



Trinity College Staff Code of Conduct

Introduction

- 1 An Anglican foundation and an affiliated College of the University of Melbourne, Trinity College is an autonomous institution governed by a representative Council of some 40 members, which meets twice a year, and a Board with 12 members, which meets monthly. The Warden is the Chief Executive Officer of the College and works closely with the Senior Management Team comprising the Dean as the Head of the Residential College and Deputy to the Warden; the Dean of the Pathways School; the Dean of the Trinity College Theological School; the Director of Advancement; the Chief Financial Officer (CFO), the Director of Major Projects and the Director of Human Resources.
- 2 Trinity College is an educational community in which all conduct is expected to be based on respect and consideration for others, and the College is committed to promoting equal opportunity for all job applicants, employees, contractors and visitors. The *Trinity College Staff Code of Conduct* imposes obligations on staff members to demonstrate respectful, considerate behaviours in their dealings with students and each other and with all members of the Trinity College community.
- 3 The *Trinity College Staff Code of Conduct* (the Code) is used instead of the *Intercollegiate policy on Discrimination, Sexual Harassment and Bullying Policy and Procedures*.
- 4 The Code sets out the behaviour and conduct expected of Trinity College staff members and also provides guidance to staff members on how to identify and prevent unlawful discrimination, sexual harassment, victimisation, vilification and workplace bullying. It also sets out the processes applicable or available where there have been alleged breaches of the Code, and describes the possible consequences that may follow if a staff member is found by the College to have breached the Code.
- 5 The College has a variety of contractual and statutory relationships with members of its staff. The College also recognises a general responsibility to ensure the College as an educational community and workplace functions on the basis of respect and consideration for others. These two factors mean that the application of this Code to specific conduct is not based on a person having to make a complaint, although a complaint process is available. The College itself, once informed of a possible breach of the Code, may decide unilaterally to investigate the circumstances giving rise to the possible breach, make a determination about those circumstances, and impose consequences on any staff member found to be in breach of the Code.
- 6 In addition to the complaint procedures outlined in respect of possible breaches of the Code, broad community-based mechanisms for information, support, and complaint remain available to staff members at all times. More information about external sources of support and information can be found at the end of this document.
- 7 The College reserves the right to make changes to this Code from time to time.

Staff Code of Conduct

- 8 This Code applies to all members of the staff of Trinity College. It does not apply to students, who are supported via a separate set of policies and procedures.
- 9 This Code applies at all times when a person is representing the College, or doing work on behalf of or for the College, whether on College premises or off-site. The Code applies to after hours and off-site activities that are organised by the College, or which are attended on behalf of the College.

- 10 All staff members must act in accordance with this Code. The Code assumes the commitment of every staff member to advocate and practise respect, courtesy and dignity for all people, regardless of gender, race, religion, disability, marital status, sexual orientation, or any other attribute.
- 11 All staff members are expected to fulfill admirable behavioural standards, and to be role models for others, aspiring to demonstrate the highest level of personal integrity at all times. Staff members must outwardly express such commitment in their actions and words. They must respect the rights of all other members of the College, while also acting in accordance with the laws of the wider Australian community.
- 12 Agreeing to abide by this Code of Conduct is a requirement for membership of the staff of Trinity College and of the wider College, and abiding by this Code is required for staff to remain members of Trinity College. All staff members must familiarise themselves with this Code, and know their obligations under this Code.
- 13 All staff members must participate in any training that the College may organise and must co-operate with any investigation into any complaints made under this Code.
- 14 All staff members must report any suspected breaches under the Code, including but not limited to unlawful discrimination, sexual harassment, vilification, victimisation or workplace bullying.
- 15 If you are a manager or supervisor, you have additional obligations to those outlined above. If you are a manager or supervisor, the College expects you to:
 - a) ensure members of staff in your area or team understand their obligations;
 - b) be a leader and role model for others in the workplace and ensure that you behave appropriately at all times;
 - c) treat all complaints seriously and confidentially and seek advice from Human Resources if unsure;
 - d) where unlawful discrimination, sexual harassment, victimisation, vilification or workplace bullying is observed or reported by others, take appropriate action even if there is no formal complaint; and
 - e) encourage staff members in your work area or team to treat each other with respect and value difference.
- 16 **Trinity College staff members must abide by the following standards of behaviour:**
 - a) **Respect for and responsibility to self;**
 - b) **Respect and empathy for, and responsibility to others; and**
 - c) **Ethical and honest behaviour.**

Respect for and responsibility to self

- 17 It is expected that staff members will always behave responsibly in looking after themselves. They are responsible for their own conduct at all times. It is also expected that they will seek help if and when it is needed, and will at all times apply themselves to their duties with dedication and vigour. They are expected to know and to adhere to this Code and other College policies, particularly in respect of all forms of harassment.

Respect and empathy for, and responsibility to others

- 18 Staff members should show respect, empathy and consideration for others, so that all may study, work and live in harmony, and so that community members of every background may feel respected, safe, and included. Staff members should permit others to study, work and live in a safe, respectful environment, and are entitled to expect such an environment for themselves.

- 19 Bullying is inappropriate and unacceptable behaviour, and members of staff must not engage in workplace bullying. The College will not tolerate workplace bullying under any circumstances. This term is explained below.
- 20 Staff members must not engage in unlawful discrimination, sexual harassment, vilification or victimisation. Staff members must not encourage others to engage in unlawful discrimination, sexual harassment, vilification or victimisation. These terms are explained below.
- 21 As staff members are in a position of authority over students, relationships of a sexual or otherwise intimate nature between staff members and students are not acceptable in any circumstances.

Ethical and honest behaviour

- 22 Staff members must behave with personal integrity and honesty. They must accept the consequences of their own actions, apologise where appropriate and practise ethical and responsible behaviour in their dealings with others.
- 23 **Trinity College will not tolerate bullying, unlawful discrimination, sexual harassment, victimisation or racial or religious vilification.**

Workplace bullying

- 24 Bullying is repeated, unreasonable behaviour directed toward a worker or group of workers that creates a risk to their mental or physical health and safety.
- 25 “Unreasonable behaviour” means behaviour that a reasonable person, having regard to all the circumstances, would expect to victimise, humiliate, undermine or threaten. Behaviour can include an individual’s or group’s actions or practices that victimise, humiliate, undermine or threaten.
- 26 A broad range of behaviours can be considered to be bullying. Bullying can occur online, in writing or pictures, or by conduct. Some examples of behaviour that may constitute bullying are:
 - a) acting unpleasantly near or towards someone;
 - b) giving nasty looks;
 - c) making rude gestures or spreading rumours;
 - d) stalking;
 - e) taking advantage of having power over someone;
 - f) verbal abuse, insults or name calling;
 - g) continually making jokes about a person, or singling out one person for remarks more often than others in a group;
 - h) personal attacks, threats, intimidation;
 - i) unjustified criticism or excessive scrutiny of work;
 - j) deliberate exclusion or isolation;
 - k) deliberately withholding information from someone where that information is essential to their ability to perform their work effectively;
 - l) deliberately altering work rosters to inconvenience someone;
 - m) assigning someone meaningless or impossible tasks, or setting tasks that are unreasonably above or below someone’s ability; or
 - n) removal of responsibilities or deliberately overloading someone with work.

- 27 A single incident of unreasonable behaviour, while not bullying, may still create a risk to health and safety and will not be tolerated by the College.
- 28 However, in any working environment there will be occasional differences of opinion and problems in working relations. Where these differences and problems are dealt with in a professional, non-aggressive manner, then they do not constitute workplace bullying.
- 29 Reasonable management actions are not bullying. Some examples of reasonable management actions are:
- a) rostering and allocating working hours and work;
 - b) setting performance goals or standards;
 - c) performance management or disciplinary action conducted in accordance with the College's policies and processes;
 - d) constructive feedback;
 - e) implementing organisational changes; or
 - f) deciding not to select someone for a promotion or work opportunity.

Unlawful discrimination

30 Unlawful discrimination means direct or indirect discrimination on the basis of a Protected Attribute. Protected Attributes are specifically listed in anti-discrimination legislation.

31 A Protected Attribute is a person's:

- age
- breastfeeding
- disability or impairment
- employment activity
- gender identity
- industrial activity
- pregnancy
- Race
- religious belief/ activity
- intersex status
- lawful sexual activity
- marital or relationship status
- status as a parent or carer
- physical features
- political belief / activity
- sex
- Sexual orientation

32 A Protected Attribute also includes a person's association with someone who is identified by reference to a Protected Attribute.

33 Direct discrimination occurs if a person treats another person with a Protected Attribute unfavourably because of that Protected Attribute. Some examples of direct discrimination are:

- a) Not offering computer training to an older member of staff because of his age.
- b) Excluding a member of staff from a work-related event at a pub because she is pregnant.

34 Indirect discrimination occurs if a person imposes a requirement, condition or practice that disadvantages a person with a Protected Attribute and that requirement, condition or practice is not reasonable. Some examples of indirect discrimination are:

- a) Scheduling meetings before the start of working hours when they could just as easily be scheduled at lunchtime. Parents who have to drop their children at school may not be able to attend.
- b) Holding a team building event at a sporting venue that does not permit access or participation by an employee with a disability.

35 Unlawful discrimination can occur even if you do not intend to discriminate.

Sexual harassment

36 Sexual harassment means unwelcome conduct of a sexual nature where a reasonable person, having regard to all the circumstances, would have anticipated the possibility that the person harassed would be offended, humiliated or intimidated. The intention of the harasser is irrelevant.

37 Some examples of sexual harassment are:

- a) Repeatedly asking a member of staff to go on a date when that person has already declined.
- b) Unwanted physical contact of an intimate nature, such as stroking, massaging or pressing up against a staff member's body.
- c) Asking intrusive questions about another staff member's intimate or private life
- d) Telling sexually explicit jokes

Racial or religious vilification

38 Racial or religious vilification means conduct that incites hatred against, serious contempt for, or revulsion or severe ridicule of, a person or group of persons on the basis of their race or religious belief. Serious racial or religious vilification involves a threat to harm another person or their property, and is a criminal offence.

39 Some examples of racial or religious vilification are:

- a) Sending an email to members of staff which ridicules indigenous Australians.
- b) Making threats to harm a member of staff because he/she is a Muslim (serious religious vilification).
- c) Stating to other staff members that a particular racial group is involved in serious crimes such as terrorism without any basis.

Victimisation

40 Victimisation means any unfavourable treatment of a person who has made a complaint, or allegation, about a breach of this Code of Conduct, whether the complaint was written or verbal and irrespective of whether the person asked for the complaint to be conciliated or investigated or not.

41 Some examples of victimisation are:

- a) Dismissing a member of staff because she has made a complaint about unlawful discrimination in the workplace.
- b) Excluding or isolating a member of staff because he has made a complaint of sexual harassment against one of your friends at work.

- c) Giving a casual member of staff less shifts because they made a complaint about alleged bullying.

Possible breaches of the Code

- 42 Staff members who are concerned about a possible breach of this Code, whether in respect of themselves or another staff member, are expected to discuss their concerns with one of the Code of Conduct Advisors listed below and on the College Portal (unless the affected staff member is able to resolve the concerns by following Step 1 of the Process outlined below).
- 43 The College will treat all possible breaches of the Code seriously. However, the College recognises that the conduct of a staff member may be regarded, in any given circumstance, on a scale from minor to extremely serious. For that reason, the processes to be applied in determining whether a breach of the Code has occurred, and what the consequences of any established breach should be, are matters reserved for the discretion of the College.
- 44 Staff members must be aware that all possible breaches of this Code that are characterised by the College as capable of amounting to **serious misconduct** will likely be:
 - a) investigated, whether or not a person makes a complaint about the conduct;
 - b) the subject of a determination, after investigation, of whether the member of staff concerned has engaged in serious misconduct;
 - c) capable of resulting in, after a determination, consequences that may include termination of employment.

Serious misconduct is defined below. That definition is not exhaustive and characterisation of conduct as “serious misconduct” will be a matter for the College to determine in each particular case.

Substantiated breaches of the Code

- 45 The College will consider disciplinary action against a staff member breaching this Code. Depending on the severity of the breach, the disciplinary action may range from provision of training or counselling through to verbal or written warning or termination of employment / engagement with the College.
- 46 A person who commits a serious breach of this Code in relation to bullying may also be in breach of work health and safety laws and the Crimes Act 1958 (Vic). This may result in prosecution of the person and a possible fine, intervention order or jail sentence.
- 47 Under anti-discrimination laws, a person in breach of this Code in relation to discrimination or sexual harassment may be personally liable for compensation awarded by a court or tribunal to the person who has been subject to unlawful discrimination, sexual harassment or victimisation.
- 48 Under racial and religious vilification laws, a person who engages in serious racial or religious vilification may be jailed.

Process

General

- 49 The process in relation to any complaint, or any conduct that may be in breach of the Code, will be at the absolute discretion of the College.
- 50 In cases where information of an alleged breach of this Code comes to the attention of any member of the staff of the College the staff member will be expected to report the incident to a

Code of Conduct Advisor (unless the affected staff member is able to resolve the concerns by following Step 1 outlined below).

- 51 Allegations of conduct that may amount to a breach of criminal law will ordinarily be reported to the police by the College.
- 52 Processes will be undertaken and concluded as quickly as is reasonably possible. The College accepts it has a responsibility to ensure any investigation and determination process adopted under this Code is fair.
- 53 The procedures in this document do not derogate from the normal managerial responsibilities of the relevant staff members, which may still be exercised as appropriate.
- 54 The steps in relation to alleged breaches of the Code are shown below. These steps can be used when a staff member makes a complaint or when the College becomes aware of an alleged breach of the Code (without a complaint being made).
- 55 The College aims to deal with complaints about possible breaches of the Code in a confidential manner, to the extent that is appropriate in a given case and insofar as the maintenance of confidentiality does not conflict with other obligations and responsibilities the College has. Participants in any process under the Code will be reminded of the importance of confidentiality, and will be expected to adhere to any directions they are given about maintaining and respecting it. Failure to maintain and respect confidentiality when directed to do so may itself be considered by the College to be a breach of this Code.

Complaint under the Code

- 56 The College provides a number of steps for dealing with complaints under this Code:
 - a) **Step 1: Ask the person to stop.** You should consider approaching the person or people involved to resolve your concern directly. Ask the person to stop the behaviour. Often people do not realise when their behaviour is upsetting others. Telling the other person that their behaviour is unwelcome and upsetting to you may be enough for the behaviour to cease. If you do not feel comfortable with this approach, or if this approach does not resolve your concern, then you should consider Step 2 below.
 - b) **Step 2: Speak with a trained Code of Conduct Advisor** (details of Advisors are in this Code and on the College Portal). The Code of Conduct Advisor can assist you to decide whether the behaviour is likely to be a breach of the Code. If the behaviour is not a breach of the Code, then speak with your Advisor about other means of support. If the behaviour **is** likely to be a breach of the Code, then an individual can use the steps that follow to resolve the matter.
 - c) **Step 3: Decide whether you wish to make a complaint.** If you wish to make a complaint, you will be asked to put your complaint in writing. A Code of Conduct Advisor can assist you with this. The complaint must identify those you allege have breached the Code and what you allege they have done. It should be as specific as possible, and include any relevant evidence. The complaint will be forwarded to the relevant Division Head and the Director of Human Resources, and a copy will be provided to the respondent where appropriate.
 - d) **Step 4: Informal resolution:** there may be alternative resolution processes available to assist resolution, such as mediation or conciliation. Whether these alternative resolution processes are appropriate depends on the nature of each individual complaint, and such options will be considered between the complainant and the person handling the complaint. The College may still choose to investigate the complaint, despite an informal resolution process taking place.

Outcome of informal resolution. Conciliation and mediation are not disciplinary processes. Details of any informal resolution outcome will be communicated in writing to the relevant Division Head, the Director of Human Resources and other relevant parties. However,

breaches of an agreement reached via conciliation or mediation may result in additional action consistent with these procedures.

e) **Step 5: Formal investigation.** The relevant Division Head, in consultation with the Director of Human Resources, will decide whether a complaint will be investigated. Not all complaints are appropriate for investigation (for example, complaints which are frivolous, vexatious or lacking in substance will not be investigated). If it is decided that a complaint will be investigated, the Warden or her/his designee will appoint an investigator. The College reserves the right to take appropriate disciplinary action without investigating the matter where warranted.

f) **Step 6: Outcome of investigation.** The investigator will present their findings about what occurred in writing, and will make recommendations to the relevant Division Head or designee, who will make the final decision about whether there has been a breach (or breaches) of the Code, how serious those breaches are and what consequences (if any) should follow for the staff member(s) involved. Consequences may include, but are not limited to, apologies (including public apologies where appropriate), personal or professional counselling, the imposition of conditions on continued employment, or the termination of employment. The complainant and the person(s) against whom the complaint is made will be advised in writing of whether or not the complaint is substantiated.

The Division Head or designee is not constrained to follow the recommendations of the investigator.

If a complainant makes a malicious complaint, the College will take the appropriate disciplinary action against the complainant.

g) **Appeal.** There will be no internal appeal or review processes within the College if there has been a formal investigation and outcome. If any party is dissatisfied with the outcome of these processes, they may discuss their dissatisfaction with the Warden.

Where the College becomes aware of alleged breach of the Code (no complaint made)

57 Where the College receives information about an alleged breach of the Code, it may decide to investigate the matter (regardless of whether there has been a complaint or not). The College may also seek the relevant staff members' agreement to take part in an informal resolution process, where appropriate.

58 The manner in which the College investigates allegation(s) of breaches of the Code will be determined by the College on a case by case basis.

59 Where the allegation(s) are formally investigated, the investigator will present their findings about what occurred, and will make recommendations to the relevant Division Head or designee, who will make the final decision whether there has been a breach (or breaches) of the Code, how serious those breaches are and what consequences (if any) should follow for the staff involved. Consequences may include, but are not limited to, apologies (including public apologies where appropriate), personal or professional counselling, the imposition of conditions on continued employment, or the termination of employment. The Division Head or designee is not constrained to follow the recommendations of the investigator. The College reserves the right to take appropriate disciplinary action without investigating the matter where warranted.

60 There will be no internal appeal or review processes within the College if there has been a formal investigation and outcome. If any party is dissatisfied with the outcome of these processes, they may discuss their dissatisfaction with the Warden.

Trinity College Code of Conduct Advisors

61 The role of a Code of Conduct Advisor is to listen, and to inform the individual of their options for dealing with possible breaches of the Code. Code of Conduct Advisors are staff members who

have received training in respect of all forms of discrimination, harassment etc. and are specifically available to staff in respect of information about this Code, and in particular, the various options available to staff in the case of a breach of the Code. Speaking with an Advisor does not mean that a complaint is being made.

- 62 Staff must be aware, however, that where the information they give an advisor suggests the possible breach may involve **serious misconduct, Code of Conduct** Advisors **must** bring the matter to the attention of the relevant Division Head.
- 63 Code of Conduct Advisors may indicate if, for any reason, they are unable to provide appropriate assistance owing to a conflict of interest. A list of staff who serve as Code of Conduct Advisors are available on the College portal.
- 64 In cases where there is a conflict of interest for a Code of Conduct Advisor or if a staff member requests this, External Advisors can be contacted to assist staff with information and support.
- 65 In consultation with the relevant Senior Management Team (SMT) member (see below), the Director of Human Resources or designee manages arrangements for contacting External Advisors. The relevant SMT member or designee will also liaise with External Advisors in their capacity as External Conciliators when appropriate.

Mr Ken Hinchcliff (Leeper Building)
Warden
Email: kenh@trinity.unimelb.edu.au

Mr Campbell Bairstow (Leeper Building)
Dean of the Residential College
Telephone: (03) 9348 7106 / Email: cbairstow@trinity.unimelb.edu.au

The Revd Dr Dorothy Lee (Old Wardens Lodge)
Dean of the Trinity College Theological School
Telephone: (03) 9348 7128 / Email: dorothy1@trinity.unimelb.edu.au

Ms Denise Bush (Gateway Building)
Dean of the Pathways School
Telephone: (03) 9348 7132 / Email: dbush@trinity.unimelb.edu.au

Ms Lyn Shalless (Leeper Building)
Chief Financial Officer
Telephone: (03) 9348 7114 / Email: shalless@trinity.unimelb.edu.au

Mr Scott Charles (Leeper Building)
Director of Advancement
Telephone: 0417 685 619 / Email: sccharles@trinity.unimelb.edu.au

Mr Gary Norman (Summer House)
Director of Major Projects
Telephone: (03) 9348 7008 / Email: gnorman@trinity.unimelb.edu.au

Ms Alison Menzies (Leeper Building)
Director of Human Resources
Telephone: (03) 9348 7520 / Email: amenzies@trinity.unimelb.edu.au

Community mechanisms for complaint, information and support

Victorian Equal Opportunity and Human Rights Commission
<http://www.humanrightscommission.vic.gov.au>

Australian Human Rights and Commission
<http://www.humanrights.gov.au>

Fair Work Commission
<https://www.fwc.gov.au>

Victoria Police: Melbourne North Police Station (open 24 hours)
36 Wreckyn Street, North Melbourne. Phone: (03) 8379 0800

Victoria Police Crime Department, Sexual Offences & Child Abuse Investigation Teams (SOCIT)
Phone: (03) 8690 4056

University of Melbourne Department of Health, Counselling & Disability Services
Counselling Service, Level 2, 138 Cardigan Street, Carlton. Phone: (03) 8344 6927 / 8344 6928
<http://www.services.unimelb.edu.au/counsel>

Roles in respect of the Staff Code of Conduct

Role of the Warden

- 66 The Warden is responsible for the good government of the College. At her or his discretion, the Warden may act in any capacity in respect of possible breaches of the Code as set out in this document.
- 67 Where a complaint has been addressed to the Warden, she/he will usually direct the matter to the relevant Division Head and the Director of Human Resources to be dealt with under the processes set out in this Code.
- 68 Where the Warden becomes aware of a complaint that may be referred to legal counsel or Victoria Police she/he will inform the Chairman of the Board of the complaint. The Warden will retain executive responsibility for the processing of the complaint.

Role of Director of Human Resources

- 69 The Director of Human Resources acts to support staff in respect of information about avenues for resolving complaints. He/she will not act as a formal Advisor to staff members, but can direct staff members to trained Advisors, including at the request of a staff member, those trained Advisors who are external to the College.
- 70 The Director of Human Resources acts in an advisory capacity in respect of all matters relating to breaches of the Code of Conduct. The Director of Human Resources is also available to Advisors in respect of advice and support.

Role of Division Heads

- 71 The relevant Division Head will have responsibility for responding to all matters relating to possible breaches of the Code as set out in this document. The relevant Division Head is also

available to Advisors in respect of advice and support. The relevant Division Head may also appoint a member of the Senior Staff to act as her/his designee.

Role of Code of Conduct Advisors

- 72 Code of Conduct Advisors are staff members who have received particular training and are specifically available to staff members in respect of information about this Code, and in particular, the various options available to staff members in the case of a possible breach of the Code. Speaking with Advisors does not mean that a complaint is being made. A complaint is not made until it is put in writing and given to an Advisor or relevant Division Head. Staff members must remember, however, that where an Advisor believes there has been a possible breach of the Code that could amount to serious misconduct as defined in this Code, the Advisor is obliged to bring the matter to the attention of the relevant Division Head and/or the Director of Human Resources.
- 73 Advisors may indicate to staff members if, for any reason, they are unable to provide appropriate assistance owing to a conflict of interest.

Role of External Advisors/Conciliators

- 74 In cases where there is a conflict of interest for a Code of Conduct Advisor or if a staff member requests this, External Advisors can be contacted to assist staff members with information and support.
- 75 In consultation with the relevant Division Head, the Director of Human Resources or designee manages the arrangement for contacting External Advisors.

Role of Chaplains

- 76 The Chaplains in the College offer pastoral care, support and encouragement to all the College community. They are available to discuss any matter. However, under the National Code of Practice for Clergy, they are required to adhere to strict rules regarding confidentiality. These rules will be explained to staff members and students when meeting with them.

Role of other staff members

- 77 As outlined in the Code, all staff members are expected to report possible breaches of the Code of Conduct to a Code of Conduct Advisor (unless their concerns can be resolved by step 1 of the process outlined in this Code).
- 78 Staff members are encouraged to seek the assistance of a Code of Conduct Advisor in the first instance or to encourage other staff members to do so. If desired, more than one staff member can seek the assistance of the same Code of Conduct Advisor, if this is helpful to the individuals concerned or where more than one person has been affected by a possible breach of the Code.
- 79 Staff members are strongly advised to keep such matters confidential, and not discuss such matters with other staff members or people other than those indicated in the Code.

Definitions

- 80 The “**relevant Division Head**” is the Senior Management Team member who is ultimately responsible for the budget division the staff member works.
- 81 A “**designee**” will be a staff member of Trinity College or a member the Board of Trinity College. In cases where a process is initiated that involves the relevant Division Head as one of the parties (either complainant or respondent), the Warden will appoint the investigator. In cases where a process is initiated that involves the Warden as one of the parties (either complainant or respondent), the Board will appoint the investigator.

- 82 **“College”** includes the Warden, Council and the Board of Trinity College and includes each of them acting in a way authorised by the *Trinity College Act 1979*, the Constitution of Trinity College, or any other policies and procedures from time to time in place at Trinity College.
- 83 **“Serious misconduct”** includes wilful or deliberate behaviour by an employee that is inconsistent with the continuation of the contract of employment and conduct that causes serious and imminent risk to the health or safety of a person, or the reputation, viability or profitability of the College. Examples of serious misconduct include sexual assault, physical violence, blackmail, victimisation, serious harassment, use or sale of illicit drugs, an abuse of a position of power or responsibility within the College, and may include repeated breaches of the Code of Conduct, dishonesty, fraud, the deliberate making of false allegations against another student or a staff member, serious verbal abuse or vilification.
- 84 **“Trinity College Staff”** or **“staff member”** means all persons engaged as staff by Trinity College on a full-time, fractional, sessional, permanent, contract, casual, paid or voluntary basis.