
1. Purpose

The purpose of this Charter is to establish the role and responsibilities of the University of Adelaide's Integrity Unit (IU).

This Charter should be read and understood in conjunction with related legislation, policies and procedures and applies to all members of the University of Adelaide's Community.

2. Introduction

The IU is a specialist unit of the University of Adelaide (UoA) that undertakes investigations, provides regular reporting, and triages and provides oversight of reports, complaints and allegations of misconduct by all members of the University community. The IU will sit within the Division of University Operations. The Executive Director of the Integrity Unit will report to the Chief Operating Officer (COO) but will have the ability to report directly to the University Council or an external agency on any matters that relate to the COO or Vice-Chancellor and fall within the IU's jurisdiction.

3. Remit of the Integrity Unit

The IU remit is focussed on behavioural and/or misconduct matters involving members of the University Community. The primary responsibilities of the IU will be to:

- provide an end-to-end process for receipt, triage, and management of reports which is easy to access, minimises the need for victims to re-tell their story, ensures continuity of communication and appropriate engagement with all individuals involved, and generates confidence in UoA;
- provide guidance to other areas of the University in the handling of complaints and undertaking investigations;
- undertake investigations as described in paragraph 3.3;
- provide centralised reporting of disclosures and complaints to senior management, University Council and its standing committees; and
- implement and deliver education, training, and awareness programs, and other appropriate proactive prevention measures, in collaboration with other areas of UoA.

In performing its duties, the IU will work through a person centric, procedurally fair and seamless approach. The IU will recognise the roles, responsibilities and interests of other areas of the University, including the Student Misconduct Tribunal, Human Resources, Student Life, the Division of Research and Innovation (DRI) and the Legal Services Branch, and the requirements of all policies, procedures and legislative instruments that apply to UoA.

3.1. Types of complaints which should be directed to the IU

The IU's focus will be on behavioural and/or misconduct matters involving members of the University Community, however all reports and complaints received by the IU, regardless of their nature, will be recorded, assessed and triaged.

Individuals will be encouraged to make reports and complaints falling outside of the IU's focus via avenues which already exist at UoA, such as those relating to service delivery, academic issues, staff performance and workplace Health, Safety and Wellbeing (HSW).

3.2. Triage process

Through triage, the IU will provide an umbrella approach where every matter referred to the IU will be received, recorded and assessed to provide one of 4 responses:

- **handle the matter directly:** where the IU investigates the matter as an investigation body and not a decision maker (refer Section 3.3)
- **refer the matter to an external party:** where the IU makes an assessment for a matter to be referred to an external party (being an agency or individual independent of the UoA) for investigation (refer Section 3.4)
- **refer the matter to local UoA areas:** where the IU refers the matter to another area of UoA (being a division or faculty area within the UoA organisational structure) in accordance with existing University policies, procedures or processes (refer Section 3.5)
- **make a record of the matter and not progress further:** where the IU determines that the matter is being referred as a disclosure only and/or that the complaint does not warrant further steps by the University

Where matters are referred to an external party or another UoA area, the IU will ensure that processes implemented do not duplicate any other investigative process being undertaken in relation to a single matter.

3.3. Complaints which will be handled directly by the Unit

The IU's remit for conducting investigations will generally be limited to matters of a serious and/or complex nature (including multiple infractions) including:

- alleged improper conduct which could clearly result in potential serious detriment to the complainant or respondents' wellbeing or career, including potential termination as a result of disciplinary action;
- systemic misconduct, repeated minor infractions and/or patterns of consistent improper conduct;
- conduct that could result in objectively serious potential reputational harm to the University;
- fraud or corruption which is of a *serious and/or complex nature*;
- bullying, harassment and discrimination which is of a *serious and/or complex nature*;
- all forms of sexual misconduct;
- matters that may amount to serious misconduct;
- to the extent not already captured by the categories referred to above, anything that might reasonably qualify as 'corruption in public administration', 'maladministration' or 'misconduct' as those terms are defined in the Independent Commission Against Corruption Act 2012 (SA) and the Ombudsman Act 1972, (SA) respectively; and
- other matters specifically referred to the IU by the Chancellor, the Vice-Chancellor or the Chief Operating Officer that fall within the IU's jurisdiction.

Matters will be of a *serious and/or complex* nature if they:

- could clearly result in serious detriment to the complainant or respondents' wellbeing or career;
- relate to systemic issues, repeated minor infractions and/or patterns of consistent behaviour; or
- could result in serious reputational harm to the University.

The IU will retain discretion in determining which matters fall within its remit. The IU's role in undertaking an investigation will be to make findings of fact and may make recommendations relating to outcomes of investigations undertaken. The IU will not to act as a decision maker or to provide legal or industrial relations advice.

3.4. Complaints which will be referred to third parties

Where the University or a public officer is required to disclose a matter to an external agency, or example under the *Ombudsman Act 1972 (SA)*, the IU will ensure the matter is reported (after seeking legal advice). The IU may also seek directions from an external agency as appropriate prior to, or at any time during, the course of an investigation.

The IU may also engage external investigators to undertake investigations where the IU:

- does not have the resources to undertake an investigation;
- does not have the necessary expertise; and/or

- the matter is best undertaken by an independent investigator to maintain public confidence in the independence and impartiality of the investigation – for example where the complaint relates to a senior executive.

3.5. Matters which will be referred to local UoA areas

Matters which do not fall within the IU's remit will be triaged and generally be referred to other areas of UoA for handling in accordance with existing University policies, procedures or processes. Where a matter is referred to other areas of the UoA, the IU will ensure that matters are handled appropriately, with the utmost integrity, in accordance with UoA's policies and procedures, and in accordance with the principles of natural justice.

For matters referred to other areas of the UoA the IU may support the other area by investigating the matter if it also falls within the remit of the IU and where this support will streamline required processes. For each matter, the IU will ensure that local UoA areas provide confirmation of action undertaken as a result of the referral.

4. Administration of Reports

The IU will maintain a central record of reports from across the University through a single repository managed by the IU with appropriate provisions made for data privacy. This record will include reports regarding any matters:

- referred to other areas of the UoA or an external party by the IU;
- addressed by other areas of the UoA responsible for receiving complaints or disclosures at any level (minor through to significant). This may include any type of complaint including those not related to behavioural or conduct matters, including, for example, research misconduct by staff and students that is immediately dealt with at a local level;
- received directly by the IU or from elsewhere in the University from people who want to have an issue recorded but not investigated by making a disclosure rather than a complaint.

It will not include matters that are of a minor nature that may include what may be considered misconduct, for example raised voices but that is managed at a local level. Where issues of a minor nature form a serious pattern of behaviour and results in a report being made, it will be included in the IU remit for triage.

The IU will monitor and evaluate data trends on reports held within the central repository and have the capacity to log and track cases. The IU will take ownership of risks related to all forms of sexual misconduct and report regularly to the UoA's Risk Committee.

5. Audit and Review

- The IU will be audited by the Risk Committee within the first 12 months of its establishment and every 2 years following. The audit will evaluate whether the IU is operating in accordance with its Charter and all relevant guidelines, policies and procedures.
- This Charter will be reviewed every 2 years.
- Resourcing of the IU will be reviewed in line with its capacity to respond to the level of complaints, investigations and reports required to achieve its objectives.