FLOWCHART 3 - Staff Misconduct under the SEA (Part A)

Jul 2017

Line Manager

3-A

Unable to resolve matter at local level? — N → Not appropriate to deal with matter at local level ? — N → Conduct is serious enough to result in termination? — N → Conflict of interest in dealing with matter? — N → Resolve at local level

Unable to resolve matter at local level? — Y → 3-C

Not appropriate to deal with matter at local level ? — Y → Refer matter to Executive Manager for consideration

Conduct is serious enough to result in termination? — Y → Refer matter to Executive Manager for consideration

Conflict of interest in dealing with matter? — Y → Advise the ISU Complaint management Consultant → Refer matter to Executive Manager for consideration

Resolve at local level → Disciplinary sanctions required? — Y → 5-A

Disciplinary sanctions required? — N → Develop letter specifying required interventions (where necessary)

NOTE: interventions may include counselling, mediation, training etc

3-D — Advise / assist → Resolve at local level

3-I — Advise / assist → Develop letter specifying required interventions (where necessary)

Develop letter specifying required interventions (where necessary) → Letter to respondent → Send to respondent → 1-F

Send to respondent → RESPONDENT

Connector Key: Each circular process connector has a key structure of x-y, where x is the flowchart page no. and y is the unique point on the page e.g. 1-F means go to (or come from) Flowchart 1, point F.

Red text indicates steps required to meet Australian Code for the Responsible Conduct of Research requirements

Executive Manager

3-C

Warrants formal investigation? — N → Resolve at local level → Disciplinary sanctions required? — N → Develop letter specifying required interventions (where necessary) → Letter to respondent → Send to respondent → RESPONDENT

Send to respondent → 1-F

Disciplinary sanctions required? — Y → 5-A

3-D — Advise / assist → Resolve at local level

NOTE: interventions may include counselling, mediation, training etc

3-D — Advise / assist → Develop letter specifying required interventions (where necessary)

Warrants formal investigation? — Y → Research misconduct matter?

Research misconduct matter? — Y → Seek advice from and liaise with the designated person

Seek advice from and liaise with the designated person → Require assistance from ISU?

Research misconduct matter? — N → Need to do Preliminary Enquiry?

Need to do Preliminary Enquiry? — Y → Require assistance from ISU?

NOTE: For research misconduct matters, should always proceed along this path to a preliminary enquiry.

Require assistance from ISU? — N → Undertake Preliminary Enquiry → Produce report → Preliminary Enquiry Report → Make Assessment i.e. can formal allegations be made?

NOTE: For research misconduct matters, specialist advice or involvement may be required.

Require assistance from ISU? — Y → Develop Engagement Letter → Engagement Letter → Send to Director ISU for actioning → 3-E

3-D — Advise / assist → Develop Engagement Letter

Make Assessment i.e. can formal allegations be made? → Research misconduct matter?

Research misconduct matter? — Y → Act on advice from the CEO or delegated officer → Proceed to form allegations?

Research misconduct matter? — N → Proceed to form allegations?

Proceed to form allegations? — N → 1-F

Proceed to form allegations? — Y → Consult with Director ISU to preserve evidence if necessary → Form allegations to be sent to the Respondent → Letter of Allegations → 4-A

3-H — Advise / assist → Make Assessment i.e. can formal allegations be made?

3-D — Advise / assist → Consult with Director ISU to preserve evidence if necessary

NOTE: For research misconduct matters, the assessment means determining whether a prima facie case for research misconduct (i.e. serious misconduct) exists. This should be done in liaison with the designated person.

3-B → Form allegations to be sent to the Respondent

3-D — Advise / assist → Letter of Allegations

NOTE: For research misconduct matters, this path assumes there is no breach, or there is only a breach of the Australian Code.

NOTE: The Executive Manager may have received the allegations in writing from the Director ISU as per the process in Flowchart 1

3-I → Review quote → Provide approval → Approval → 3-J

PBP

PEOPLE BUSINESS PARTNER → Assist / advise Executive Manager / Line Manager → 3-D

Director ISU

3-E → Action Engagement Letter → Consider knowledge skills, urgency required in support of the Preliminary Enquiry → Develop Investigation Brief → Internal investigator available?

Internal investigator available? — Y → Assign work to an Investigator → Engage specialists to work on the investigation, where necessary → 3-F

Internal investigator available? — N → Identify suitable external investigator → Obtain quote for work to be done based on engagement letter and brief → Quote → 3-I

3-J → Engage external investigator → 3-F

3-G → Review and approve report → Send report to Executive Manager → 3-H

Investigator

3-F → Undertake work in accordance with Engagement Letter and other information → Produce report → Preliminary Enquiry Report → Provide report to Director ISU → 3-G