POLICY ON STAFF CONDUCT

Section	People and Culture
Contact	People and Culture
Last Review	November 2022
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Approval	SLT 19/06/101

Purpose:

The purpose of this policy is to inform all staff members of Massey University ("the University") of the standards of conduct expected of them as university employees.

Policy:

1. Principles

1.1 The role of the University is to serve its community in the manner described in its Investment Plan.

1.2 In accepting and remaining in employment at the University, a staff member is considered to be committed to the role of the University and the sentiments expressed in the University's Investment Plan and shall ensure that he/she does not bring the University into disrepute, defined as either wilfully or deliberately discrediting the University publicly, through his/her conduct, when acting on University business or when claiming affiliation with the University.

1.3 The University accepts its responsibilities as critic and conscience of society, fostering and encouraging the testing of received truths and the creation of new knowledge, and the dissemination of these views with integrity and respect.

1.4 The University firmly supports, and seeks to give effect to, the exercise of academic freedom, which includes the rights to teach and assess students in the manner that academic staff consider best promotes learning, to undertake research, to question received wisdom, and to put forward or state ideas even if they are unconventional or unpopular. Academic freedom is circumscribed by the law, by the ethics of a staff member's profession, and by the need to ensure the proper use of, and accountability for, the University's resources.

1.5 The University does not condone and will not defend any unlawful act by a staff member.

2. Application

2.1 This policy shall apply to all staff members of the University, including casual staff.

2.2 Contractors, adjunct and visiting academic staff and any other persons carrying out work for the University are required to comply with the standards set out in this policy regarding their employment at the University.

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3. Work Environment

3.1 The University endeavours to provide a safe, healthy, supportive, and equitable work environment that enables all staff members to carry out and meet their obligations and responsibilities as staff members of the University.

3.2 In line with this, staff members can expect the University to:

- Comply with all relevant legislative and contractual requirements, including employment agreements, and with university policies, procedures, rules, and regulations.
- Inform staff members of new or changed University policies, procedures, rules, and regulations relevant to his/her employment.
- Act honestly, reasonably and in good faith.
- Take all reasonable steps to provide a safe and equitable working environment.
- Ensure that discrimination and harassment are not tolerated within the working environment.
- Provide an environment conducive to the development and effectiveness of staff members.
- Recognise the need to balance work with external life and commitments.
- Supply the resources necessary to fulfil agreed work obligations.
- Work co-operatively with staff unions.

3.3 If a staff member does not consider the University has met the expectations set out in this clause, he/she should raise the issues he/she is concerned about with his/her manager, or his/her manager's manager, either directly or through his/her representative.

4. Principal Standards of Conduct

4.1 The University expects a staff member to be, and continue to be, a fit and proper person in relation to his/her specific employment role and responsibilities.

4.2 In line with this a staff member is expected to carry out his/her duties, at all times: -

4.2.1 Diligently

a) By being present at work as required, defined as:
   - In the case of General staff, being absent only with the approval of his/her manager.
   - In the case of Academic staff, ensuring that his/her manager is informed of his/her whereabouts when he/she are deemed to be working (this includes when working from home).
   - In the case of all staff, ensuring any leave is recorded and approved before being taken.

b) By maintaining satisfactory standards of work and a standard of personal conduct appropriate to his/her role and responsibilities.

c) By taking responsibility to read and understand University policies, procedures, rules, and regulations relevant to his/her employment.

d) By complying with lawful and reasonable management instructions and University policies, procedures, rules, and regulations.

e) By not being impaired by alcohol or any prohibited substances during work hours or in a university vehicle; or consuming or being in possession of prohibited substances while on university premises, in university vehicles or at university functions.

4.2.2 In Accordance with the Law

a) By neither using, nor allowing the use of university property, resources, or funds for unauthorised and/or unlawful purposes.

b) By complying with the terms and conditions of his/her employment agreement.

c) By ensuring that his/her actions or inactions (including written or oral communications) do not result in harm to themselves or to others.

d) By ensuring that he/she does not act in a way that is discriminatory, violent, abusive, harmful, or threatening to others in the workplace.

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4.2.3 In Good Faith

a) By acting honestly, fairly, and reasonably in all dealings with managers, colleagues, staff, and students.
b) By maintaining the standards of confidentiality required for his/her position.
c) By maintaining honest and true records.
d) By not taking advantage of university systems, processes and/or property for personal gain or use.

4.2.4 In accordance with the Commonly Accepted Standards of the University and for his/her Profession

a) By maintaining all qualifications (including registration and annual practicing certificates) necessary for the performance of his/her duties.
b) By ensuring his/her actions and behaviour are always ethical and professional.
c) By declaring all conflicts of interest and ensuring that any relationships (whether formed or conducted in the workplace or outside the workplace) do not compromise the professional standards expected of him/her.
d) By respecting the rights, interests and diversity of colleagues and students, and working harmoniously and courteously with them in mana-enhancing ways.

5. When standards are not met

5.1 The university recognises that the majority of staff members maintain personal standards of conduct and work performance that exceed those laid out above (clauses 4.1 and 4.2). Nevertheless, where the university has cause to believe that a staff member has fallen below these standards the university may, depending on gravity, regard the staff member's actions (or lack of them) or behaviour, as misconduct or serious misconduct and invoke formal disciplinary procedures in accordance with the university's policies and the relevant employment agreement. For those staff joined to the Massey University Collective Employment Agreement or the Massey University Individual Employment Agreement, these procedures are set out in clause 10.2.

5.2 The university is more likely to regard a failure to meet expected standards as serious (i.e., serious misconduct) if it is persistent, wilful, abusive, harmful, dangerous, dishonest, or repeated; damages the University's reputation; or prevents the staff member or other staff members from carrying out their duties effectively.

5.3 Wherever a staff member acts in a way that causes concern for the university and that action or behaviour is not specifically set out under the principal standards of conduct in clause 4 of this policy, but is of a similar nature or seriousness, the University may invoke the formal disciplinary procedures in the same way as if it had been a principal standard of conduct that had been breached.

6. Implementation

6.1 All existing staff members are covered by this policy.

6.2 All new staff members will be provided with a copy of this policy along with their offer of employment and will be required to confirm they have read and understood the policy and agree to comply with it as a condition of employment.

Audience:

All University staffs

Relevant legislation:

Health and Safety at Work Act 2015
Human Rights Act 1993
Employment Relations Act 2000
Education Act 1989 and its Amendment

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Legal compliance:

The Health and Safety at Work Act 2015 requires Massey University to ensure that, as far as reasonably practicable, the health and safety of workers and of other persons is not put at risk from work carried out by Massey University (Section 36). Massey University also has a duty to eliminate risks to health and safety so far as is reasonably practicable, and if it is not able to eliminate risks to health and safety, to minimise those risks as far as is reasonably practicable (Section 30).

The Human Rights Act 1993 prohibits Massey University and its employees from discriminating against any employee, job applicant or contractor on the grounds of sex, marital status, religious belief, colour, race, ethnic or national origin, disability, age, political opinion, employment status, family status or sexual orientation.

The Employment Relations Act 2000 requires Massey University to comply with Part 9 - Personal grievances, disputes, and enforcement and Part 10 - Institutions and abide by the criteria set out in this Act.

The Education Act 1989 requires Massey University to recognise and exercise academic freedom, which includes the rights to teach and assess students in the manner that academic staff consider best promotes learning, to undertake research, to question received wisdom and to put forward or state ideas even if they are unconventional or unpopular (Part 14, Section 161).

Related procedures / documents:

Massey University Collective and Individual Employment Agreements
All other Massey University Policies, Procedures, Rules, and Regulations

Document Management Control:

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