

**COUNCIL RESOLUTION CL04/187  
(13 December 2004)**

That Council:

- (i) approves the revised Code of Conduct for UNSW Council Members

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### **Code of Conduct for Council Members**

This Code of Conduct is intended to guide members of Council in the performance of their duties. The Code does not exclude or replace the rights and obligations of Council members according to law.

The provisions of this code apply to Council committees, and to any members of those committees who are not members of Council.

Council members must act honestly in the best interests of the University, at all times preferring the University's benefit to:

- personal advantage, whether financial or otherwise;
- the advantage of any other person or organisation; or
- the advantage of any group qualifying a member for election or appointment to Council.

#### **Conflict of Interest**

Council members should disclose any interest, direct or indirect, which conflicts with their duty to the University. It is not obligatory to disclose an interest which naturally follows from membership of the group qualifying the member for election or appointment to Council and is not otherwise special or personal to the member.

Council members should not use information obtained in the course of official duties to obtain, directly or indirectly, any financial advantage for themselves, or for any other person or organisation.

#### **Personal Behaviour**

Council members should strive for the highest standards of personal behaviour in their dealings with other members of Council and with other members of the University community, in accordance with the following ethical principles. Council members are also entitled to expect that the same principles should guide the treatment they receive from others.

Council members must:

- (i) be courteous and promptly responsive, and treat people with respect;
- (ii) not behave towards a person in a way which harasses, intimidates, bullies, coerces, threatens, humiliates, insults, or vilifies him or her;
- (iii) behave fairly, and respect the rights and obligations of others, including their right to fair working conditions and their right to privacy;
- (iv) keep personal information in confidence;

- (v) not allow personal relationships to affect professional relationships and, in particular, avoid patronage and favouritism;
- (vi) not harm people's reputations or career prospects in a way that is gratuitous or otherwise unfair, and give due acknowledgement to the work and contribution of others;
- (vii) not discriminate on prescribed grounds, which in the University context include: gender and/or sexual orientation; racial, ethnic, cultural, and/or religious background; disability; marital status; age; union membership; political affiliation or belief; and family responsibilities;
- (viii) accept the right to hold personal beliefs and not insult personal beliefs;
- (ix) accept the rights of others to express personal opinions and to act on personal beliefs, within legal and ethical limits, and handle differences of opinion through rational debate, allowing different points of view to be expressed.

## **Confidentiality**

The purpose of Council confidentiality is to assist Council to perform its functions while providing proper protection to the legitimate interests of the University and of individuals. Council members have a right to expect that the scope of Council confidentiality should not be extended beyond what is necessary and should not hamper them in the role and responsibility of Council member.

Members of Council have an obligation not to disclose confidential information accessed in fulfilling their obligations to the University.

For Council members to comply with the obligation of confidentiality, all information should be considered confidential unless otherwise stated. The established practices of Council will normally make clear the status of information presented. Clear explanation of these practices will be provided through the formal induction process, and members must familiarise themselves with the established practices.

Where a Council member is in any doubt about the status of Council information, they must obtain clarification. As a general guide, Council confidentiality requirements include:

- any matter explicitly designated as confidential;
- personnel matters affecting specific employees of the University, such as appointments and promotions, salary matters, disciplinary proceedings, or investigations of alleged misbehaviour;
- any proposal to grant an honorary degree, the title of 'emeritus', or any other special honour;
- information about commercial matters, where disclosure might lead to the improper taking of financial advantage.

Matters cease to be confidential once they have been officially made public by authority of Council.

It is the responsibility of the Chancellor to guide Council on the application of this Code.

## **Breach of Code**

In the event of a breach of confidentiality or any provision of this Code of Conduct, Council may apply such procedures and take such actions as it considers appropriate in the circumstances having regard to the nature and circumstances of the breach, its seriousness and consequences, and the requirements of law and procedural fairness.