



Integrity and Standards Unit (ISU)

INFORMATION SHEET

No. 4, Oct 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](#)

What do students complain about?

60 to 70% of all complaints registered through the Complaints Portal come from Curtin students.

Of those complaints, the great majority centre on Teaching-related concerns, particularly quality of teaching / support / guidance and feedback. Though the overall numbers are not significant and student complaints have tended to result in a greater number of not upheld than upheld outcomes, it is still important to identify and report on any patterns or trends emerging in the available data.



Of particular note in recent reporting periods has been concerns raised about assessments or mid-term tests not being marked and returned in a timely manner.

This has not been concentrated in any particular school or with any specific officer but it is worth bearing in mind in future to ensure that any root causes of the problem amongst staff (e.g. workload issues) are addressed before they manifest themselves in increased student complaint numbers.

A scenario - the active bystander

The following scenario has been extracted from the *Respect Relationships* online training module that Curtin students are expected to complete:

You overhear your lecturer telling a fellow student to meet him in his office after 7.00pm on Friday night in order to show her where she went wrong in her exam and give her some options to improve her performance. When you casually mention this to another student friend, they tell you the lecturer has also been seen with other female students in his office after-hours.

Now ... put yourself in place of the student who has witnessed the particular behaviour, and has also been informed of similar behaviour by the lecturer. What would you do as a staff member if you became aware of a colleague acting in this manner?

If you were to answer "I would do nothing", or if you simply don't know, then you should immediately seek advice from the ISU about possible actions that are available to you under such a scenario.



Guidance on complaint resolution

Did you know that there are several different documents available to assist you in the complaint resolution process? This documentation is available via our "[Complaint Handling at Curtin](#)" web page, and includes:



- The Complaints Procedures.
- Statement of Expectations and Obligations.
- Line Manager Guidelines—How to effectively deal with complaints.
- The electronic workflow process for complaint resolution (with forms, templates and screens).
- Standards for conducting investigations.
- High level process flowcharts.
- Current staff agreements.
- How to manage unreasonable complainants.
- Protocol for interacting with the ISU.

Other pertinent information is available on the following web pages: [Avenues for lodging a complaint](#) and [Accessibility options](#).

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



Conflicts of interest - the basics

Q. What is a conflict of interest?

- A. A conflict of interest occurs when there is a conflict between your official duties and responsibilities to the University and a competing private interest, which in turn may improperly influence the objective exercise of your official duties and responsibilities to the University. In other words, anything that can have an impact on your primary duty to act in the best interests of the University.



Q. Are conflicts of interest always obvious?

- A. No, conflicts can be: actual (exist now); perceived or apparent (believed to exist); or potential (a future possibility).

Q. How do I know if I have a conflict of interest?

- A. You need to apply the third party test i.e. *Would a reasonable, disinterested observer consider there was a conflict of interest in the particular situation, or that a conflict appeared to exist, or that a conflict could arise in the future?*

Q. What is the best strategy for dealing with conflicts of interest?

- A. In the first instance, you must take reasonable steps to avoid them. If avoidance is not possible, then disclosure via the online Conflict of Interest register is expected.

Q. What are the repercussions of not avoiding or disclosing a conflict of interest?

- A. Failure to avoid or disclose may constitute a breach of the Conflict of Interest procedures and the Curtin Code of Conduct ... *The University expects that you will take reasonable steps to avoid (and where this is not possible, then properly disclose) situations where a conflict exists in relation to your primary duty to act in the best interests of the University.* Depending on the circumstances, such a failure may also result in allegations of serious misconduct being made against you under the Staff Agreement and a report in relation to possible criminality being made to an external agency such as the Corruption and Crime Commission.



The CCC has completed an investigation into allegation that a university professor engaged in serious misconduct in their dealings with contractors.

The Corruption and Crime Commission (CCC) has found deficiencies in contract governance, recruitment practices, and management oversight at Curtin University that allowed a professor to exclusively select and renew contractors without disclosing private business connections they shared.

Q. Where can I get more information?

- A. Comprehensive information (procedures, flowcharts, FAQs, a link to the Conflict of Interest register) is available on our [Conflicts of Interest / Gifts, Benefits and Hospitality](#) web page.

"Red flags" when dealing with third parties

In an earlier Information Sheet (no. 1, Jan 2019), we included an article titled "*Red Flags*" of fraud and corruption. i.e. ... *a set of circumstances that are unusual in nature or vary from normal activity ... a signal that something is out of the ordinary and may need to be investigated further.*

The article focused on red flags in the workplace involving staff. However, red flags may also arise in dealing with third parties which may indicate a heightened risk of fraudulent or corrupt behaviour e.g. with external suppliers of goods or services, or other entities that may engage with Curtin in collaborative ventures or partnerships.

To assist you in identifying red flags under these circumstances, we have compiled a list that is available on our [Portrait of a fraudster—what to look out for](#) web page.

NOTE: With the introduction of recent legislation (the Foreign Influence Transparency Scheme Act 2018), staff also need to be very much aware of the obligations placed upon them when dealing

Australia plans to tackle foreign influence at nation's universities

By Dennis Normile | Aug. 28, 2019, 11:00 AM

In response to growing concerns in Australia about foreign influence at universities, cyberspying, and a perceived erosion of freedom of speech on campuses, the country's education minister today announced that a new task force will develop "best-practice guidelines for dealing with foreign interference."

with foreign parties or governments where relationships may arise for the sole purpose of influencing government activity in Australia (click on this Commonwealth Government [link](#) for more information).

While such relationships are permitted, should they be found to exist in order to exert influence in a way that is hidden, deceptive or coercive, they may be deemed to be "interference" rather than just "influence" which may constitute a serious criminal offence.

Fair and proper decision-making

If you have been assigned a complaint to resolve, there are certain principles which must always be adhered to ensure that your final decision is, and is seen to be, fair and proper. These principles collectively are known as "Procedural Fairness" (or natural justice), and are comprised of the following:

1. A person whose interests may be adversely affected by a decision is given an opportunity to be heard.
2. The decision maker is impartial about the outcome and is seen to be impartial.
3. The decision is based upon cogent evidence that supports submissions made.
4. The decision maker provides written reasons in support of the final decision that is made, after reasonable inquiry has been conducted.

Failure to comply with these principles could result in your decision being challenged later by the courts, the Fair Work Commission or the Ombudsman.



Procedural fairness is explained further in our *Investigation Standards* document and *Line Manager Guidelines - How to effectively deal with complaints* document, both of which are located on our [Complaint Handling at Curtin](#) web page.

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