

Code of professional practice for Staff			
First Produced:	11/09/95 (under different title, see Notes)	Authorisation:	Te Kāhui Manukura
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Applies From:	Immediately		

1 Introduction

1.1 Purpose

Ara Institute of Canterbury Limited's (Ara Ltd) kaupapa as a learning institution is:

Ngāi Tātou ki te whai ao | Transforming lives through education

Ara Ltd's Purpose, Values, Values Behaviours and Strategic Priorities help create the environment and culture in which kaimahi (colleagues) and ākonga (learners) work together to meet our Strategic Priorities.

Values

<i>Ara</i>	<i>Te Pūkenga</i>
Hono <i>Connect</i>	Manawa nui <i>We reach out and welcome in</i>
Hihiri <i>Inspire</i>	Manawa ora <i>We strengthen and grow the whole person</i>
Aroha <i>Respect</i>	Manawa roa <i>We learn and achieve together</i>

Strategic Priorities

Relentless focus on equity
Exceptional learning experiences
Increased colleague engagement and wellbeing
Greater regional access
Regional master plan

The purpose of this Code of professional practice is to:

- Inform staff (kaimahi) of the standards of behaviour required as an Ara Ltd employee.
- Promote high ethical standards.
- Provide a foundation for Valuable Conversations/appraisals, promotions and continuous improvement.

1.2 Scope and application

This policy applies to all Ara Ltd staff (kaimahi), including management and the Chief Executive.

1.3 Formal delegations

There are no formal delegations for this policy.

1.4 Definitions

- a **Conflict of interest:** For the purpose of this policy, a conflict of interest is a perception held by others that a person's personal interests – family, friendships, financial, or social factors – could compromise their judgment, decisions, or actions in their official capacity at Ara. Conflicts may include mismatches between and among contractual or legal obligations (to, for example, employees, Ara as employer, Ara's vendors and business partners), loyalty to family and friends, fiduciary duties, professional duties, and/or business interests. Conflicts of interest also include personal and/or intimate relationships with people colleagues are working with or teaching and includes perceptions of power imbalances.
- b **Good faith:** Good faith involves acting with honesty and integrity, being active and constructive in interactions with others and presumes all parties to an activity or discussion are honest and intend to act in a fair and reasonable manner.
- c **Integrity:** Integrity includes acting consistently and honestly in accordance with stated values, intentions and goals.
- d **Learning organisation:** An organisation that facilitates the learning of all its members and consciously transforms itself and its context.
- e **Staff (kaimahi) colleague or colleagues:** An employee of Ara Ltd (Note: behavioural requirements in this Code also apply to contractors providing service(s) to Ara, and its employees.
- f **Student or learner (ākonga):** A person enrolled to study at Ara.
- g **Tikanga:** Māori culture and ways of being and acting founded in history and tradition but which may be adapted for contemporary contexts when done so respectfully and with guidance from appropriate hapū or iwi partners.

<p>Related Ara Ltd procedures (Waituhi)</p> <ul style="list-style-type: none"> • CPP301 Student (Ākonga) Rights and Responsibilities • ZZZXXX Logging Bullying, Harassment and Discrimination Complaints 	<p>Related Ara Ltd policies (hyperlinks to all of these)</p> <ul style="list-style-type: none"> • APP301 Learner Responsibilities and Rights • CPPXXX Bullying Prevention and Action • CPPXXX Harassment Prevention and Action • CPPXXX Discrimination Prevention and Action • CPP102 Disclosure and Management of Conflicts of Interest • CPP105 Acceptable Use and Conduct for ICT Users • CPP106 Intellectual Property • CPP109 Disclosing Personal Information About Students and Staff • CPP122 Social Media • CPP208 Resolving Staff Performance or Conduct Issues • CPP21- Staff Involved in Outside Activities • CPP214 People and Capability Management • CPP221 Protection of Children, Young Protection of Young Persons and Vulnerable Adults • CPP501 Health and Safety
<p>Related legislation</p> <p>Many Acts of Parliament cover considerations regarding the Code of professional practice for staff. Those Acts include and may not be limited to:</p> <ul style="list-style-type: none"> • Education and Training Act 2020 [ETA] • Education (Pastoral Care of Tertiary and International Learners) Code of Practice 2021 • Employment Relations Act 2000 • Health and Safety at Work Act 2015s • Privacy Act 2020 • NZQA Quality Assurance Framework, 2009 	<p>Good Practice Guidelines</p>
<p>Notes: Earlier versions of this policy (1995, 1997) were called the Staff Rights and Responsibilities Policy</p>	

2 Principles

- 2.1 Ara Ltd's Purpose, Values and documented Strategic Priorities are the over-arching documents that set out the values and standards for the way Ara Ltd and its employees carry out their activities.
- 2.2 Ara Ltd is a learning organisation (refer to Definitions).
- 2.3 The Education and Training Act 2020 (ETA) outlines the responsibilities of Te Pūkenga to Te Tiriti o Waitangi. Those provisions include (and are not limited to) a requirement to operate employment policy that contains provisions requiring recognition of the aims and aspirations of Māori, the employment requirements of Māori, and the need for greater involvement of Māori in the education service (s9(2)(h)). This policy seeks to recognise these obligations and consider tikanga in our Code of Professional Practice. We seek to consider issues raised from a cultural perspective.

3 Code of professional practice

- 3.1 Responsibilities and required behaviours of all staff (kaimahi) (including the Chief Executive and other Managers):

Staff (Kaimahi) perform their duties honestly, conscientiously, reasonably and act in good faith. They have regard and respect for the welfare of their colleagues and students (ākonga), for the interests of Ara Ltd as their employer and for their responsibilities as employees.

3.2 Ara Values and Behaviours

Ara has published values and behaviours, as follows:

Ara Value Behaviours for 2022 - March 2022

Hono | Connect

Manawa nui | We reach out and welcome in

We bring the right people together to leverage skills, talent and knowledge

We promote shared ownership and goal delivery

We include people and work cooperatively to achieve shared goals

Hihiri | Inspire

Manawa ora | We strengthen and grow the whole person

We role model good practice with others

We set stretch goals aligned to our vision, and go for it

We foster and celebrate progress

Aroha | Respect

Manawa roa | We learn and achieve together

We build rapport in open, friendly, inclusive ways

We listen to understand different perspectives and cultures

We have honest conversations and balance our own interests with those of others

3.3 Other code of conduct positive behaviours

All staff (kaimahi) are also expected to align their behaviours with Ara and Te Pūkenga's values in the following ways:

Hono | Connect *Manawa nui | We reach out and welcome in*

- i. Maintain professional staff (kaimahi) to student (ākonga) relationships.
- ii. Treat ākonga, members of the public and other kaimahi with respect, impartiality, courtesy and sensitivity.
- iii. Maintain a co-operative and collaborative approach to working relationships.
- iv. Refrain from behaviour that harasses, bullies or intimidates any other person.
- v. Refrain from discriminating against any person because of age, disability, gender (including pregnancy or childbirth), sexual orientation, marital or family status, race or colour, ethnic or national origins, religious or ethical beliefs, political opinion, employment status, involvement in Union activities, or Ara Ltd employee profile.
- vi. Ensure there is no actual or perceived conflict between their personal interests (including those of their immediate family) and their Ara Ltd

duties and responsibilities in accordance with Ara Ltd policies and procedures.

Hihiri | Inspire *Manawa ora / We strengthen and grow the whole person*

- i. Comply with the requirements and spirit of the Purpose, Strategic Priorities, Values, Values Behaviours and Policies and procedures of Ara Ltd.
- ii. Be competent and efficient in performing their work.
- iii. Continuously develop their knowledge and skills relevant to their role and area of expertise.
- iv. Act with integrity.
- v. Use all Ara Ltd resources in a careful manner, reducing waste and making improvements where possible.

Aroha | Respect *Manawa roa / We learn and achieve together*

- i. Obey the law.
- ii. Obey all lawful and reasonable employer instructions and work as directed.
- iii. Respect the privacy of individuals when collecting, storing and working with personal information.
- iv. Have due regard for the safety of others in the use of Ara Ltd property and resources.
- v. Take care to maintain confidentiality, accuracy and privacy of official Ara Ltd documentation to which they have access.
- vi. Not copy, disclose or use any information acquired in the course of work with Ara Ltd other than for the purposes of carrying out Ara Ltd work except with the written consent of the employee's manager.
- vii. Ensure all Ara Ltd property, resources or funds are not used for anything other than authorised purposes.
- viii. Incur no liability on the part of Ara Ltd without first obtaining the proper authorisation.
- ix. Refrain from soliciting or accepting gifts or benefits that might, directly or indirectly, compromise or influence them in their position at Ara Ltd (e.g., gifts or hospitality offered as an inducement to purchase).
- x. Refrain from commencing new intimate relationships with students (ākonga) while they are in a programme of study.
- xi. Declare any personal or intimate relationships with students (ākonga) so conflicts of interest can be managed.
- xii. Refrain from conduct that might impair work performance, place people or property at risk, or result in behaviour which is unprofessional or antisocial and/or may bring Ara, its students (ākonga) or staff (kaimahi) into disrepute. This applies in online or formal and informal professional and social settings associated with Ara students (ākonga) and their whānau, Ara staff (kaimahi) and their whānau, their whānau, the extended Ara community and its associates. While the following examples are not exhaustive, such conduct to refrain from may include using one's own social media accounts to implicate Ara Ltd or its staff (kaimahi) or students (ākonga), excess consumption of alcohol and/or the use of other intoxicants, drugs or other substances and/or

the use of offensive language, inappropriate nudity, bullying or harassment or inducing others to do so. It may also include failing to take all reasonable steps to prevent actions of Ara students (ākonga) or staff (kaimahi) which might impair performance, place people or property at risk or result in behaviour which is unprofessional or antisocial in a setting that is directly or indirectly associated with Ara.

3.3 Breaches of the Code of Conduct

- a. Where breaches of this Code occur by staff (kaimahi) employed by Ara under an employment agreement, matters may be managed in accordance with the staff member's (kaimahi) employment agreement and/or the Resolving employee performance or conduct issues policy.
- b. Where breaches of this Code occur by people not employed under an employment agreement, matters may be managed as deemed appropriate by Ara and in accordance with any applicable written contract or Ara policies.
- c. Breaches of this Code may be considered misconduct or serious misconduct, depending on the seriousness of the breach. If established, misconduct by a person employed under an employment agreement will generally lead to a reprimand and a warning. Serious misconduct by a staff member (kaimahi) employed under an employment agreement may lead to summary dismissal, that is, dismissal without notice. In either case, contractual requirements or processes required by relevant employment law will be followed.
- d. Misconduct is any unacceptable or improper conduct or behaviour which is deliberate, negligent, inappropriate or reckless and/or breaches Ara's policies and procedures or guidelines, including this policy, the person's employment agreement, management instructions, performance standards or legal compliance standards. Examples of misconduct include (but are not limited to):
 - i. Failure to follow a lawful and reasonable instruction
 - ii. Aggressive or argumentative behaviour
 - iii. Breaches of company policies or procedures or the employment agreement
 - iv. Using abusive language that may cause offence to another person
- e. Serious misconduct undermines the relationship between the staff member (kaimahi) concerned and Ara, and/or threatens the well-being of Ara or its staff (kaimahi) and students (ākonga). Serious misconduct includes, but is not confined to, these examples:
 - i. Threatening, abusive, insulting or violent behaviour, including abusive or offensive language
 - ii. Sexual, racial or any other type of discrimination, harassment or bullying towards any person
 - iii. Failure to follow Ara Ltd's regulations and policies, including breaching this Code or other compliance documents
 - iv. Serious breaches of policies, delegations and/or procedures, or the employment agreement
 - v. Any breach in the use of confidential information, including unauthorised access, disclosure, copying or use of confidential information
 - vi. Dishonesty, including but not limited to misrepresentation when applying for employment
 - vii. Failing to disclose a conflict of interest or to adhere to a conflict of interest management plan
 - viii. Breach of implied duties, such as confidentiality, loyalty and fidelity
 - ix. Conduct inside or outside of work that brings, or has the potential to bring, Ara into disrepute

- x. Falsifying any information, records or other documents
 - xi. Being impaired or under the influence of drugs (illegal, prescription and/or non-prescription) or alcohol while carrying out role responsibilities
 - xii. The use or possession of illegal drugs while on campus or on Ara business
 - xiii. Consuming intoxicating liquor while on campus, work sites, work construction sites, in work vehicles, or during working hours without permission
 - xiv. Acting in a negligent, reckless or careless manner which could potentially or actually result in injury to another person
 - xv. Failure to comply with any health and safety policies, instructions or guidelines for the workplace
 - xvi. Failure to report to a supervisor as soon as possible any accident, near miss or incident that resulted in, or may have resulted in, personal injury, damage, or loss to any person or property
 - xvii. Unauthorised statements to the media/public about work-related matters
 - xviii. Removing, taking possession of, or deliberate misuse of, Ara's property or another person's personal property without consent
 - xix. Damage to Ara's plant or property, whether deliberately or through negligence
 - xx. Introducing unauthorised hardware or software on Ara computers or computer systems
 - xxi. Accessing pornographic or illegal material on an Ara device or any breaches of the Acceptable Use and Conduct for ICT Users
 - xxii. Absence from work without good cause or failure without good reason to promptly report an absence
 - xxiii. Sleeping during working hours
 - xxiv. Smoking or vaping in restricted areas
 - xxv. Competing or assisting another person or entity to compete with Ara on any matter without the written consent of Ara
 - xxvi. Continued lateness or lack of application to assigned tasks
 - xxvii. Refusal or failure to obey a lawful and reasonable direction
 - xxviii. Repeated failure to perform work to the required standard.
- f. Formal disciplinary action is not taken lightly. Ara's experience is that most staff members perform well, conduct themselves reasonably, and minor problems are overcome without formal discipline. Problems are initially managed with the expectation that staff member (kaimahi) will perform to required standards once an issue has been raised.

4 Associated procedures for Ara Ltd corporate policy on: Code of professional practice for Staff (Kaimahi)

- 4.1 Cases where the required standards of behaviour covered by this Policy are not met will be dealt with under ZZZXXX Bullying, Harassment and Discrimination Procedures, the relevant employment or engagement agreement, and/or CPP208 Resolving employee performance or conduct issues policies, or any other relevant policy.

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