive, create and manage CIT records whether they are email, hardcopy correspondence or images, everyone is a creator and keeper of records.

Records are essential for legal and administrative purposes. Protect yourself by keeping good records.

Types of records include class rolls, student assessment records, subject guides, emails, electronic documents, correspondence, digital images, audio recordings, files, forms, plans, drawings, notes, photographs and films.

- 23.1 You are required to make complete and accurate records of your activities, to ensure that such records are incorporated into CIT's recordkeeping system and comply with all records management procedures.
- 23.2 All records you make, receive and maintain as part of your duties belong to CIT and no records belong to individual employees.
- 23.3 You must take steps to ensure that the information you have created as part of your work at CIT is accessible in accordance with the *Freedom of Information Act 1982*. Official records must be printed and filed e.g. Box process or creating an official record.
- 23.4 Managers and supervisors at all levels are responsible for ensuring staff under their direction, including consultants and contractors, meet all the requirements of the **Record Management Policy** and the associated procedures.
- 23.5 You must not destroy records without appropriate authority.

Recordkeeping dos and don'ts

Do:

- make a record of official telephone calls, discussions, meetings, that involve decisions or actions being made
- print the record and place it on the relevant file(s)
- print to paper any emails or electronic records and place them on the relevant file(s).

Don't:

- you should not create and document official records that are personal in nature and which do not involve CIT business decisions or actions in any way eg. phone messages or room or appointment / meeting bookings
- do not hoard records in your desk drawer or store them on your computer hard drive, thumb/flash or floppy drives
- do not destroy, delete or alter any original final versions of records, unless authorised to do so.

Box Process examples:

- Student records, enrolments, roll-books, examinations and assessments need to be boxed with a [Record Management Form – for boxing student files](#) attached.

Official record examples:

- Grievances, complaints, minutes and agendas of meetings, agreements, MOU's, course approval, accreditation, events, contracts, international students or where there has been a decision made, you must create a hard copy official file. A [File request form](#) can be found on SIS.

Resources:

Territory Records Act 2002 (ACT) TARDiS
Public Sector Management Act 1994
Freedom of Information Act 1982
Records Management Policy

CIT has an obligation under the UN Convention of Human Rights and the Disability Discrimination Act 1992 to provide accessibility to website content for anyone with a disability.

- 24.1 When designing content you need to ensure the information is presented in a way that can be accessible by anyone with a disability by:
- providing text that is easy to read and can be easily changed into other forms people need, such as large print, braille, speech, symbols or simpler language
 - providing alternatives to time-based media eg. audio only, video only, captions, sign language
 - creating content that can be presented in different ways (for example simpler layout) without losing information or structure
 - making it easier for users to see and hear content including separating foreground from background eg. viewer can change foreground and background colour
 - providing users with enough time to read and use content
 - not designing content in a way that is known to cause seizures eg. more than 3 flashes in one second or using fluoro highlighting
 - providing different ways for users to navigate, find content and determine where they are
 - making text content readable and understandable
 - making web pages appear and operate in predictable ways

Resources:

Disability Discrimination Act 1992

Web Content Accessibility Guidelines (WCAG) version 2.0

UN Convention on the Rights of Persons with Disabilities (UNCRPD) specifically recognises (under Articles 9 and 21) that access to information, communications and services, including the internet, is a human right.

25 Criminal charges and offences

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You have a responsibility to advise CIT in writing of any criminal charges laid, convictions of a criminal offence, or where a court finds that you have committed an offence but no conviction is recorded.

- 25.1 CIT staff must advise the CIT Chief Operating Officer in writing, of any criminal charges laid against them, where the person has reasonable grounds for believing that the interests of the CIT or the ACT Public Service may be adversely affected.
- 25.2 If you are convicted of a criminal offence or a court finds that you have committed an offence but no conviction is recorded you must advise the CIT Chief Operating Officer in writing outlining the circumstances of the offence within seven days of the conviction or finding.
- 25.3 Include in your written statement the nature and circumstances of the charge, conviction or finding.
- 25.3 Where criminal charges, convictions or offences without conviction adversely affect the interests of CIT or the ACT Public Service the matter will be managed in accordance with the misconduct and discipline provisions of the relevant Enterprise Agreement.

Resources:

Public Sector Management Act 1994

Privacy Act 1988

CIT Teachers Enterprise Agreement – Misconduct Provision

CIT General Staff Enterprise Agreement – Misconduct Provision

ACTPS Integrity Policy

At CIT you may be offered a gift or benefit as an act of gratitude for the work you have done and it may be considered rude, hurtful or insulting to refuse the gift. The acceptance of this gift should not influence or be seen to influence your decision making. You will be required to disclose the receipt of the gift. If you are uncertain about your disclosure responsibilities notify your supervisor or director for advice.

- 26.1 You must never ask for or encourage the giving of gifts, money or benefits in connection with your work. To do so may amount to bribery, which is a crime.
- 26.2 You must not personally accept a monetary gift under any circumstances.
- 26.3 Accepting gifts and benefits has the potential to compromise your position by creating a sense of obligation and undermining your impartiality. It may also affect the reputation of CIT.
- 26.4 You must not accept for private use any gift or benefit offered by a seller of goods or services purchased for CIT use.
- 26.6 There may be an instance when accepting a gift is appropriate however this is subject to approval by the Chief Executive or Senior Executive responsible for Integrity and Risk (SERBIR). Depending on the value or nature of the gift, it may be appropriate to record the gift in the asset register as a donation or other such record for that purpose.
- 26.7 You must not offer another employee in the public service a gift or benefit with the intent of seeking to alter the honest and impartial performance of that officer.

Resources:

Conflicts of Interest and Commitment Policy
Records Management Policy
Official Hospitality, Meetings, Institute Ceremonies and Gifts Policy Public Interest Disclosure Act 2011
Public Sector Management Act 1994
Asset Management Process Guide
ACTPS Integrity Policy

CIT is committed to providing a safe and healthy working environment.

27.1 You are responsible for ensuring that your capacity to perform your duties is not impaired by the use of alcohol or drugs, and that the use of such substances does not put you or anyone else at risk.

27.2 As a CIT employee – you must:

- not attend work under the influence of alcohol, illegal drugs or non-prescribed and/or restricted substances
- not endanger your own safety or the safety of any other person in the workplace by consuming alcohol, illegal drugs or non-prescribed and/or restricted substances
- notify your supervisor if you are aware that your work performance or conduct could be adversely affected as a result of the effect of a prescribed drug
- take action to resolve any alcohol or other drug-related problems that you have (remember that you have access to counselling support form **Employee Assistance Program (EAP)**)
- consult with your supervisor if you are concerned about working with other employees who may be affected by drugs or alcohol
- seek senior management approval to consume alcohol on special occasions such as Christmas parties, farewells, Melbourne cup. At these occasions staff will be reminded of the responsible consumption of alcohol
- not give or provide alcohol, tobacco, tobacco products and/or any other drugs to students under the age of 18 years
- As of 1 January 2014 - not smoke on any CIT campus
- behave and display at all times behaviours in accordance with **S9 PSM Act 1994** when in the workplace and also when representing CIT at external events, such as exhibition openings, conferences and international visits.

27.3 Please contact CIT Human Resources should you have concerns over an employee's use of drugs and alcohol and its effects on them within the workplace.

Resources:

Public Sector Management Act 1994
Work Health and Safety Act 2011
CIT Drug and Alcohol Policy
CIT Smoke Free Workplace Policy

CIT relies on its intellectual property and the use of third party licenced materials to deliver its services. You play an important role in ensuring that CIT intellectual property and that of others is properly identified, protected, used and where appropriate shared within CIT.

- 28.1 All material created by you while employed at CIT belongs to CIT – ie. the intellectual property belongs to CIT and cannot be given away or transferred without the approval of the Chief Executive.
- 28.2 When creating teaching material you need to ensure the intellectual property rights of others are not infringed by acknowledging the source with appropriate citations.
- 28.4 Students own the intellectual property they create in the course of their studies and/or research at CIT and CIT will obtain permission from the student to use their intellectual property.
- 28.5 For issues arising in relation to ownership of intellectual property may be referred to the CIT Copyright Officer on (02) 6207 3378.
- 28.6 Media consent forms should be completed if photographs of students or the public are to be used for promotional purposes.

Resources:

Copyright Act 1968
Copyright Amendment (Digital Agenda) 2000
Intellectual Property Policy

As an individual you have a right to participate in political and community activities and to pursue personal interests, provided any conflict that arises is recognised and adequately managed. It is your obligation to ensure that any political or community activity is understood to represent your view and not the view of CIT.

- 29.1 As a CIT employee you are required to serve the government of the day by implementing government policy and providing responsive service to the community.
- 29.2 If you are a nominated spokesperson for a professional association, union or community group you are entitled to make public comments that represent their views, not the views of CIT. However, you are required to clearly acknowledge the capacity in which you are expressing such views. Therefore ensure your audience does not expect/assume you are representing CIT.
- 29.3 You must not use CIT resources, information obtained through CIT or your work time when you are engaging in political, community or personal activity.
- 29.4 You must not misrepresent CIT's position on any issue.

Resources:

Public Sector Management Act 1994
Public Interest Disclosure Act 2012
Public Interest Disclosure Policy
Conflict of Interest and Commitment Policy

CIT is required to collect and protect confidential information. Unauthorised disclosures may cause people harm or give an individual or group an improper advantage or damage the integrity and credibility of CIT.

- 30.1 You must only use official CIT information for the work-related purpose it was intended.
- 30.2 Unless authorised to do so by legislation, you must not disclose or use any confidential information without appropriate approval.
- 30.3 You must make sure that confidential information, in any form, cannot be accessed by unauthorised people.
- 30.4 Information should be limited to those who need to know to be able to conduct their duties. Always exercise caution and sound judgement in discussing other people's personal information.
- 30.5 Where you have a conflict of interest or potential conflict of interest or perceived conflict of interest you should not be accessing confidential information.

Examples of ways to protect confidential information:

- lock your computer when not at your desk
- never share your password
- change passwords regularly
- don't hand out student/staff contact details or records unless legally compelled to do so
- keep confidential files under lock and key.

Resources:

Public Sector Management Act 1994

Privacy Act 1988

Intellectual Property Policy

SMS Messaging Policy

CIT recruitment is based on merit having regard to experience, skills, abilities, personal qualities and potential for development as relevant to the job to be performed. The selection process is to be free of favouritism, discrimination and prejudice.

- 31.1 Selection panel members must declare to the panel any prior personal knowledge or interest in any of the applicants. This is to ensure any conflict of interest, potential conflict of interest and/or perceived conflict of interest is carefully managed. Prior knowledge of an applicant does not necessarily amount to a conflict of interest or exclude participation in the selection process.
- 31.2 Managers must be satisfied that the applicant is eligible to apply for the position and that he/she holds the qualifications that are mandatory for the position. Positions with mandatory qualifications require evidence to be placed on an official file (see section 23 on Record Keeping).
- 31.3 Managers can select staff from the two employment registers to employ temporary or casual staff:
 - a. Casual Teacher Register - potential and existing casual teachers must submit an application annually.
 - b. Temporary Employment Register - potential temporary staff, other than teachers, must register for Temporary Employment annually eg. administrative, technical officer, professional officer or general service officer.
- 31.4 A decision to appoint an individual is not subject to appeal by other applicants, but may be reviewed for procedural fairness under processes set out in the relevant CIT Enterprise Agreement. Applicants may make application to external bodies such as Fair Work Australia for redress where they believe the process does not meet the principles of procedural fairness.

Resources:

Public Sector Management Act 1994
Fair Work Australia
CIT Enterprise Agreement
Recruitment in the ACT Public Service
CIT Appointment Policy
Streamlining Policy
Temporary Employment Policy
Joint Selection Committee Policy
Recruitment at CIT – A Practical Guide

Electronic communication can be a fast and informal way to communicate, however, once a document or image has been sent there is no way to recall it and it exists forever.

32.1 When using electronic communication and social media, CIT staff should behave in a way that aligns with the **Public Sector Management Standards** (Part 2.5) and the **ACT Public Service Code of Ethics** and:

- use appropriate language in electronic mail messages
- be aware that if an issue addressed in an email becomes the subject of a legal dispute, then those emails could be used in court
- do not invite students into your personal social network site
- do not discuss work related issues on social network sites
- report any situations where you become aware of the inappropriate use of electronic communication and/or social networking sites.

32.2 You must never use CIT networks to view, upload, download or circulate any of the following materials:

- pornographic or sexually related material
- racist or offensive material
- slanderous, malicious or libellous messages or material
- subversive or material related to illegal activities
- violent or hate-related messages or material
- materials that are defamatory and/or damaging to the image or profile of CIT.

32.3 You must ensure that personal correspondence and activities do not interfere with your duties. (Reasonable private use of CIT's ICT resources is a privilege).

32.4 You must not save any software or large personal files to any network or personal disk drive, unless you have been given specific approval to do so.

32.5 You must not, during working hours:

- access online media streaming sites (eg. radio, music and video broadcasts) unless they are work-related
- create and post to personal blogs
- create personal web pages
- conduct a private online business (including dealing on eBay or similar sites, or share trading)
- access online shopping sites for personal purchasing.

32.6 You may, as long as it does not impact on your work:

- perform personal online banking and
- contribute to work-related online discussion groups.

32.7 Note: There is a category of internet material on sites that is considered inappropriate for access through ACT Government ICT resources. The IT content filter will warn or block access to categories of websites including:

- adult content
- gambling
- chat rooms
- dating
- crime/terrorism
- violence/undesirable activities
- malicious
- government blocking list (illegal websites)
- swimsuit/lingerie models.

Think before you send an electronic communication, as sometimes a quick response means your thoughts and feelings may be expressed with undue frankness.

Resources:

Public Sector Management Act 1994
Acceptable use of ICT Resources Policy
ACT Public Service Code of Ethics
ACT Government Social Media Policy

CIT resources are publicly funded, including your time.

- 33.1 You should use public resources effectively and efficiently, avoiding waste, extravagance and misuse.
- 33.2 You should avoid extravagance when you are travelling or catering for a function.
- 33.3 CIT resources are to be used for work related purposes. They are not to be used for personal gain.
- 33.4 Treat CIT property with due care and ensure it is secured against theft and/or misuse.
- 33.5 As an employee if you are supplied with a mobile device this device remains the property of CIT and should be used predominately for business purposes. Personal calls are not restricted but governed by professional judgement of reasonable use.
- 33.6 As a staff member if you are supplied with a Corporate Credit Card (CCC) you must only use this card for official purposes. You must never exceed the credit limit or transaction limit or use it for cash advance or cash equivalent (domestic or foreign currency) or to pay labour costs (contractors or employees) or for fuelling CIT vehicles, except in emergencies.
- 33.7 If you are using a CIT vehicle you will need to complete the log book.

Examples of inappropriate use of CIT resources:

- A staff member appropriately takes the department car to attend a meeting on another campus. However, after the meeting picks up the children from school to drop off at the baby sitter.
- An employee finds they have unintentionally over ordered a paint colour for their class and instead of returning the goods decide to paint a room in their own house.

Resources:

Public Sector Management Act 1994
Acceptable use of ICT Resources Policy
Cabcharge Policy
Asset Management: A process guide
Capital versus Expense: A quick reference guide
Corporate Credit Card Policy
Mobile Device Policy
Student Access and Acceptable Use of ICT Resources and Services Policy
Travel Policy

34 Delegations and signatures

Carefully check and read all documents before signing or making decisions, as you are legally accountable.

- 34.1 The Chief Executive authorises a position, not a person, to make decisions as a delegate. Therefore if you are acting in a position you can exercise the delegations held in that position. It is not appropriate for you to exercise your delegation if you have a conflict of interest/ potential conflict of interest and/or perceived conflict of interest.
- 34.2 A delegate makes a decision in his or her own right, not on behalf of the Chief Executive. You are *legally accountable* for the decision you make.
- 34.3 You must not sign a document that you know is not true and correct.
- 34.4 Before making a decision or signing a document you should:
 - check you have the power to make the decision or sign
 - read the appropriate CIT policy and relevant legislation
 - consult your supervisor about the decision you are contemplating
 - declare any conflict of interest
 - ensure the evidence is attached
 - consult CIT Corporate Services if the decision has financial implications.
- 34.5 CIT staff are not to exercise delegations in respect to family members due to conflict of interest/ potential conflict of interest/ perceived conflict of interest.
- 34.6 You must only sign *your own name* and never permit or encourage anyone to sign a name other than their own.
- 34.7 There is no specific legislation applying in the ACT relating to Certified True Copies. CIT has adopted the practice of requiring that the certifier is a person who is also able to witness a Statutory Declaration. Check with CIT HR for a list of the relevant people who can sign.

Resources:

Public Sector Management Act 1994
Canberra Institute of Technology Act 1987
Educational Delegations Manual
Human Resources Delegations Manual

35 Tendering and procurement

The highest ethical standards must be maintained during any procurement or tendering process.

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35.1 All CIT staff must ensure that the following procurement principles are adhered to:

- value for money
- purchasing is undertaken in a transparent manner with open and effective competition
- high standards of integrity, professional conduct and ethical behaviour are applied to the process
- environmental issues are considered
- local and regional suppliers are given the opportunity to offer goods and services eg. Canberra owned, Australian made
- management of risk has been considered eg. Fair Trade.

35.2 Staff must follow the CIT guidelines relating to procurement.

35.3 As an employee you are required to obtain a tax invoice receipt at the time of purchase.

Resources:

Procurement Policy
Purchasing and Payments Policy
Public Sector Management Act 1994
Government Procurement Regulation 2007
ACT Government Procurement Act 2001
ACTPS Integrity Policy
ACTPS Code of Ethics

Governance comprises both compliance and performance. Against this background, the CIT internal audits are based on a risk management approach and designed to ensure the CIT complies with legislative and regulatory requirements. Examples are ASQA, TEQSA and being a Registered Training Organisation. Compliance is non-negotiable and how you perform aspires to performance excellence including examples such as innovation, collaboration and teamwork.

Through the process of the CIT Audit Committee, assurance is then given to the Chief Executive to ensure that the strategic risks are being effectively managed and that the controls are in place. Both the Audit Committee and Internal Audit team work in accordance with their individual Charters, which are reviewed annually.

- 36.1 As a public servant you are required to comply with ACT Government legislation, policies and procedures. Internal audits review and report whether compliance is evident.
- 36.2 All staff are required to reflect on their daily code of conduct, practice and performance for the purposes of continual improvement in efficiency, effectiveness and ethical standards.
- 36.3 As an employee of CIT, you are obligated to continually review and identify risks, including emerging risks, which may affect the safety, health and wellbeing of our students and staff.
- 36.4 All staff must comply with the relevant professional standards of conduct during an internal audit as documented in the [Internal Audit Charter](#).

Resources:

Financial Management ACT 1996
Public Sector Management Act 1994
Internal Audit and Review Policy

CIT does not have a dress code; however as a general guide, the appearance and dress of a CIT employee should allow them to feel comfortably dressed and be clean, neat and appropriate to a professional learning and business environment.

- 37.1 To uphold the good reputation of CIT you have an obligation to dress appropriately. Wearing revealing, torn or dirty clothing, offensive or political slogans, singlet tops, short shorts, low-riding trousers or rubber thongs are some examples of inappropriate dress in the workplace.
- 37.2 You should also be aware of relevant workplace health and safety considerations that may require particular protective equipment to be worn such as safety shoes, gloves, protective eye cover, reflective safety jacket and/or breathing masks.
- 37.3 Some business activities require a particular style of dress. If in doubt ask your supervisor.

Resources:

Public Sector Management Act 1994
Work Health and Safety Act 2011 (ACT)
Whole of Government Workplace Health and Wellbeing
Working together: Promoting mental health and wellbeing at work
Workplace Health and Safety Arrangements Policy

As a CIT employee, you must not use your position unfairly to improve your prospects of future employment once you leave CIT.

- 38.1 If you are no longer employed with CIT, you must return any property you have belonging to CIT.
- 38.2 You should not use or take advantage of any confidential information you have obtained while working at CIT.
- 38.3 As a current employee, you must be careful with your dealings with former employees and make sure you do not give them or appear to give them favourable treatment or access to privileged information.
- 38.4 An exit checklist and voluntary survey is requested of you on completion of your employment. The survey is designed to look at how CIT can continuously improve its service to staff.

Example of appropriate behaviour:

- On leaving CIT the former employee hands their keys to estate manager and returns all property to the area, meets with their manager for an exit meeting. They do not remove/copy any electronic or hard copy files related to their work.

Resources:

Public Sector Management Act 1994
ACTPS Integrity Policy
ACTPS Code of Ethics

Benefit – A non-tangible item of value. For example: preferential treatment, access to confidential information, increase assessment grade.

Box Process – Permission granted under the *Territory Records Act 2002* to box student enrolments, assessment, roll-books etc. rather than creating official files.

Bribe – A gift or benefit offered to or solicited by a public official to influence that person to act in a particular way.

Bribery – Giving a gift or benefit with the intention of influencing a public official in their duties.

Breach of policy or procedures – Non compliance with a workplace duty or obligation.

CIT Workplace Issue Evaluator – A trained officer and delegate of the Executive Director, People and Organisational Governance who will determine the most appropriate mechanism for resolving the workplace issue.

Confidentiality – All matters raised are confidential. Information regarding an investigation should only be provided on a 'need to know' basis. Note: Employees raising a workplace issue should be advised that in some cases due to legislative requirements, no absolute guarantee of confidentiality can be given.

Conflict of Interest – A conflict of interest involves a conflict between the public duty and private interests of a public official, in which the public official has private interests which could improperly influence the performance of their official duties and responsibilities.

Disclosable conduct – Examples of disclosable conduct include:

- corrupt conduct, eg. accepting money or other benefits in exchange for helping someone to avoid prosecution, win a contract or gain Government approval
- fraud or theft, eg. falsifying documents or information, or stealing an employer's property or funds
- official misconduct or maladministration, e.g. gaining personal benefit by not revealing a conflict of interest
- harassment, intimidation or discrimination, e.g. assaulting a person during the course of carrying out their work functions, duties or responsibilities
- practices endangering the health or safety of staff, the community or the environment.

Formal intervention – This includes investigation, report to delegate, determine misconduct, determine sanction, and impose sanction.

Gift – A gift is an item of value given from one person or group to another.

HSR – Health and Safety Representative

Informal intervention – This could include: informal counselling, written/verbal directions, training, supervision/coaching, performance management and a team meeting if there are group issues.

Impartially – Not prejudiced towards or against any particular side or party; fair; unbiased.

Natural Justice /Procedural Fairness – applies to any decision (action or inaction) that can affect the rights, interests or expectations of an individual in a direct or immediate way. It requires:

- individuals are given an opportunity to be heard
- decision makers act without bias or self-interest
- decision makers base their decisions on evidence that is relevant to the facts in issue. ie.
 - All relevant matters are considered when reaching a recommendation/decision
 - Irrelevant matters are not given weight in reaching a decision

Official record – A file created according to Territory Records Act 2002.

Open Door Protocol – A work practice in which a supervisor, manager, executive or chief executive leaves their door “open” (figuratively speaking) in order to encourage productive communication among workers of the department, agency and at times between agencies.

Parties – The complainant, respondent and those involved in managing the workplace issue.

Pecuniary – Monetary; relating to money; financial; consisting of money or that which can be valued in money.

Probity – Adherence to the highest principles and ideals: uprightness, integrity.

RED Contact officer – A trained officer available to staff to provide advice on how to raise workplace issues and what support mechanisms are available to them.

Respondent – The Institute or person(s) about whom the workplace issue or grievance is lodged.

Selection panel members – There are two types of selection panels:

1. Selection Advisory Committee (SAC) – consists of a chairperson (normally supervisor) and one independent staff member and one staff member at or above level. There needs to be a gender balance.
2. Joint Selection Committee (JSC) - consists of a chairperson (normally supervisor) and one independent staff member and one a union representative. There needs to be a gender balance.

Token Gift – A gift of low monetary value offered in business situations. For example CIT pens, CIT umbrella.

Workplace Issue – Any matter raised as a concern by a staff member or an expression of dissatisfaction with an aspect of employment.

Workplace Issue Manager – The delegate of the Executive Director, People and Organisational Governance assigned to manage the resolution of the workplace issue.