

## 1. Introduction

### a. Purpose

This document sets out the guidelines that we must follow to maintain high ethical and legal standards, appropriate behaviour and accountability across the South Australian Health and Medical Research Institute (SAHMRI).

The Code of Conduct (Code) supplements the formal policies and procedures of SAHMRI which employees are also required to adhere to in the conduct of their roles.

The following principles guide employee behaviour:

- To act with integrity and professionalism in the performance of their duties and in the proper use of SAHMRI information, funds, equipment and facilities;
- To exercise fairness, proper courtesy and consideration in all their dealings in the course of carrying out their duties; and
- To avoid real, apparent or perceived conflicts of interest.

### b. Application of the Code

For the purpose of this document, “Employee” or “Employees” refers to all employees of SAHMRI whether or not in a full / part time, temporary, fixed term or permanent capacity, and all persons employed through any partnership, volunteer, student or as an honorary fellow. This will also apply to independent contractors engaged by SAHMRI who are required to follow the Code.

## 2. Statement of Commitment

### a. Commitment to the Code of Conduct

The Board, management and all employees of SAHMRI are committed to implementing the core principles and values of SAHMRI as stated in this Code when dealing with academic partners, government authorities, clients, suppliers and the community as a whole, as well as other employees.

SAHMRI aspires to be the leader in achieving research excellence while operating openly, honestly, with integrity and responsibility. SAHMRI will conduct its business ethically and according to its values and ensure a safe, equal and supportive workplace.

### b. Commitment to our Employees

The employees of SAHMRI are critical to the overall success of the Institute and remain its most important resource. SAHMRI is committed to providing a safe and healthy work environment that promotes consultation and participation at every level and ensures that its employees are kept informed of the Institute’s activities. SAHMRI will respect its people, encourage their input and ensure that they are treated in a fair and honest manner free of harassment, bullying, hostility and offensive behaviour.

### c. Commitment to Responsible Research

SAHMRI is committed to fostering an environment that promotes responsible research and a research culture that demonstrates:

- Honesty and integrity;
- Respect for human research participants, animals and the environment;
- Good stewardship of public resources used to conduct research;
- Appropriate acknowledgement of the role of others in research; and
- Responsible communication of research results.

### 3. Our Vision, Mission and Values

#### a. Our Vision

To transform research into health.

#### b. Our Mission

SAHMRI will:

- be a vibrant, globally-recognised Institute that fosters discovery and harnesses dynamic collaborations to deliver tangible health outcomes and community impact;
- will fundamentally improve the quality of life for all people, through innovative, world-class and ground-breaking health and medical research; and
- provide a clear focal point for health and medical research in the state.

#### c. Our Values

We are led by the following values and principles in how we approach our work:

- **Excellence** – be the best you can be
- **Imagination** – challenge conventional thinking and pursue novel, ground-breaking ideas
- **Integrity** – act fairly, ethically and respectfully
- **Courage** – take initiative, be adventurous, creative and bold
- **Teamwork** – collaborate openly and inclusively

#### d. Behaviour

SAHMRI's defined values and work culture provide the guidelines of the expectations placed on SAHMRI's employees. Individual behaviour is also supported by the need for sound judgement through careful assessment, consultation with colleagues, a strong sense of obligation and a will to do the right thing.

SAHMRI expects its employees to:

- Perform their duties with skill, honesty, care and diligence, using authority in a fair and equitable manner;
- Abide by policies and procedures, instructions and lawful directions that relate to their employment and duties;
- Ensure that they take all reasonable care to ensure their own safety and health while at work and to avoid adversely affecting the safety and health of others;
- Provide accurate information, give prompt attention and not discriminate on any unlawful grounds when dealing with people in the course of their duties;
- Treat other people they deal with in the course of their employment with sensitivity and courtesy;
- Behave in a manner that maintains or enhances the reputation of SAHMRI;
- Ensure dress and appearance is appropriate for the performance of their duties, including where safety standards specify; and
- Comply with the laws and regulations that govern our business and activities.

#### e. Conflict of Interest

A conflict of interest arises when an employee has a direct or indirect interest in a property, investments, supplier or transaction in which the employee knows or believes that SAHMRI has an interest. An indirect interest includes but is not restricted to:

- An interest of a member of an employee's family; and
- An interest of an entity or other legal entity associated with the employee or the employee's family.

A conflict of interest may include any of the following or a combination of them:

- Actual – when the interest is known to exist;
- Potential – when the interest is believed to be under consideration or discussion.

Employees must disclose to their manager and the Chief Operating Officer any personal, financial or other interest which may represent an actual, potential or perceived conflict of interest. Express written approval must be obtained from SAHMRI before proceeding further with any transaction or interest which gives rise to the conflict.

**f. Fraud**

Responsibility for fraud prevention and detection rests with every employee.

There are a number of incidents which may be considered as fraud, some of which have been listed below. This list is not exhaustive:

- False accounting (manipulating financial accounts to cover a theft by overstating assets or understating liabilities);
- Falsifying or exaggerating expense claims;
- Misuse of corporate credit cards;
- Asset misappropriation and theft;
- Manipulation of payroll;
- Manipulation of tender process;
- Intellectual property theft;
- Misuse of computer systems;
- Kickbacks; and
- Falsifying timesheets.

The Chief Operating Officer is responsible for the assessment of all suspected fraudulent incidents and the facilitation of an appropriate response to a reported incident.

**g. Information**

**(i) Use of Information**

SAHMRI employees must not use or disclose any commercially sensitive or confidential information that they obtain through their employment with SAHMRI, other than in the proper performance of their duties. If unsure, employees must discuss the matter with their Executive Manager.

Information obtained at work or held in SAHMRI records, should not be used to obtain financial reward or any other benefit, or to take advantage of another person.

All documentation stored electronically or in any other form relating to the employee's work or the business or affairs of SAHMRI is the property of SAHMRI unless otherwise agreed.

On termination of the employee's employment with SAHMRI, no documentation or information relating to the employee's work or to the business or affairs of SAHMRI is to be removed for any reason.

**(ii) Intellectual Property**

The Intellectual Property Policy sets out SAHMRI's policy on the identification, management, protection and (where appropriate) commercialisation of Intellectual Property. The policy is also consistent with the *National Principles of IP Management for Publicly Funded Research (September 2001 version)*.

**(iii) Release of Information**

Employees must not disclose information about or belonging to SAHMRI or information of its customers which is not public, or make public comment in respect of SAHMRI or its customers, directly or indirectly, without the prior approval of the Manager, Development and Communications. If employees are solicited by the media for information, they should direct the media to the Manager, Development and Communications.

**h. Research**

SAHMRI has developed a clear focus on research excellence and scientific merit. This provides the basis by which SAHMRI's activities in undertaking and facilitating research relating to health and medicine are in full compliance with the Australian Research Council and the National Health and Medical Research Council requirements. SAHMRI endorses and adopts the practices and principles outlined in the *Code for the Responsible Conduct of Research* and all employees associated with SAHMRI research activities are expected to:

- Read and be familiar with the content of the *Code for the Responsible Conduct of Research*
- Conduct their research in a manner consistent with the practices and principles outlined in the *Code for the Responsible Conduct of Research*; and
- Conduct their research in a manner consistent with SAHMRI's Responsible Conduct of Research Policy, procedures for research practice, any other relevant policy, procedure and guideline as well as applicable government guidelines and with any other legal or regulatory requirement.

**i. Property**

**(i) Using SAHMRI Property, Funds, Goods or Services**

SAHMRI property, funds, facilities and/or services should be used efficiently, economically, for authorised purposes only and in accordance with designated financial authority.

**(ii) Travel and Entertainment**

Travel and entertainment should be consistent with the needs of the Institute and in line with the travel guidelines and policy. It is the intent of SAHMRI that employees neither lose nor gain financially as a result of business travel and entertainment.

Employees who approve travel and entertainment expenses are responsible for the propriety and reasonableness of expenditures, ensuring that expense records are submitted promptly and that receipts and explanations properly support reported expense.

**j. Responsibility**

**(i) Use of Official Position**

Employees must not use their position to seek or obtain any financial or other advantage for themselves, their family or any other person or organisation. Employees must not use their position to harass or disadvantage another person.

**(ii) Board Memberships**

Employees wishing to serve on the board of an external company or government body must receive approval from the Executive Director and the Chief Operating Officer. Serving on boards for community or not for profit organisations does not require approval and is encouraged, providing it does not impose on the employee's work commitments.

**(iii) Equal Opportunity and Diversity**

All employees must be aware of the Equality in Employment Policy and the responsibility it places on employees to respect the rights of individuals. All SAHMRI employees are responsible for upholding this policy and eliminating any practices and behaviour which are discriminatory or which could lead to discrimination, workplace bullying or harassment in the workplace.

**(iv) Overseas Research and Business**

It is SAHMRI's policy that its business affairs and operations should be at all times be conducted legally, ethically, and in accordance with community standards of integrity and propriety.

SAHMRI recognises that in some countries generally accepted research and business practices are different from those in Australia. SAHMRI requires that all its employees and representatives comply with this Code of Conduct no matter what country they are in or what local practices may be.

For international business and research dealings, the following standards of conduct and legal requirements must be observed:

- All applicable laws must be followed. If there is a conflict between applicable local law and applicable Australian law, legal advice must be sought in order to resolve the conflict.
- In particular, business and research dealings must be conducted in accordance with the *Criminal Code Act 1995 (Cwth)* and the *Australian Code for the Responsible Conduct of Research*.
- Business and Research records must be maintained in a proper, responsible and honest manner which will allow SAHMRI to comply with the laws applicable to it.

**k. Health, Safety and the Environment**

At SAHMRI, safety and health is an integral part of our everyday activities. Our priority is ensuring that the safety and health of our employees, contractors, visitors and stakeholders is a priority in our efforts to achieve an injury free work environment. For this reason, all employees are required to comply with SAHMRI's Work Health and Safety Policy.

To work effectively in a diverse range of environments and social settings, SAHMRI recognises the importance of integrating environmental management into how we do research. Our environmental policy objective is to maintain the adverse impact on the environment as a result of our business activities.

**l. Communications**

**(i) Electronic Communications**

SAHMRI issues employees with computer equipment and accessories required to effectively perform their duties, whilst also providing technical assistance required.

The computer equipment and software assigned to employees remains the property of SAHMRI and shall be used in accordance with the Acceptable Use of Information Technology Policy. By using such equipment employees agree to comply with these conditions. SAHMRI does not expect these resources to be used inappropriately.

Accessing illegal or offensive websites (including sites of a pornographic or racial/ethnic nature) is prohibited, and employees must not transmit illegal, offensive or defamatory emails.

The downloading of unauthorised software or the transmission of software licences is strictly prohibited as this is a breach of international copyright laws.

Employees are provided the Acceptable Use of Information Technology Policy at the time of employment and failure to comply with these conditions will result in their system access being restricted or disabled and, in some cases, disciplinary action being taken.

SAHMRI also has a legal obligation to report any illegal violations to the appropriate authorities.

**(ii) Branding**

The SAHMRI brand is an essential part of the Institute's public identity.

Employees must report unauthorised use of the Institute's name and/or logo to the Manager, Development and Communications.

**(iii) Social Media**

SAHMRI's Social Media Policy sets the standards that must be followed when employees use social media in a private capacity, especially if they identify themselves as an employee either directly or as part of a user profile, or if they can be identified as working for SAHMRI via the content of their postings.

In posting to social media sites in a private capacity:

- Obey the law – do not post any material that is prejudicial, defamatory, discriminatory, harassing, obscene or threatening, discloses other people's personal information or infringes intellectual property, copyright or a trademark;
- Under no circumstances should offensive comments be made about colleagues. This may amount to cyber-bullying which could result in disciplinary action or criminal proceedings under the *Criminal Code Act 1995 (Cwth)*;
- Do not post any material that may bring SAHMRI into disrepute, or otherwise embarrass the Institute;
- Do not imply SAHMRI endorsement of personal views, or imply authorisation to speak on behalf of SAHMRI; and
- Do not use SAHMRI's name to endorse products, causes or opinions.

**m. Compliance**

**(i) Employment after Leaving SAHMRI**

An employee who is about to leave SAHMRI for other employment or to conduct his or her own business must not use his or her position or confidential information about SAHMRI to the benefit of that employee's future employer or business.

**(ii) Internal Controls**

SAHMRI has established various financial and internal controls to ensure that assets are protected and properly used. Employees are responsible for maintaining and complying with the required internal controls and are required to maintain accurate and reliable financial records and reports.

## 4. Breaches of Rules

### a. Breaches of the Code

All employees are responsible for complying with the Code and the policies and procedures and to ensure that the Code and the policies and procedures are not breached.

Any employee who in good faith, makes a complaint or disclosure about an alleged breach of the Code and follows the reporting procedure will not be disadvantaged or prejudiced in the making of such a complaint or disclosure. Any report made by an employee will be acted upon, and kept confidential.

A prompt investigation will take place to address the complaint or disclosure made and the employee will be informed of the outcome. The particular circumstances of each case will determine the level of detail contained in the report back to the employee.

Employees may, at any time, discuss a matter or seek advice on how to proceed with a matter with their Executive Manager or the Chief Operating Officer.

If an employee does not follow the standard of conduct outlined in this Code then he/she will be subject to one or more of the following actions:

- disciplinary action and potential termination of employment;
- civil litigation against the employee to seek recovery of the proceeds of the fraud; and/or
- seek criminal prosecution by referral to the appropriate authorities.

### b. Whistleblower Policy

A Whistleblower Policy has been established to encourage employees to raise matters of concern with their supervisors or managers. Measures to provide protection and support for employees who make complaints or disclosures are also included in this policy.

### c. Administration

Responsibility for the administration of the procedures relating to the Code lies with the Chief Operating Officer. A copy of each complaint or disclosure shall be forwarded, upon receipt by the supervisor or manager, to the Chief Operating Officer. The Chief Operating Officer will monitor complaints or disclosures and report to the Executive Director and the Board as required.

## 5. Framework for Ethical Decision-Making

Employees are encouraged to use the following framework when deciding on a course of action:

- Recognise the event, decision or issue;
- Think before acting;
- Decide on a course of action;
- Test the decision by reviewing the “ethics questions to consider” below. Also consider SAHMRI’s values, policies and procedures and relevant laws and regulations;
- Proceed with confidence.

### **Ethics Questions to Consider**

In making a decision, employees are encouraged to ask themselves the following questions:

- Is it against SAHMRI’s standards and values?
- Does it feel right?
- Is it legal?
- Will it reflect negatively on you or the Institute?

- Who else could be affected by this decision?
- Would you be embarrassed if others knew you took this course of action?
- Is there an alternative that does not pose an ethical conflict?
- How would it look if your decision was in the media?
- What would a reasonable person think?

## 6. Conclusion

All employees are expected to abide by SAHMRI's Code of Conduct and all SAHMRI policies and procedures, including legal obligations and responsibilities. An employee Code of Conduct cannot cover every situation. When in doubt, or if an employee has any questions about his or her responsibilities or the Code, it is that employee's responsibility to seek clarification from his or her Executive Manager or the Chief Operating Officer.

## 7. Key Policies

Some fundamental policies applicable to employees include:

- Acceptable Use of Information Technology Policy
- Equality in Employment Policy
- Fraud and Corruption Policy
- Intellectual Property Policy
- Investment Policy
- Performance Management and Misconduct Policy
- Procurement Policy
- Privacy Policy
- Quality Policy
- Responsible Conduct of Research Policy
- Social Media Policy
- Staff Delegations – Operations Policy
- Travel Policy
- Whistleblower Policy
- Work Health and Safety Policy

| Code of Conduct Policy- Review History |                 |                         |                             |                             |               |
|--|-----------------|-------------------------|-----------------------------|-----------------------------|---------------|
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| 1                                      | 27 July 2010    | Chief Operating Officer | Audit and Finance Committee | Audit and Finance Committee | 27 July 2010  |
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|  |                 |                         |                             |                             |               |