

CODE OF CONDUCT: FELLOWS



I. PURPOSE

The purpose of this Policy is to:

1. state the standard of conduct required of Fellows and Corresponding Members (collectively, 'AAS Fellows'); and
2. state the reporting and complaints handling process the Academy will apply in the event that allegations of Misconduct come to their attention (other than for complaints of sex harassment, bullying and discrimination, the process for which is dealt with under separate Academy policies).

II. SCOPE

This Policy applies:

1. at all times to the scientific research and related outputs of an AAS Fellow whenever and wherever it was conducted.
2. when an AAS Fellow is acting in connection with the Academy ('Academy Activity'). Specifically, Academy Activity will include:
 - a. any time an AAS Fellow is:
 - i. conducting activities in connection with the Academy, whether in person or online;
 - ii. representing the Academy;
 - iii. on premises controlled by the Academy;
 - iv. using Academy equipment (e.g., laptops, phones, websites);
 - v. attending an off-premises event that is organised, controlled or supported by the Academy (for example, conferences, stakeholder events, social events etc); and
 - b. any time that an AAS Fellow's conduct has the potential to damage their relationship with the Academy or damage the Academy's interests or reputation.

This Policy applies to all AAS Fellows and to any place where Academy Activity is carried out.

III. BACKGROUND

1. Academy Mission

The Mission of the Australian Academy of Science (the Academy) is to advance Australia as a nation that embraces scientific knowledge and whose people enjoy the benefits of science.

2. Academy Values

Upholding the Academy's standing as a source of high quality and independent advice relies on Fellows adhering to conduct underpinned by the Academy's Values.

The Academy reflects organisational values that earn and sustain trust. These values guide the Academy's operations and engagements and will underpin everything it does. The Academy is:

- independent
- non-partisan
- ethical; and acts with integrity, honesty and transparency

- supports diversity and inclusion and is respectful of all sources of knowledge, such as those of First Nations people.

IV. POLICY STATEMENT

1. Standards of Conduct

AAS Fellows must comply with the conduct requirements as set out in the Academy By-Laws, Standing Orders, policies or procedures, that may be prescribed from time to time.

AAS Fellows must also meet the standards of conduct with respect to their research and behaviour prescribed below.

1.1 Research

Wherever and whenever conducted, an AAS Fellow:

- a. is expected to carry out their research with integrity and to a high standard.
- b. shall not commit Research Misconduct,
- c. shall promptly move to correct errors when detected in their work.
- d. must declare:
 - i. any allegation of professional Research Misconduct such as any pending or open investigation into their research work; and
 - ii. any fact, matter or thing known to them after reasonable inquiry that might have a bearing on their Academy fellowship.

1.2 Behaviour

AAS Fellows will adhere to proper standards of conduct in connection with their Academy Activities.

AAS Fellow must

- a. act honestly and with integrity in connection with the Academy and their fellowship.
- b. uphold the Academy Values and Mission; and the integrity and good reputation of the Academy.
- c. not provide false or misleading information about the Academy.
- d. maintain appropriate confidentiality when required by the Academy
- e. disclose any real or apparent conflict of interest in connection with their fellowship and take reasonable steps to avoid any situation from becoming a real or apparent conflict of interest.
- f. act with care and diligence and treat everyone with respect and courtesy, and without harassment when acting in connection with their Academy fellowship.

2. Breaches of the Code of Conduct (Misconduct)

A failure to act in accordance with the requirements of this Policy is Misconduct.

AAS Fellows:

- a. must not engage in any form of Misconduct.
- b. should report incidents of Misconduct in accordance with this Policy.
- c. must not engage in any form of reprisal or Victimising conduct in relation to a Misconduct matter and report all instances of Victimising conduct in accordance with this Policy.
- d. must maintain confidentiality in relation to Misconduct, and only share information strictly on a 'needs to know' basis.

Where the Academy is made aware that an AAS Fellow is suspected of engaging in Misconduct, the Academy will adopt the processes set out in the **Reporting Misconduct** and **Handling Allegations of Misconduct** sections of this Policy.

When there is alleged Misconduct for which there is a separate reporting and allegation handling process set out in other Academy policies (for example Sex Harassment, Bullying & Discrimination) these will be applied.

3. Reporting Misconduct

To avoid detriment to the Academy, AAS Fellows are required to report incidents of Misconduct that they are involved in or become aware of (by whatever means).

Reports of Misconduct should be made in writing to the President, or if the President is conflicted, a Vice-President, and include key details of the incident including who? what? when? where? witnesses?

Handling Allegations of Misconduct

If a Fellow is accused of misconduct the Academy will respond to the allegation promptly, fairly and sensitively with information only circulated on a 'needs to know' basis.

Reported allegations of Misconduct will be referred from the President or Vice-President recipient to the Misconduct Committee (the Committee) established by the Academy.

The Committee will comprise the President (or their approved delegate) and two other members, or an independent investigator, as deemed appropriate by the President in consultation with Council.

The Committee will examine the allegation and the evidence and:

- a. **in the case of alleged Misconduct with respect to the conduct of research** will normally refer the allegation to the institution which employs the Fellow, or with which the Fellow has, or had at the time of the alleged infraction, a formal connection – including as an employee, as an Honorary or Adjunct appointment or as an Emeriti.

Should an AAS Fellow with no employment or affiliation with any institution be alleged to have engaged in Research Misconduct the Academy will, at its discretion, determine whether to initiate an investigation that is appropriate to the individual circumstances of each case. In resolving the matter the Academy reserves the right to:

- i. undertake an investigation, conducted internally by the Misconduct Committee or by a suitable external individual to make fair findings of fact, and assess whether these facts amount to Misconduct; or
 - ii. take no action.
- b. **in the case of alleged Misconduct related to standards of behaviour in connection with Academy Activities** manage a process that is appropriate to the individual circumstances of each case. In resolving the matter the Academy reserves the right to:
 - i. refer the allegation to another more appropriate entity, for example the police;
 - ii. undertake an investigation, conducted by a suitable external individual to make fair findings of fact, and assess whether these facts amount to Misconduct; or
 - iii. take no action.

The Committee will ensure that a report of the alleged Misconduct is made to the President or Vice President recipient of the allegation, for determination as to the appropriate outcome(s) of the allegation in the manner set out below.

4. Outcomes

The President or Vice President recipient of the alleged Misconduct will discipline Respondent an AAS Fellow who has engaged in proven Misconduct as appropriate, depending on the all the circumstances of the case.

Potential disciplinary action may include:

- a. Terminating the Respondent's AAS fellowship including withdrawal of the post-nominal, without further investigation
- b. Requiring the Respondent to undertake counselling or training;
- c. Requiring the Respondent to provide a written or verbal apology or take other remedial action; and/or
- d. Issuing a warning to the Respondent.

V. MISCELLANEOUS

1. Records

The Academy may make and maintain records relevant to any incident of alleged Misconduct. This may include information of a private and sensitive nature. The purpose of making the record is:

- a. to allow the Academy to discharge its obligations, including under the Charter, contract and Relevant Legislation
- b. to have information for proceedings in a court or tribunal if required; and
- c. for statistical and risk management purposes.

Information will be protected with reasonable security safeguards and will only be circulated information on a *'needs to know'* basis.

2. Administration

The Academy may make changes to this Policy from time to time to improve its effectiveness, to comply with legislative requirements or for any other reasonable purpose.

This Policy entirely replaces and supersedes any previous policies on the same or similar subject matter.

Fellows who wish to make comments about this Policy may forward their suggestions to governance@science.org.au. They will be given due consideration.

3. Definitions

For the purpose of this Policy, words defined in the Relevant Legislation have the meaning prescribed by that legislation. All other words that have a defined meaning are in Capital Case and have the following meanings:

- a. 'AAS Fellow' means collectively Fellows and Corresponding Members of the Academy.
- b. 'Academy' means Australian Academy of Science ABN 90700613342, being the body corporate and politic established by Royal Charter.
- c. 'Bye Law' means the Charter Bye-Laws in effect from time to time
- d. 'Charter' means the AAS Original Royal Charter granted in 1954 as amended by AAS Supplemental Royal Charters made thereafter and as in effect from time to time.
- e. 'Corresponding Member' has the same meaning as that term in the Academy Charter and Bye Laws.
- f. 'Council' is the Academy governing body as established by the Charter and Bye Laws.
- g. 'Falsification' is making up data or results and recording or reporting them.
- h. 'Fabrication' is making up data or results and recording or reporting them.
- i. 'Fellow' has the same meaning as that term in the Academy Charter and Bye Laws.
- j. 'Complainant' means the aggrieved person or a witness in relation to alleged Misconduct, who lodges an allegation of Misconduct.
- k. 'Misconduct' means a failure to act in accordance with the requirements of this Policy.
- l. 'Misconduct Committee' means the Committee established by the Academy Council to manage the process for handling allegations of Misconduct.
- m. 'Mission': has the meaning set out in Section C of this Policy.

- n. 'Plagiarism' is the appropriation of another person's ideas, processes, results, or words without giving appropriate credit.
- o. 'Research Misconduct' means the intentional, or reckless or negligent Fabrication, Falsification, or Plagiarism in proposing, performing, or reviewing scientific research, or in reporting scientific research results. Research misconduct does not include honest error or differences of opinion
- p. 'Respondent' means the person against whom allegations or a complaint of Misconduct is made.
- q. 'This Policy' means this Fellows Code of Conduct, and any appendices as amended from time to time.
- r. 'Values' has the meaning set out in Section C of this Policy.
- s. 'Victimise' means subjecting, or threatening to subject, someone to detriment because they have asserted their rights under the Relevant Legislation, made a Sex Harassment complaint or helped someone else to do so. It is also victimisation to threaten someone (such as a witness) who is involved in the handling of a Workplace Sex Harassment complaint.

VI. Related Content

Academy Charter and Bye-Laws

Academy related policies

- *Bullying and Discrimination Policy*
- *Media Policy*
- *Privacy Policy*
- *Harassment, Discrimination and Bullying Policy*
- *Social Media Policy*

Relevant Legislation

- *Anti-Discrimination and Human Rights Legislation Amendment (Respect at Work) Act 2022 (Cth)*
- *Australian Code for the Responsible Conduct of Research 2018*
- *Sex Discrimination Act 1984*

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