



FAIR TREATMENT PROCEDURE

1. OVERVIEW
2. SCOPE AND APPLICATION
3. PRINCIPLES
4. PROCEDURES
5. DEFINITIONS
6. USEFUL INFORMATION AND RESOURCES

1. OVERVIEW

This procedure prescribes the responsibilities and actions required to prevent and/or respond to instances of unlawful unfair treatment on University grounds and/or during University-related activities and to ensure the University meets its obligations under State and Commonwealth legislation and the principles of the [Behaviour and Conduct Policy](#).

This procedure aims to convey clearly to members of the University community that they are specifically prohibited from engaging in behaviours that constitute unlawful unfair treatment while on University grounds or engaged in a University-related activity.

2. SCOPE AND APPLICATION

This procedure applies to all staff and titleholders at the University of Adelaide and persons who have entered into a relationship with the University involving working for, with or at the University, including volunteers, contractors and consultants, e.g. members of the University community, for the purposes of this procedure.

This procedure does not apply to a complaint:

- Made by a student of the University of Adelaide. Students should refer to the [Student Grievance Resolution Process](#).
- Being considered under any other University policy or procedure where there is an appeal or complaints process (e.g. tenure, serious misconduct, or serious research misconduct).
- Being considered under State or Federal legislation or by any external agency.
- From a member of the general public. A member of the general public should direct a complaint in writing to the Area Manager.

Behaviour and Conduct Handbook	Fair Treatment Procedure	Effective Date:	30 March 2023	Version 1.0
Authorised by	Chief Operating Officer	Review Date:	29 March 2026	Page 1 of 4

3. PRINCIPLES

The procedure aims to ensure that members of the University community recognise the behaviours that may constitute unlawful unfair treatment and are educated in the prevention of such behaviours, and that as far as practicable that persons who report instances of unlawful unfair treatment to the University are protected from victimisation or reprisals.

This procedure advises members of the University community of the consequences of breaching this procedure.

Staff members and titleholders are required to act professionally, collegially, and respectfully in their interactions with students, and will avoid close personal relationships with students for whom they have professional responsibility.

Staff members and titleholders are required to disclose personal relationships that may amount to a conflict of interest.

Staff members and titleholders may be subject to disciplinary action for failing to comply with this procedure in accordance with the [University of Adelaide Enterprise Agreement](#) or [Titleholder - Conferral of Honorary Roles Procedure](#).

4. PROCEDURES

4.1 Create a fair treatment environment

All members of the University community will:

- Create a fair treatment environment by openly promoting and complying with the Behaviour and Conduct Policy and this procedure
- Complete EO Online, the University's equity training program (staff only) as part of induction
- Identify instances of unlawful unfair treatment in the University
- Not victimise or seek reprisals against a person who reports instances of unlawful unfair treatment to the University.

Managers and supervisors will complete EO Online, the University's equity training program, at induction. It is recommended that the refresher EO Online training be completed every two years thereafter.

The Head of School/Branch is to promote the Behaviour and Conduct Policy and this procedure as well as:

- Ensuring that all those in the School/Branch covered by the scope of this procedure clearly understand and comply with the Behaviour and Conduct Policy and this procedure
- Modelling appropriate behaviours that promote the principles of the Behaviour and Conduct Policy and this procedure
- Monitoring the work and study environment to ensure acceptable standards of behaviour and conduct are maintained at all times. Refer to the Fair Treatment Information Sheets for further information and advice on what constitutes unlawful unfair treatment.
- Raising instances of inappropriate behaviour with the person and take further action at a local level in the first instance if the behaviour does not cease. This duty exists even in the absence of a complaint.

Any or all of these tasks can be delegated to School/Branch staff e.g. manager or supervisor, however the Head of School/Branch must monitor the tasks on a regular basis to ensure they take place.

4.2 Respond to complaints concerning unlawful unfair treatment

Members of the University community should assess if lodging a formal complaint is appropriate or if the issue can be resolved informally.

If the complaint is to be formalised they are to make a complaint concerning any breach of this procedure in accordance with the:

Behaviour and Conduct Handbook	Fair Treatment Procedure	Effective Date:	30 March 2023	Version 1.0
Authorised by	Chief Operating Officer	Review Date:	29 March 2026	Page 2 of 4

- Staff Complaint Resolution Procedure for staff members
- Titleholder – Conferral of Honorary Roles Procedure for titleholders
- HSW Handbook Bullying and Harassment Procedure
- Volunteer Policy for volunteers
- Consultancy Services Agreement or similar contract or Service Agreement for contractors

The Head of School/Branch will manage a complaint concerning any breach of this procedure in accordance with the relevant policy, procedure, or agreement as above.

As part of this process they should make sure to offer independent and free counselling support program to all parties through the University's Employee Assistance Program.

Any or all of these tasks can be delegated to School/Branch staff e.g. manager / supervisor, however the Head of School/Branch must monitor the tasks on a regular basis to ensure they take place.

4.3 Consequences for breaching this procedure

All members of the University Community are to note that the University will treat all allegations of unlawful unfair treatment seriously and impartially and that any breach of this procedure may result in disciplinary action in accordance with:

- The University of Adelaide Enterprise Agreement for staff members
- Titleholder – Conferral of Honorary Roles Procedure for titleholders
- Volunteer Policy for volunteers
- Consultancy Services Agreement or similar contract or Service Agreement for contractors

4.4 Lodge a complaint with an external body

This procedure does not reduce the rights of an individual under State and Commonwealth law to pursue a complaint through an external agency. However, once an external agency has been engaged the external agency's process will take precedence.

4.5 Take a special measure (as defined in Definitions)

The Head of School/Branch will apply to the Area Manager to take a special measure for the purpose of achieving substantive equality between, or the adequate advancement of, certain groups or individuals.

Any or all of these tasks can be delegated to School/Branch staff e.g. Manager/Supervisor, however the Head of School/Branch must monitor the tasks on a regular basis to ensure they take place.

The Area Manager will approve the application to take the special measure if appropriate. Advice may be sought from Human Resources.

5. DEFINITIONS

Area Manager means Deputy Vice-Chancellors, Vice Presidents, Pro Vice-Chancellors, Executive Deans, Executive Director Human Resources, Chief Executive of External Relations (and a person acting in these positions) and Institute Directors.

Complaint means a report of an occurrence which happens on University premises and/or during University-related activities, whether on or off campus, where a person covered by the scope of this procedure believes the occurrence adversely affects their ability to work productively in a positive environment.

Members of the University community (for the purposes of this procedure) include all staff and titleholders at the University of Adelaide and persons who have entered into a relationship with the University involving working for, with, or at the University including volunteers, contractors, and consultants.

Behaviour and Conduct Handbook	Fair Treatment Procedure	Effective Date:	30 March 2023	Version 1.0
Authorised by	Chief Operating Officer	Review Date:	29 March 2026	Page 3 of 4

Special measure

Special measure means an act, practice, program, plan, policy arrangement, mechanism or activity taken for the purpose of achieving substantive equality between:

- Men and women
- People of different marital status
- Women who are pregnant and people who are not pregnant
- Women who are potentially pregnant and people who are not potentially pregnant.

6. USEFUL INFORMATION AND RESOURCES

6.1 University related documents and policies

[Behaviour and Conduct Policy](#)

[Behaviour and Conduct FAQs](#)

[Code of Conduct](#)

[Conflict of Interest Procedure](#)

[Conflict of Interest Information Sheet](#)

[Disclosure of a Conflict of Interest Form](#)

[Fair Treatment Procedure](#)

[Fair Treatment Procedure Information Sheet: Sexual Harassment and Assault](#)

[Fraud and Corruption Control Policy](#)

[Privacy Policy](#)

[Staff Complaint Resolution Procedure](#)

[Child Safe Environment Policy](#)

[Sexual Misconduct Policy](#)

[Sexual Misconduct Response Procedures](#)

[Titleholder – Conferral of Honorary Roles](#)

6.2 Related legislation

[Criminal Law Consolidation Act 1935 \(SA\)](#)

[Equal Opportunity Act 1984 \(SA\)](#)

[Fair Work Act 2009 \(Cth\)](#)

[The Children and Young People \(Safety\) Act 2017 \(SA\)](#)

6.3 Useful web-links

[Safer Campus Community](#)

[Sexual Respect Training](#)

[Early Intervention Group \(EIG\)](#)

[Principles for Respectful Supervisory Relationships \(Universities Australia\)](#)

[Guidelines for University Responses to Sexual Assault and Sexual Harassment \(Universities Australia\)](#)

Behaviour and Conduct Handbook	Fair Treatment Procedure	Effective Date:	30 March 2023	Version 1.0
Authorised by	Chief Operating Officer	Review Date:	29 March 2026	Page 4 of 4