



## CODE OF CONDUCT

### Policy

#### DEFINITIONS

Terms in this document, for which definitions are not provided in the text or may not be self-evident or for which usage at ACC may differ to that in other higher education institutions are as follows:

**Academic freedom:** Comprises two main elements - **Intellectual Inquiry** and **Freedom of Speech** - as defined below.

**Academic Grievance:** A grievance about student academic progress, assessment, curriculum, the quality of course delivery, academic achievement in a course and awards in a course.

**Academic Integrity:** To act in a way that maintains the integrity of all academic work and is not academically dishonest in any way.

**Academic Misconduct:** This includes various forms of academic dishonesty such as plagiarism, false claims about authorship and/or contributions to teaching materials or research, cheating or contract cheating in personal pursuit of a qualification, the sale of one's academic work for use by another person, and purchasing or obtaining assessment work or content (students)/teaching materials (staff) from companies or web-based services and presenting as one's own work and/or without due acknowledgement of the source.

**Academic Progress (or Academic Progression):** The rate at which a student is moving towards successful completion of their degree program through the successful completion of units of study (including practical/clinical components).

**Academic Staff:** Staff of the ACC who are highly qualified in Chiropractic or related scientific and/or management disciplines and whose primary role is the provision of an excellent learning and teaching environment for ACC's students.

**Complaint:** A statement that a situation is unsatisfactory.

**Conflict of Interest:** A conflict of interest occurs when a person's or an entity's vested interests raise a question of whether their actions, judgment, and/or decision-making can be unbiased.

**Contract Cheating:** This occurs when students outsource their assessments to a third party, whether that is a commercial provider, current or former student, family member or acquaintance. It includes the unauthorised use of file-sharing sites, as well as organising another person to take an examination.

**Freedom of Speech:** The power or right to express one's opinions without censorship, restraint, or penalty, providing such expression is lawful. Freedom of Speech that is lawful, is a primary aspect of academic freedom and a paramount value of ACC.

**Grievance:** An official statement of a complaint over something believed to be wrong, which has resulted in what is believed to be by the Claimant, unfair treatment.

**Harassment:** Means any form of behaviour that is unwelcome, unsolicited, unreciprocated and usually (but not always) repeated. It is behaviour that is likely to offend, humiliate or intimidate. Harassment can be based on

any of the attributes listed under the definition of discrimination and for example can include sexual, disability, racial, sexuality or gender based harassment.

**Independent Board and Committee Member:** An independent member of a governing body (a Director of the Australian Chiropractic College Limited, a member of the Academic Board or a member of a sub-committee of the Board of Directors or Academic Board) is a person who is independent from management and who does not have (or intend to have) any material or significant dealings with the provider (or an associated entity) that could interfere with the exercise of independent judgement as a director or member of the relevant governing body.

**Informal grievance:** A range of processes, such as discussion, a request or query lodged with an appropriate staff member.

**Intellectual Inquiry:** Questioning to determine thought and reason to gain a better understanding and contribute to knowledge. It is a primary aspect of Academic Freedom and a paramount value of ACC.

**Members:** Are Members of the Australian Chiropractic College as defined in the Constitution, including the Founders of the College.

**Natural Justice:** Refers to a due process that displays fairness to all parties. It includes the right to be heard, the right of reply, the right to be treated fairly and the right to be informed of allegation(s) being made.

**Procedural Fairness:** Is a term synonymous with 'natural justice' (see definition above), concerned with the procedures used by a decision maker, rather than the actual outcome reached. It requires a fair and proper procedure be used when making a decision. Natural justice or procedural fairness has three main components: the opportunity to be heard, no bias and based on fact.

**Protected Disclosure:** A report or complaint about conduct in which instance the person making the disclosure does not wish to be identified and every effort is made to ensure that their identity is not disclosed.

**Respondent:** The person or institution against whom the grievance is lodged.

**Staff Member:** a person who has been offered and has accepted a contract of employment from Australian Chiropractic College.

**Student:** An individual person who is formally enrolled to study at the College. The 'individual person' is that who appears on the College's documents such as enrolment, admission and payment documents, and who is assigned an individual student ID.

**Supporters:** Supporters of the College are those individuals and organisations that have made a donation to the College or have a loan arrangement with the College.

## PURPOSE

This policy outlines a set of rules and standards of behaviour required by students, staff members, Directors of the Australian Chiropractic College, members of the Academic Board and sub-committees of the Board of Directors and/or the Academic Board, Members and Supporters.

## SCOPE

This document applies to all staff members, contractors and enrolled students of the ACC. This policy is applicable both during or outside working hours, whilst undertaking outreach or extra-curricular activities or attending of functions where the College is being represented or connected.

This document also applies to , Directors of the Australian Chiropractic College, members of the Academic Board and sub-committees of the Board of Directors and/or the Academic Board, Members and Supporters whilst undertaking activities directly linked to the College.

## POLICY STATEMENT

The Australian Chiropractic College is committed to the provision of a safe, nurturing and engaging learning environment. In order to achieve and maintain this environment, the College has set forth the following principles and standards for ACC Staff, students and affiliates, with which they are required to comply. The policy reflects the College's commitment to fair and ethical behaviors as well as the maintenance of the highest of collegial professional standards including honesty, cooperation, confidentiality, tolerance and acceptance.

This policy should be read in conjunction with ACC expectations and rules for professional ethics and conduct (as outlined in the *Chiropractic Board of Australia Code of Conduct*), safe work practices (outlined in the various *ACC Workplace Health and Safety Policies and Procedures*, and, in particular with the policies and procedures of the College that are outlined under "Related Policy Documents" below.

Any breach of the ACC's Code of Conduct may result in penalties, sanctions or other disciplinary action.

## ACC VALUES

ACC's values are reflected in the ACC vision, are pivotal in guiding actions, and underpin the excellence of ACC's higher education pursuits. They are captured in ACC's commitment to:

- Enabling **Academic Freedom** and **Freedom of Expression**.
- Epitomising **Respect, Integrity and Social Justice**.
- Encouraging **Curiosity, Critical Enquiry and Reflective Thinking**.
- Developing **Responsiveness and Prescient Adaptability**.
- Exemplifying **Genuine Stakeholder Engagement**.
- Maximising the **Potential for Self-empowerment and Expression of Talent** in of all of our students and staff.
- Promoting **Fellowship** that supports and fosters **Collaboration and Teamwork**
- Demonstrating **Courage and Strength** as we champion our Chiropractic heritage and its relevance to human health and well-being.
- Advancing the **Science of Chiropractic Practice**.
- Exemplifying **Excellence in the Delivery of Chiropractic education**.
- Nurturing and demonstrating **Sustainability** in all of our professional and business operations.

The Code of Conduct is underpinned by these values.

## POLICY PRINCIPLES (Rules)

### 1. Chiropractic Practice

ACC aims to be a highly sought-after chiropractic college delivering innovative and ground-breaking education that transforms the profession and ensures its legacy.

Only those members of staff that are professionally registered by a recognised chiropractic professional registration body can refer to themselves as a chiropractor or, by their actions, spoken or unspoken, cause others to believe that they are a chiropractor.

Only those staff who are professionally registered may perform a chiropractic intervention that is not supervised by an approved supervisor who is professionally registered.

Students are only permitted to perform a chiropractic intervention as prescribed by the ACC curriculum, under supervision, within a specified learning time and on campus or within a specified approved learning environment.

Students and Staff comply with the Clinical Policies and Procedures included in the Clinical Manual.

### 2. Professional and Personal Behaviour

ACC is committed to developing students into professional chiropractors that are able to integrate into and uphold the expected professional standards of the chiropractic profession. All staff and students are expected to:

- Act ethically, with honesty and integrity in the conduct of their work and studies.
- Maintain academic integrity in accordance with the requirements of the Academic Integrity Policy.
- Show respect to others and support diversity of views and opinions.
- Support and encourage academic freedom and freedom of expression.
- Engage in respectful academic debate and collaboration.
- Undertake their responsibilities and perform their duties in the interests of achieving the College's mission and strategic objectives.

### 3. Conflict of Interest

All ACC staff, teaching staff, contractors, enrolled students, directors, Academic Board members, members of sub-committees of the Board of Directors and the Academic Board, founders, members of the Australian Chiropractic College Ltd, supporters and donors are required to report all conflicts of interest (actual and potential) in accordance with the requirements of the *Conflict of Interest Policy*.

The Conflict of Interest Policy and the Conflict of Interest Procedures include requirements and responsibilities in relation to:

- Financial or personal relationships affecting businesses practices,
- Personal and family relationships between staff and students.
- The acceptance of gifts and/or favours.
- Private paid outside work.

#### 4. Confidential Information

ACC requires individuals to operate at the highest level of confidentiality when in receipt of or where they have knowledge of confidential information. Confidentiality is required in relation to educational and commercial property, private information of individuals and individuals sensitive information, including but not limited to medical and health information.

### BREACHES

#### 1. Breach Occurrences

A breach of the Code of Conduct Policy will be deemed to occur if an individual:

- Fails to meet the expectations detailed above.
- By their words or actions brings the College into disrepute or damages the image of the Chiropractic profession.
- Causes unnecessary disturbance or impediment of activities of the ACC or individuals within the ACC, whether in teaching, learning, or other work of/for the College.
- Breaches the requirements of the *Academic Freedom Policy* or the *Academic Integrity Policy*.
- Does not comply with the Clinical Policies and Procedures included in the Clinical Manual.
- Does not comply with any standards of behaviour or attire required by the ACC for the orderly conduct of the College.
- Does not comply with the rules applicable to the use of ACC facilities professional protocols or the directions of those individuals in authority.
- Demonstrates behaviour that does not meet the expectations of the College or which may result in the inability to apply for professional registration, including criminal convictions.
- Is found guilty of harassment, bullying or illegal discrimination, violent behaviour, drug and alcohol abuse, or sexual harassment or assault.
- Is seen proffering or accepting gifts or benefits, as they may be perceived as bribes for an advantageous outcome
- Does not comply with the requirements of the *Conflicts of Interests Policy*, including but not limited to a failure to declare a conflict of interest which may arise from a personal and/or family and/or business relationship and which influences the outcome of an ACC student assessment or other decision relevant to the operation of the College, to their advantage.

A breach of the *Code of Conduct Policy* will also be deemed to occur if a student:

- Commits an act of plagiarism or submits previously submitted work without prior permission.
- Commits other forms of academic misconduct such as, but not limited to cheating in an examination and contract cheating.
- The student has demerit points applied as a result of a breach of a requirement of the Clinical Manual.

## **2. Confidentiality**

- All information relating to alleged and confirmed breaches of the Code of Conduct will be treated with confidentiality.
- Where a breach is deemed serious and requiring significant investigation or reporting to the appropriate authority, disclosure of information may be required even if the person alleging the breach does not wish to have their identity disclosed.
- All disclosed information will only be released to those individuals to whom the case is relevant and in situations where the College may be required to disclose information for legal defense or hearings, or to following police or court inquiry.
- In all situations, the identity of the discloser will be protected as far as possible, unless the discloser consents in writing to being identified as the discloser or the College President believes the identity of the discloser is necessary for the resolution of an investigation.

## **3. Reporting**

Whilst working and studying at the ACC, all individuals are expected to:

- Report instances of suspected or directly observed misconduct as soon as possible to the nominated Responsible Manager.
- Comply with the Privacy and Confidentiality requirements in relation to all aspects of communication.
- Not make frivolous or non-factual allegations or complaints.
- Treat all other members of ACC Staff, teaching faculty, students and all others associated with the College with dignity and respect.
- Make full disclosure of involvement or participation in any activities which may impact the image of the College or may bring disrepute to the profession or which may affect an individual's ability to maintain professional registration.

## **IMPLEMENTATION and MONITORING**

The implementation of this policy is the responsibility of the ACC President.

## RELATED POLICY DOCUMENTS

- Conflicts of Interest Policy and associated Procedures
- Academic Freedom Policy
- Academic Integrity Policy
- Academic Integrity Procedures
- Clinical Manual
- Sexual Assault and Sexual Harassment (SASH) Prevention Policy
- Staff Induction and Professional Development Policy
- Student Grievance and Appeals Policy and associated Procedures
- Staff Grievance and Appeals Policy and associated Procedures
- Equity and Diversity Policy and associated Procedures.
- Workplace Health and Safety Policies and Procedures.

## REVIEW

The ACC's *Code of Conduct* is normally reviewed every three years.

It is a policy of the ACC that any Policy or Procedure may be reviewed earlier as indicated by internal or external factors (including but not limited to such factors as changes in the guidelines of regulatory authorities, accreditation/registration requirements of the profession, or relevant legislation at state or federal level) as determined the Board of Directors and/or Academic Board.

## VERSION CONTROL

<b>Document:</b> C013 Code of Conduct Policy		
<b>Responsible Officer:</b> President		
<b>Initially Approved by:</b> Academic Board		<b>Date:</b> 15 January 2018
<b>Reviewed and endorsed by:</b> Academic Board		<b>Date:</b> 11 November 2020
<b>Reviewed and endorsed by:</b> Academic Board		<b>Date:</b> 22 February 2023
<b>Reviewed and endorsed by:</b> Finance, Audit and Risk Committee		<b>Date:</b> 1 March 2023
<b>Reviewed and approved by:</b> Board of Directors		<b>Date:</b> 2 March 2023
<b>Reviewed and endorsed by:</b> Finance, Audit and Risk Committee		<b>Date:</b> 14 February 2024
<b>Reviewed and approved by:</b> Board of Directors		<b>Date:</b> 29 February 2024
<b>Version:</b> V3.0	<b>Replaces Version(s):</b> V2.0	<b>Next Review:</b> February 2027
<b>HESF</b>	2.3 Wellbeing and Safety 6.1 Corporate Governance	2.3.4 6.1.4

<b>Nature of Change</b>	<p>October 2020:</p> <ul style="list-style-type: none"> <li>• Minor formatting and text edits</li> <li>• List of definitions inserted</li> </ul> <p>March 2023</p> <ul style="list-style-type: none"> <li>• Extend the scope of the Policy to include Independent members of the Board of Directors, Academic Board and members of relevant sub-committees, but limiting the application to those times that directly involve the College</li> <li>• Given the expansion of coverage, change authority for approval from the Academic Board to the Board of Directors</li> <li>• Define the expected behaviours that underpin ACC’s values</li> <li>• Include the requirements of the Academic Freedom Policy in the Code of Conduct</li> <li>• Separate the Policy and Procedure.</li> </ul> <p>February 2024</p> <ul style="list-style-type: none"> <li>• Clarify the ACC position in relation to the performance of chiropractic interventions</li> <li>• Clarify the link between the Code of Conduct Policy and the Conflict of Interest Policy</li> <li>• Update references to the policy and procedure documents.</li> </ul>
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