



Integrity and Standards Unit (ISU)

INFORMATION SHEET

No. 1, Jan 2019



Please refer to the [ISU website](#) for information

on the following:

- [Complaint Resolution Process](#)
(procedures, guidelines, flowcharts, forms)
- [Conflicts of Interest / Gifts, Benefits and Hospitality](#)
(system, procedures, guidance, FAQs)
- [Public Interest Disclosures](#)
(what, how, when, links to PSC information)
- [Fraud and Corruption Prevention](#)
(plan, policy, risks, case studies, red flags)
- [Reporting Misconduct to external agencies](#)
(CCC or Public Sector Commission)

and to access the:

- [Code of Conduct](#)
- [Online Complaints Portal](#)
- [Online Conflicts of Interest Register](#)
- [External avenues for lodging a complaint](#)

Help! I have to resolve a complaint

If you refer to our [Complaint Handling at Curtin](#) web page, you will find a section titled "Complaint Management Electronic Workflow" which describes how to resolve a complaint using our new back-end electronic complaint management system (CMS).



Each of the nine (9) steps in the workflow describe manual and electronic processes and contain links to documents, forms, example emails and other information which should be of considerable assistance to you if you have been assigned responsibility for complaint resolution.

1. Receive a new complaint
2. Accept a complaint received
3. Decline a complaint received
4. Resolve a complaint
5. Notify complainant of outcome
6. Request complaint closure
7. Closure request rejected
8. Closure request accepted
9. Feedback versus complaints - a different process

Please take some time to review this documentation and contact the ISU if you have any queries or concerns on any aspect of it.

Accessibility options

Did you know that the ISU provides potential complainants with various [accessibility options](#) for registering a complaint, including:

- Completing a complaint notification on behalf of a complainant
- Providing a hard copy complaint notification form for use
- Use of translation services
- Meeting complainants in a more accessible location



In addition, for the hearing or speech impaired, the National Relay Service is available on 24 hour relay call numbers.

The ISU website can also be accessed using Browsealoud and other assistive technologies to make it easier for you to use online screens; for more information, please click on this [link](#).

Recording private conversations

Have you ever thought about making an audio recording of a private conversation in the workplace without first obtaining the consent of all parties to the conversation e.g. in support of a complaint you wish to make or as a defence to complaint allegations made against you?

Are you aware that in WA, under the

[Surveillance Devices Act 1998](#), it is generally a criminal offence to install, use or maintain a listening device to record a private conversation, whether or not you are a party to the conversation? (though there are several exceptions to this which are also outlined in the Act).



As such, the ISU does not support or recommend the recording of conversations in the workplace where the consent of all parties has not been obtained - whether it is done in support of a complaint or as a defence to it, but we do encourage staff to first seek their own independent legal advice on such matters prior to taking any action.

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If you see or hear something
that's not right ... say something!



Close personal relationships - a conflict of interest minefield

In terms of the Conflict of Interest Procedures (see section 4 of [Appendix 1](#) to the Procedures) and the Code of Conduct (see [professional standard no. 3](#) in the Code), one type of conflict that is fraught with danger concerns the existence of unreported close personal relationships between staff and their students e.g. between lecturer and undergraduate student, or supervisor and PhD student.

Please note that the University strongly discourages staff from developing close personal relationships (romantic or otherwise) with their students, but recognises it may sometimes happen.

In circumstances where the student concerned is being taught or supervised by yourself and such a relationship emerges (or is pre-existing), you must immediately register a conflict of interest in order that your manager or supervisor is made aware of the situation and can take appropriate action.

A failure on your part to register a conflict of this nature under such circumstances would be a serious breach of the Code of Conduct, and could also have severe consequences for the student involved (in terms of questioning the validity of the student's prior assessments).

ANU academic disciplined after failing to disclose sexual relationship with student

By Henry Belot
Updated 18 February 2016 – 11:34pm, first published at 11:30pm



A lecturer at the Australian National University was stood down after an internal investigation revealed he maintained a sexual relationship with a student.

The revelations sparked a review of practices within the esteemed Crawford School of Public Policy with the university accepting his serious misconduct was unacceptable.

According to a confidential report seen by Fairfax Media, the man failed to disclose his intimate relationship with the student and continued to see her while supervising her study.



A further complication is that there is an obvious imbalance of power between a staff member and their student which compromises the capacity of the student to provide free consent for a personal relationship and sexual activity. As such, this lack of consent could later result in allegations of sexual harassment or even worse, sexual assault should the relationship sour.

Duty of care - the importance of the bystander or witness

When it comes to alleged serious staff misconduct, there is often a reluctance on the part of a potential complainant (who is also the victim of this misconduct) to come forward and make a complaint for fear of reprisal, harassment or victimisation—even though this is prohibited under the Complaints Procedures. This is often the case where students are involved because of the power imbalance that exists between students and staff.

However, what happens if the victim tells you, as a friend or colleague, about what is happening (and requests that you not disclose it) or you happen to witness what is happening but you are unsure what to do about it? What should you do?

In order to answer this, one needs to separate the complaint side of things from Curtin's duty of care.

Regardless of whether or not a formal complaint arises from the matter, the University has a duty of care at all times to ensure the safety, security and wellbeing of its staff, students and any one else that comes into contact or engages with it.

What is duty of care? It can be defined as .. *the responsibility or duty to take reasonable care to avoid acts or omissions that could expose people, for whom there is a responsibility, to a reasonably foreseeable risk of injury.*



In other words, the University has a responsibility to its staff, students and other members of the University Community to reduce or limit the amount of harm or injury they may experience. So, as a staff member at Curtin, once you know something which imposes upon you a duty to do something about it, you cannot simply "unknow" it and do nothing. Failure to do so may result in more harm or damage occurring than would have occurred if the University had known about it and taken reasonable action.

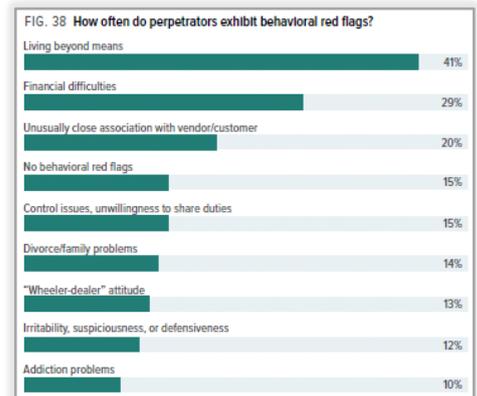
So what should you do? In the first instance, we recommend that you inform your line manager about it. If you do not wish to (or cannot) raise the matter with your line manager, then contact the ISU for a confidential chat. We will take action to ensure that appropriate services are brought into the picture to support the person(s) concerned, where necessary - and this can be done without you being involved or named (or a complaint raised).

Your actions may be instrumental in preventing serious harm or damage occurring to the victim or helping to reduce the likelihood of other people being subject to the same behaviour from the alleged respondent.

"Red Flags" of fraud and corruption

A "**red flag**" is a set of circumstances that are unusual in nature or vary from normal activity. It is a signal that something is out of the ordinary and may need to be investigated further. Red flags do not indicate guilt or innocence but merely provide possible warning signs of fraud. For more information, go to our [Portrait of a Fraudster – what to look out for](#) web page.

Have you seen some red flags in the workplace that concern you? If so, bring them to the attention of your line manager, or if unsure, seek advice from the ISU.



From: [REPORT TO THE NATIONS—2018 GLOBAL STUDY ON OCCUPATIONAL FRAUD AND ABUSE](#)

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