



Integrity and Standards (ISU) Unit

INFORMATION SHEET

No. 3, Nov 2015



Please refer to the

[ISU website](#) for information on:

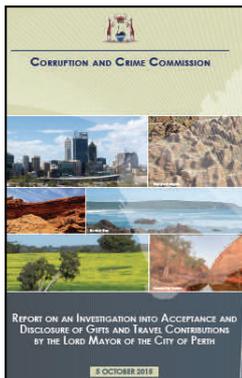
- [Complaint Resolution Process](#)
(complaint procedures, guidelines, process flowcharts, templates)
- [Conflicts of Interest / Gifts, Benefits and Hospitality](#)
(CofI Register, CofI procedures, CofI types, process flowchart, FAQs)
- [Public Interest Disclosures](#)
(what, how, when, links to Public Sector Commission information)
- [Fraud and Corruption Prevention](#)
(plan, policy, risks, case studies, red flags)

and to access the:

- [Code of Conduct](#)
- [Online Complaints Portal](#)
- [Valuing Integrity booklet](#)
- [External avenues for lodging a complaint](#)

What about Gifts, Benefits and Hospitality?

Recent events have highlighted the need for all of us to take care when offered gifts, benefits or hospitality (hereafter referred to as "gifts") in the course of our employment; refer to [CCC report](#) →



To assist you in understanding the University's position

on gift acceptance, please refer to our [Conflicts of Interest / Gifts, Benefits and Hospitality web page](#) (in particular, the one page [process flowchart](#)) and Appendix 1 of the recently revised [Conflict of Interest Procedures](#).

Key points to remember are as follows:

1. You cannot accept a gift if by doing so, a conflict of interest would arise. As the recipient of the gift, you must make this assessment yourself before proceeding.

Remember that under the Conflict of Interest Procedures, you should take all reasonable steps to avoid conflicts of interest in the first place. Generally, the safest course for anyone being offered a gift is to politely decline.

2. There are some types of gifts that should never be accepted. For more information, please see Section 6 in the above referred Appendix, and this [CCC report](#) for examples:

Well, it kept going. He [the sales representative] was requesting more cartridges be ordered. Each time the gifts seemed to be getting bigger and bigger and it just escalated and escalated to the point where they were offering air fares and holidays ...

From: REPORT ON THE INVESTIGATION OF ALLEGED PUBLIC SECTOR MISCONDUCT IN RELATION TO THE PURCHASE OF TONER CARTRIDGES IN EXCHANGE FOR GIFTS OUTSIDE GOVERNMENT PROCUREMENT POLICIES AND ARRANGEMENTS

3. If you do not believe a conflict of interest would arise from your acceptance of the gift, then the next step is to determine the \$ value of the gift before making a disclosure. For gifts under \$150, no gift disclosure in the Conflict of Interest Register is required; for amounts over \$150, a disclosure must be made and your nominated responsible

officer will determine and inform you as to whether you may keep the gift. The rules are a bit more complicated than this so it is best to again see Section 6 in the above referred Appendix for more information.

4. Discounted or free goods or services, or contra (exchanged) items of any kind, that are received under a Curtin sponsorship or other type of agreement are not gifts e.g. free seats to a major sponsored event. Such benefits automatically belong to the University and therefore, a conflict of interest (not gift) disclosure must be made by the recipient in the Conflict of Interest Register. See Section 7 in the above referred appendix for more information.

New Complaint Categories - Disability Access and Inclusion

Earlier this year, the ISU in conjunction with Curtin Disability Services created new complaint categories to enable better data collection and reporting on disability access and inclusion matters e.g. services, buildings, events etc. For more information, please refer to our [Complaint Categories](#) web page.

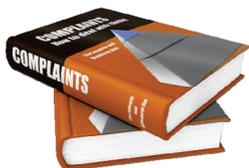


INTEGRITY AND STANDARDS UNIT INFORMATION SHEET NO. 3, NOV 2015

Complaints Procedures

In case you are unaware, the ISU recently reviewed and revised its [Complaints Procedures](#).

The review resulted in a number of major changes and additions to the procedures, as follows:



- ✓ Early resolution of a complaint by the complainant is encouraged wherever possible.
- ✓ New 12 month time limit for lodging a complaint (with exceptions).
- ✓ Parties to a complaint must not be threatened, intimidated, harassed or victimised.
- ✓ Line managers should consider the subject matter of a complaint and resolve it in accordance with the [Line Manager Guidelines—how to effectively deal with complaints](#).
- ✓ Completion of a [Complaint Handling Checklist](#) is required to confirm that the process has been correctly followed.
- ✓ The line manager should commence addressing a complaint within 10 days of becoming aware of it.
- ✓ The complainant has a right to raise a new complaint (or go to an external agency) where they believe their original complaint was not handled properly and fairly.
- ✓ The University may take action where unacceptable or unreasonable conduct is exhibited by complainants.
- ✓ Public interest disclosures (PIDs) are not to be treated as complaints under these procedures; separate processes exist.

IMPORTANT NOTE FOR LINE MANAGERS

If a complaint is first brought to your attention by a complainant, please do not say to the complainant that they must register it with the ISU before you can action it. It is your responsibility to attend to it promptly, as well as lodge it with the ISU, to ensure completeness of complaint recording data.

ISU Training Workshops

The ISU has been developing new training workshops which will focus on building better understanding and skills amongst Curtin staff in the following four areas:

- Managing Complaints
- Avoiding Conflicts of Interest

- Fact Finding
- Fraud and Corruption — Prevention, Detection and Response

These workshops will be made available in the first quarter of 2016 and will be offered on a regular basis to the University community.

Corruption, Crime and Misconduct Act 2003

With the proclamation of the Corruption, Crime and Misconduct Act 2003 ("the CCM Act") on 1 July 2015, there are now two external authorities responsible under the CCM Act for preventing, identifying and dealing with misconduct in the WA public sector.



The definition of Misconduct under the previous CCC Act has been divided into Minor Misconduct and Serious Misconduct:

- The Public Sector Commission ([PSC](#)) deals (only) with allegations of Minor Misconduct by public officers (excluding WA Police). From a Curtin perspective, "Minor Misconduct" does not mean the misconduct is minor. Minor misconduct under the CCM Act is the equivalent of "Serious Misconduct" under our Staff Enterprise Agreement i.e. misconduct that would normally be dismissible - but if it is considered criminal or corrupt misconduct by the reporting agency, the PSC should not receive the notification (see next point).
- The Corruption and Crime Commission ([CCC](#)) deals (only) with allegations of Serious (criminal or corrupt) Misconduct by public officers. [Schedule 1](#) in this CCC document provides examples of what constitutes such behaviour.

Under the new arrangements, the Vice-Chancellor remains responsible for notifying the relevant agency where there is reasonable suspicion of Serious Misconduct or Minor Misconduct by an officer of the University.

Conflicts of Interest

Question: Which of the following matters do you think constitutes a conflict of interest?



- As a researcher, you receive industry funding from a company who you are also privately contracted to for paid consulting and speaking engagements.
- You're given free tickets to a major event by a contracted party under an existing

- sponsorship agreement with that party.
- One of your children becomes a student in a class you are teaching.
- You enter into a close personal relationship with a PhD student you are supervising.
- You become responsible for investigating a complaint against another staff member who is a close friend.
- As a person involved in a supplier selection process, you are invited to dinner by one of the tendering parties.
- You are nominated to sit on a staff selection panel where one of the candidates is your next door neighbour's daughter.
- You're offered a directorship in a company that supplies the University with goods or services, or is negotiating a contract to do so.
- You have selected your son to be a casual research assistant on your research project.
- Your partner works in your business unit and reports to one of your direct reports.
- While representing yourself as an officer of the University, you decide to comment to the media on an academic, research related or other matter in which you have no particular expertise.

Answer: all of them. For more information on the above matters, please refer to Appendix 1 of the [Conflict of Interest Procedures](#).

Fraud and Corruption Control Policy

The University recently approved a new Fraud and Corruption Control Policy (which will soon be placed on the [Policy website](#)). The policy statement reflects the University's values-based culture which has zero tolerance for any fraudulent or corrupt conduct by staff or any other party that the University deals with.

More information on fraud and corruption prevention at Curtin is available [here](#).

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