



Integrity and Standards Unit

INFORMATION SHEET (No. 2, June 2015)

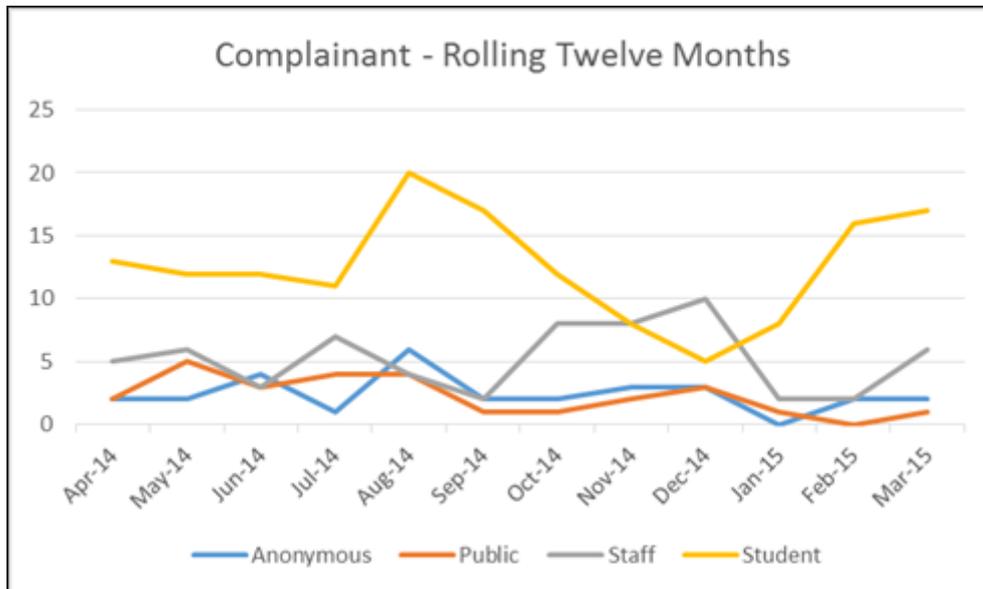
Dear Colleagues, we hope you find the following information useful and of interest.

Complaint Data – 12 months ending 31 March 2015

The ISU collects and reports on complaint data on both a quarterly and rolling 12 months basis.

In relation to the 270 complaints received and triaged during the twelve month period ending March 2015:

- Students represented 56% of all complaint activity registered within this period. Of those, close to 60% were not upheld after enquiries were completed (at time of reporting).
- 185 (69%) complaints fell within the following top six (6) areas of concern: in highest to lowest order: General Misconduct, Teaching, Policy, Processes and Procedures, Enrolments, Serious Misconduct and Academic Misconduct.
- There was a marked downward trend in student complaints leading up to the end of 2014, which corresponded with an upward movement in staff complaints. However, this was reversed in the first quarter 2015.



Selection / engagement of new staff

When it comes to the selection / engagement of new staff, processes undertaken should be fair, transparent and impartial, thereby ensuring that individuals are appointed only on their merits, without any bias.

However, allegations of **nepotism** can arise in situations where a staff member with the power or influence to do so, operates outside the established merit-based recruitment process by personally sourcing and selecting a relative or friend to work for the University.

What is nepotism? The Oxford English Dictionary defines nepotism as:

The practice among those with power or influence of favouring relatives or friends, especially by giving them jobs

Here are some examples of what nepotism might look like in relation to staff selection / engagement in a university setting:

- A staff member employs their son as a casual administrative assistant.
- A staff member hires their partner as a casual research assistant for a research project.
- A staff member contracts their niece to write lectures for their unit.
- A staff member engages a friend of one of their children to undertake a short term project.

So what's the problem? Well, any business decision made by a staff member which clearly favours a relative or friend automatically suggests that the decision-maker's personal or private interests have taken precedence over their prime duty to always act in the best interests of the University. And this is a clear cut **conflict of interest**; refer to the [Conflict of Interest procedures](#) which define conflict of interest as:

APPOINTMENTS, BULLYING, MISCONDUCT **NEPOTISM**

MURDOCH UNIVERSITY CHANCELLOR REVEALS ALLEGATIONS AGAINST SENIOR STAFF

NOVEMBER 13, 2014 [LEAVE A COMMENT](#)

David Flanagan, Chancellor of Murdoch University, has provided a broad outline of the allegations against up to four senior officers of the University during a radio interview this morning with the ABC 720 (Perth).

Mr Flanagan says that the allegations relate to evidence of: misleading and deceiving the CCC (presumably by Professor Higgott, but Mr Flanagan would not say); significant conflicts of interest and a lack of proper process around key staff appointments; the destruction of documents under the State Records Act and the Freedom of Information Act; anomalies in relation to credit card use; evidence of excessive termination payments in relation to senior staff; and bullying of staff members.

... an actual, perceived or potential situation in which a staff member has a private or personal interest sufficient to appear to influence the objective exercise of his or her official duties or powers as an employee.

Conflicts of Interest are also specifically covered under the [Code of Conduct](#), which states that all parties to the Code will, with respect to Conflicts of interest:

... take reasonable steps to avoid any conflict of interest (real or apparent) to act in the best interests of the University

Note the word “avoid” in the above standard. As such, a staff member should not attempt to justify or validate their actions by simply registering a conflict of interest and then relying on their line manager to specify an appropriate management strategy to address the conflict. As stated above, the very nature of such an act implies a deliberate failure to avoid a conflict of interest which in turn may result in allegations that the Code of Conduct has been breached.

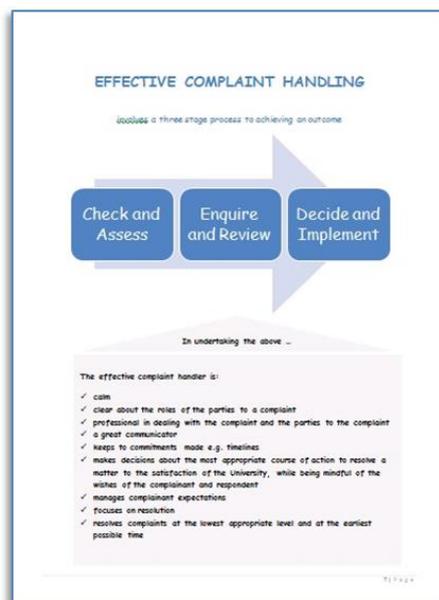
NOTE:

the ISU is currently updating the Conflict of Interest procedures to provide better clarification of the issues involved, and will be offering education sessions to staff. If you require further information on the matter, please seek advice from your line manager or the ISU.

Line Manager guidelines for dealing with complaints

As a line manager, have you ever had to deal with a complaint in the workplace involving negative feedback, a personal grievance, inappropriate staff behaviour, workplace bullying, research misconduct or interpersonal conflict / disagreements between two or more individuals?

Though there are differences in dealing with each of the above situations, the principles of good management decision-making in all cases are essentially the same.



To assist line managers, the ISU has recently developed a comprehensive [guideline](#) for effectively dealing with complaints.

It is available on the ISU website, and is also referred to in the standard complaint notification letter that is sent to line managers by the ISU when assigning a complaint for resolution.

NOTE: Dealing with complaints is a natural part of every manager’s job and line managers should not fear having to deal with such situations. The important thing is for due process to be followed, thereby ensuring that decisions made are defensible and in the best interests of the University. Any queries or concerns in

relation to the content of the guideline should be directed to the ISU.

Public Interest Disclosures (PIDs)

The Public Interest Disclosure Act 2003 (the PID Act) encourages people to make protected disclosures about certain types of wrong-doing in public authorities (such as the University) without fear of reprisal.

Under the PID Act, these disclosures are called “public interest disclosures” (or PIDs) and the types of wrong-doing referred to are classed as “public interest information”.



The PID Act provides protection for those making such disclosures and those who are the subject of disclosures, as well as providing a system for the matters disclosed to be investigated and for appropriate action to be taken.

Nevertheless, making a disclosure or ‘whistleblowing’ is a serious matter and in many cases it will take courage and trust for people holding information to come forward.

Note that under the PID Act, the Principal Executive Officer (in our case, the Vice-Chancellor) must ensure that the University as a public authority complies with this Act.

Under the PID Act, public interest information for disclosure must tend to show the involvement of the University (including its staff and contractors), as a public authority, in:

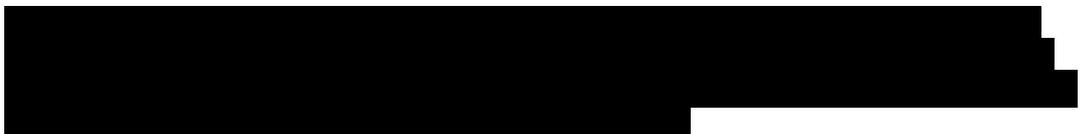
- improper conduct;
- an offence against State law;
- a substantial unauthorised or irregular use of public resources;
- a substantial mismanagement of public resources;
- conduct involving a substantial and specific risk of injury to public health, prejudice to public safety or harm to the environment; or
- conduct relating to matters of administration affecting someone in their personal capacity falling within the jurisdiction of the Ombudsman.

Every public authority is required to have a PID officer to receive disclosures of public interest information. In the University, the primary PID Officer is the Director ISU (Charlie Bertilone), and the backup PID Officer is the Investigations Consultant (Kate McConigley).

NOTE: The University may receive many different types of complaints or grievances e.g. in relation to workplace disputes, through harassment, bullying or occupational health concerns, to allegations of improper conduct or corruption and fraud. However, not all of these disclosures are public interest information to which the PID Act applies, so advice needs to be sought from a PID Officer before a PID is formally made.

New ISU Staff Member

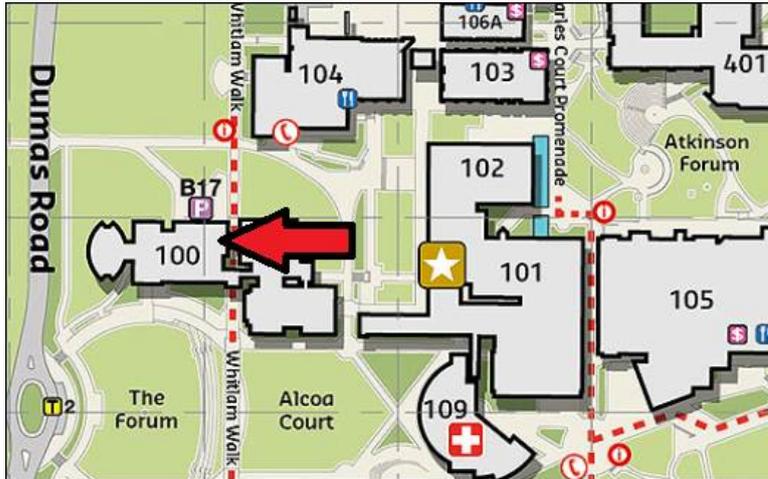
Mr Michael Donnelly started with us on 22 June 2015 as our new Fraud Prevention Consultant.



Location

Our office is located on level 4, Building 100 at Bentley campus.

At this location, we have at our disposal several meeting rooms where matters can be discussed privately with ISU officers.



Other Important Links

- [ISU Home page](#)
- [The Code of Conduct](#)
- [Valuing Integrity booklet](#)
- [Complaints Policy](#)
- [Complaints Procedures](#)
- [How to make a public interest disclosure \(PID\)](#)
- [Information on fraud and corruption prevention](#)
- [Compliance \(landing page\)](#)

Contacts

Complaints mailbox: complaints@curtin.edu.au

Make tomorrow better.