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Superseded documents	N/A
Related documents	<i>Academic Governance Policy</i> <i>Anti-Fraud Policy</i> <i>Conflict of Interest Policy</i> <i>Grievance Resolution Policy - Students</i> <i>Staff Grievance Resolution Policy</i> <i>Statement of Corporate Governance</i> <i>Whistleblower Policy</i>
Related HE Standards	6.2.1j
Student Lifecycle Stage/s	All

1. PURPOSE

To promote fair, ethical and responsible behaviour and decision-making, and to provide guidance on the practice necessary to maintain confidence in the integrity of the Australian University of Theology (AUT).

2. DEFINITIONS

Definitions for any words in **Bold** in this document can be found in the [Policy Glossary](#). The first instance of each defined term has been outlined in bold.

3. SCOPE

This policy applies to the directors, members of committees of the Council (including the Academic Board and its committees), officers, employees (including contracted employees), consultants and volunteers of the AUT.

4. POLICY STATEMENT

AUT is committed to maintaining high standards of conduct in all aspects of its governance and operations and to complying with all applicable laws and regulations. All Relevant Persons are expected to abide by this policy and conduct themselves in accordance with the standards of conduct in this policy. The acceptance of a role by a Relevant Person constitutes an agreement by the Relevant Person to do so and in the case of AUT Office staff, agreement to the Code is part of the annual staff review process. This policy also provides guidance as to the responsibility and accountability of individuals for reporting and investigating reports of unethical conduct.

5. PRINCIPLES

- 5.1 The AUT operates with regard to the interests of all stakeholders.
- 5.2 The AUT is committed to the provision of a high standard of service to prospective, current, and graduated students and staff (both professional and academic) of Affiliated Colleges.



- 5.3 The AUT's Christian ethos is reflected in its workplace. It is committed to employment and work practices which are non-discriminatory in terms of race, ethnicity or gender, and to on-going training and professional development, retention of employees, and the provision of a safe working environment.
- 5.4 Through its policies and procedures, including this *Code of Conduct*, the AUT is committed to compliance with applicable legal and regulatory requirements. These include, but are not limited to, the *Corporations Act*, *Australian Charities and Not-for-profits Commission (ACNC) Act*, *Australian Securities and Investment Commission (ASIC) Act*, *Higher Education Support Act (HESA)*, *Education Services for Overseas Students (ESOS) Act*, the *Tertiary Education Quality and Standards Agency (TEQSA) Act*, and *Workplace Health and Safety (WHS)* requirements, trade practices and fair dealing laws, consumer protection and the protection of privacy.
- 5.5 The AUT will indemnify its staff against liabilities incurred by them while carrying out their duties in good faith for the AUT. It will stand behind its staff and meet the costs of actions that might be taken against them personally as though the action had been taken against the AUT, provided that the staff member concerned was acting in good faith.
- 5.6 If found that a breach of the obligations of this *Code of Conduct* has occurred, at the option on the Council, this may result in a Director being expected to resign from the Council, a Council Committee appointment being rescinded or a staff member having their employment terminated.

Standards of Conduct for All Relevant Persons

- 5.7 The standards of conduct expected for all Relevant Persons include:
 - 5.7.1 Acting ethically and in good faith in the best interest of the AUT, and with honesty, integrity, transparency and impartiality;
 - 5.7.2 Acting with diligence, skill and responsiveness, and taking reasonable care in treating others with fairness, respect and courtesy and without discrimination or harassment or engagement in misleading or deceptive conduct;
 - 5.7.3 Carrying out duties as well as possible within any delegated authority;
 - 5.7.4 Using their position appropriately and being accountable for all actions and decisions; providing documentation and sound reasons for them as required;
 - 5.7.5 Executing their duties at all times with regard to the mission of the AUT and interests of all stakeholders;
 - 5.7.6 Using information appropriately, protecting the privacy of members, staff and students, and confidential information, except where disclosure is required by law;
 - 5.7.7 Taking reasonable steps to ensure adequate protection of all confidential information;



- 5.7.8 Not acting in a manner that inhibits another person from fulfilling the requirements of their position;
- 5.7.9 Acting in a financially responsible manner;
- 5.7.10 Using AUT resources properly and in accordance with WHS obligations;
- 5.7.11 Protecting whistleblowers and those who report violations or fraud or corrupt conduct;
- 5.7.12 Not compromising the AUT's integrity and control in any dealings by an actual or perceived conflict of interest. In the event that a conflict of interest is recognised, it must be disclosed and managed in accordance with the *Conflict of Interest Policy*;
- 5.7.13 Neither to solicit nor accept gifts or benefits that may appear to influence any aspect of their work. Such gifts or benefits might include things like money, property, a discounted service or goods (consideration), a service, or hospitality;
- 5.7.14 Dealing fairly and impartially with the staff and students of Affiliated Colleges and to address complaints using approved grievance resolution procedures;
- 5.7.15 Protecting the health and welfare of its people by providing an environment free from discrimination and harassment and which enables both staff and students to balance their professional life with their family responsibilities and outside activities;
- 5.7.16 To foster and protect the reputation of, and not engage in conduct likely to bring discredit upon, the AUT;
- 5.7.17 Meeting all legal and other obligations to other legitimate stakeholders of the AUT, including students and staff of Affiliated Colleges, members, regulatory bodies, creditors, suppliers and associations of which the AUT is a member; and
- 5.7.18 Comply with the spirit and letter of the law, regulations and this Code.

Standards of Conduct for Directors and the Executive Officer of the Council

- 5.8 The standards of conduct expected for all Directors and the Executive Officer of the Council include to:
 - 5.8.1 Act honestly, in good faith, for a proper purpose and in the best interests of the AUT as a whole, and to not engage in conduct that is likely to bring discredit upon the AUT;
 - 5.8.2 Perform the functions of office and exercise the powers attached to that office with a degree of care and diligence that a reasonable person would exercise if they were a Director in the same circumstances;
 - 5.8.3 Recognise that their primary responsibility is to the AUT as a whole (with this obligation to be observed in priority to any duty a Director may owe to those electing or appointing them) but should, where appropriate, have regard for the interest of all stakeholders of the AUT;



- 5.8.4 Not to make improper use of information acquired as a Director, nor take improper advantage of the position of Director. In particular, a Director should not take advantage of property, information, position, or opportunities arising from these for personal gain or gain by another person, either directly or indirectly, or to cause detriment to the AUT;
- 5.8.5 Ensure that confidential information received by the Director in the course of the exercise of directorial duties remains the property of the AUT and it is improper to disclose it, or allow it to be disclosed, unless that disclosure has been authorized by the AUT, or the person from whom the information is provided, or is required by law;
- 5.8.6 Be independent in judgement and actions and to take all reasonable steps to be satisfied as to the soundness of all decisions taken by the Council;
- 5.8.9 Protect and ensure the proper use of the AUT's assets;
- 5.8.10 Properly manage any conflict with the interests of the AUT. Directors have an obligation to disclose to the Council any actual or perceived conflicts of interest of a direct or indirect nature which could compromise in any way the performance or reputation of the AUT. Directors shall comply with the *Conflicts of Interest Policy* of the AUT;
- 5.8.11 Continually evaluate the number of boards on which they serve to ensure that they can give the time and attention to detail required to properly fulfil the duties and responsibilities of a member of the Council;
- 5.8.12 Table, at their first meeting after appointment and at the first meeting in each calendar year thereafter, a declaration of other relevant interests, including all directorships, and shall notify the Council, as soon as practicable, if taking on a subsequent new relevant interest;
- 5.8.13 Report any instances of unlawful or unethical behaviour. The *Whistleblower Policy* should be consulted for types of misconduct and improper states of affairs that may be disclosed under that policy. The Council has an obligation to actively promote ethical behaviour and protect whistleblowers and those who report violations; and
- 5.8.14 At all times, not only to comply with the spirit, as well as the letter, of the law and with the principles of this Code but also to promote compliance with all relevant laws, regulations and the provisions of this Code.

Standards of Conduct for Staff

- 5.9 The standards of conduct expected for staff include to:
 - 5.9.1 Exercise care and diligence by carrying out their duties honestly, responsibly and impartially to the best of their ability including to;
 - carry out their duties in a professional, responsible and conscientious manner;
 - carry out official directions and policies in a faithful, impartial and transparent manner;



- ensure decisions can be seen to be reasonable, fair and appropriate to the circumstances based on consideration of all the relevant facts and supported by adequate documentation;
 - refrain from any conduct including alcohol or substance abuse or misuse, which could adversely affect personal work performance or the safety and wellbeing of others;
 - properly protect confidential information and return any confidential information that must be taken from the AUT Office;
 - take reasonable steps to ensure the protection of intellectual property;
 - maintain as appropriate the confidentiality of AUT dealings when interacting with outside organisations and others within the AUT;
 - ensure that any official AUT information is not used, without AUT authorisation, in order to gain a financial or other benefit for themselves or any other person or group;
 - be sensitive to the fact that if they occasionally need to use AUT resources, for instance to make a telephone call for private purposes, they are using AUT resources, and should endeavour to ensure that such use is kept to a minimum;
 - give due credit to the contributions of other staff members and students;
 - assess any student's documentation fairly, objectively and consistently in any particular circumstances;
 - maintain adequate security over AUT property, facilities and resources and information;
 - ensure that AUT resources are managed effectively, efficiently and for their specified purpose; and
 - ensure that resources are used in a manner which does not harm the environment.
- 5.9.2 Take reasonable care for the health and safety of persons who are at their place of work and who may be affected by their acts or omissions at work;
- 5.9.3 Report suspicions of fraud, corrupt conduct, maladministration and serious and substantial waste of AUT resources. The *Whistleblower Policy* should be consulted for types of misconduct and improper states of affairs that may be disclosed under that policy;
- 5.9.4 When making a decision, taking action of a discretionary nature or resolving a grievance which may adversely affect a person's rights, liberties, interests or legitimate expectations, the principles of procedural fairness should be applied. This means that persons affected should have the opportunity to respond to allegations or assertions made and to have a decision made without bias. Decisions should be based on



considerations relevant to the matter at hand. Decisions may be accepted more readily if reasons are given.

- 5.9.5 Co-operate so far as it is necessary to enable compliance with any requirement imposed under workplace health and safety legislation in the interests of health, safety and welfare of AUT staff or any other person.

Commitment to the Code of Conduct

- 5.10 Directors and Council Committee members shall be provided with a copy of the Code and commit to this Code prior to appointment and prior to any reappointment. Members will be alerted to any material change of the Code.
- 5.11 The Vice-Chancellor and Executive Officer of the Council and staff shall commit to this Code on acceptance of appointment and on the occasion of each annual review. Staff will be alerted to any material change of the Code.

Reporting Corrupt or Inappropriate Conduct and Concerns about Noncompliance

- 5.12 Suspected corrupt or inappropriate conduct is to be reported in confidence to the Chair of the Council or relevant Council committee, or if staff, to the Vice-Chancellor. Any such allegations will be treated in confidence and investigated as considered appropriate.
- 5.13 If a relevant person does not consider it appropriate to disclose an allegation of suspected corrupt conduct to the Chair of the Council Committee or to the Vice-Chancellor, disclosure should be made directly to the Chair of the Council.
- 5.14 Certain types of misconduct, or improper states of affairs, are eligible for disclosure under the *Whistleblower Policy*. These are specified in that policy, and where applicable the policy is to be consulted for information about making disclosures, investigating disclosures and the protections for whistleblowers.
- 5.15 Other concerns beyond the scope of the *Whistleblower Policy* may represent issues requiring reporting, such as noncompliance with relevant legal and regulatory requirements not referenced in the policy. Such concerns would include potential noncompliance with the *Higher Education Standards Framework*. Relevant Persons with reasonable grounds for belief that AUT is noncompliant with such legal and regulatory requirements should report their concerns where the issues are not resolved in the ordinary course of business. Such reporting should be made in writing to the Chair of the relevant Council Committee or to the Vice-Chancellor, or if these person are involved in the concerns, or where the matter remains unresolved after writing to them, to the Chair of the Council.

6. RELATED LEGISLATION

[Australian Charities and Not-for-profits Commission Act 2012 \(Cth\)](#)

[Australian Securities and Investment Commission Act 2001 \(Cth\)](#)

[Corporation Act 2001 \(Cth\)](#)



[Education Services for Overseas Students Act \(Cth\)](#)

[Higher Education Standards Framework 2015 \(Cth\)](#)

[Higher Education Support Act 2003 \(Cth\)](#)

[National Code of Practice for Providers of Education and Training to Overseas Students 2018 \(Cth\)](#)

[Tertiary Education Quality and Standards Agency Act 2011 \(Cth\)](#)

7. VERSION HISTORY

Version	Approved by	Approval Date	Effective Date	Changes made
1	Council	21 July 2008	21 July 2008	
2	Council	08 December 2014	08 December 2014	Revision
3	Council	9 November 2020	9 November 2020	New template applied. Reference to Whistleblower Policy. Reporting requirement for concerns of noncompliance.
4	Council	13 November 2023	13 November 2023	Minor update
5	Vice-Chancellor	June 2025	June 2025	New policy format, minor editorial updates to implement university status.

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