



The Association of Superannuation Funds of Australia Ltd (ASFA)

Code of Practice for Staff and Students

All ASFA staff members are expected to perform their duties with efficiency, fairness, impartiality, integrity, honesty, and compassion. This code aims to clarify for all staff the conduct expected in the performance of their duties and to provide them with a guide to solving ethical issues.

A copy of the Code of Practice is provided to each new member of staff on appointment, as part of ASFA's Induction procedure.

The successful development of an ethical environment relies upon individuals having responsibility for their own professional behaviour, taking into consideration the provisions of this Code and ASFA policies, and the advice of senior colleagues. If there is any doubt as to the applicability of the Code, or the appropriate course of action to be adopted, the matter should be discussed with an appropriate senior member of staff.

A number of the obligations and standards set out in this Code are also to be found in legislation. Staff need to be aware that, in some cases, breach of standards may involve criminal offences, in others they may amount to serious breaches of discipline and involve the possibility of dismissal.

Staff should be familiar with the responsibilities which are a part of their employment, and be aware that sanctions will be applied if these provisions are breached. These sanctions vary from counselling, to suspension, laying of criminal charges or taking civil action.

Relevant legislation

- Affirmative Action (Equal Opportunity for Women) Act 1986
- Anti-Discrimination Act 1977
- Crimes Act 1900
- Disability Discrimination Act 1992
- Freedom of Information Act 1989
- Protected Disclosures Act 1994
- Independent Commission Against Corruption Act 1988
- Industrial and Commercial Training Act 1989 No. 77
- Occupational Health and Safety Act 1991
- Ombudsman Act 1974
- Privacy Act (Cth) 1988, as amended

- Privacy and Personal Information Protection Committee Act 1998
- Public Finance and Audit Act 1983
- Sex Discrimination Act 1984
- Racial Discrimination Act 1975
- Racial Hatred Act 1995
- Transgender (Anti-Discrimination and other Acts Amendment) Act 1996
- Vocational Education and Training Accreditation Act (VETA) Act 1990
- Workplace Relations Act 1996

The following areas are important for all staff:

Personal and professional behaviour

Staff members should perform any duties associated with their positions diligently, impartially and conscientiously, to the best of their ability.

In the performance of their duties, staff should strive to:

- keep up to date with advances and changes in the body of knowledge and the professional and ethical standards relevant to their area of expertise;
- comply with any relevant legislative, industrial or administrative requirements;
- maintain adequate documentation to support any decisions made;
- treat members of the public, students and other staff members with courtesy and sensitivity to their rights and provide all necessary and appropriate assistance;
- strive to obtain value for money spent and avoid waste and extravagance in the use of public resources;
- conform with the principles of environmental responsibility; and
- not take or seek to take improper advantage of any official information gained in the course of employment.

When faced with a difficulty in having to implement a policy which is at variance with the staff member's own view, staff should discuss the matter with an appropriate senior staff member, depending on the nature of the matter, to resolve the issue.

Staff members should not harass or discriminate in work practices on the grounds of sex, age, compulsory retirement, transgender, marital status, pregnancy or potential pregnancy, family or carer responsibilities, colour, race, ethnic, ethno-religious or social origin, sexual preference, political or religious belief, trade union membership or activity, past, present, future or presumed disability, HIV or AIDS status.

Supervisors should apply EEO principles.

Staff members have a duty to report to a senior staff member any behaviour by another staff member which is in breach of the legal requirements of the other staff member's employment with ASFA.

Senior members of staff are expected to act upon such reports in accordance with this Code and any legal and procedural requirements.

Public comment

Public comment includes official or other statements by way of public speaking engagements, comments on radio and television and expressions of views in letters to the newspapers or in books, journals or notices or where it might be expected that the publication or circulation of the comment will spread to the community at large.

Official statements in the name of ASFA shall be authorised by the Board of ASFA and the Chief Executive (or any member of ASFA acting under the authority of the above). All staff members have the right to express their views publicly on any matter of public interest as private citizens. Statements made or letters written in this context should not include the name and address of ASFA or the title of his or her position in ASFA.

Acceptance of gifts or benefits

No staff member should accept a gift or benefit if it could be seen by the public, knowing the full facts, as intended or likely to cause the staff member to do her or his job in a particular way, or deviate from the proper course of duty.

As a general rule a line may be drawn where a gift could be seen by others as either an inducement or reward which might place a staff member under an obligation.

Conflicts of interest

Staff should avoid any financial or other interest or undertaking that could directly or indirectly compromise the performance of their duties. Conflicts of interest should be assessed in terms of the likelihood that staff members could be influenced, or might appear to be influenced, in the performance of their duties on a particular matter.

ASFA will not routinely involve itself in the private lives of its staff and students. However, a conflict of interest may arise where a staff member engages in activities or advances personal interests at the expense of ASFA's interests or the interests of other staff members or students.

The following are examples of potential conflicts of interest:

- **Financial Interests**
An example of a financial conflict of interest which may arise is where a staff member who has a financial interest in a company is in a position to influence contracts for business between that company and ASFA.
- **Personal and family relationships between staff members**
ASFA is aware that situations may occur where staff are working with family members or with persons with whom they develop close personal relationships. Where such relationships exist between staff or with prospective staff, ASFA stresses that they may have the potential to create a conflict of interest if one staff member is:
 - involved in a decision relating to the selection, appointment or promotion of another;
 - in a supervisory relationship to another and is responsible for employment related decisions.
- **Personal and family relationships between education/training staff members and students**

Education and training staff have a responsibility to their students to assess their work fairly, objectively and consistently across the candidature for their particular subject/unit/course. A personal or family relationship between an education/training staff member and a student has the potential to compromise this responsibility where the staff member is responsible for the supervision, teaching and/or any level of assessment of that student, or indirectly by affecting a student's interaction with ASFA.

In many cases, only the individual staff member will be aware of the potential for conflict. Therefore, the onus is on that person to notify the appropriate senior member of staff if a potential or actual conflict of interest arises.

ASFA Code of Practice specific to its student program

ASFA's Education and Training program is conducted in a manner which ensures that high professional standards are maintained in the delivery of education and training, and which safeguard the educational interest and welfare of students.

ASFA ensures that consideration is given to individual student's special needs, eg disability, recognition of prior learning. ASFA puts into practice an access and equity policy, including an equal opportunity policy, a policy for students' complaints and appeals, and an occupational health and safety policy. These may be viewed on ASFA's Website.

ASFA maintains a learning environment that is conducive to the success of participating students. ASFA ensures that it continues to have the capacity to deliver ASFA's courses, provide adequate facilities and use methods and materials appropriate to the learning needs of the students.

ASFA ensures that all Trainers have the necessary educational standards, ie have industry endorsement, and meet the Financial Services Training Package assessor qualifications, and, where necessary the qualifications required by the Training Package for Assessors and Workplace Trainers. ASFA's Assessment Policy may be viewed on ASFA's Website.

Marketing of ASFA's Education and Training courses

ASFA markets and advertises its courses with integrity and accuracy, and with clear and unambiguous information. All clients are provided with full details of conditions in any contractual arrangements. ASFA does not use information about a client in any marketing materials without that client's written permission.

ASFA continues to comply with the Guidelines for Advertising of the NSW Vocational Education and Training Accreditation Act 1990 (VETA), and the National operational protocol for the marketing of recognised training. Copy of these is attached as Appendices 1 and 2 to ASFA's Marketing Statement.

Financial Standards

ASFA maintains secure and accurate arrangements for students' payments. This includes proper documentation. ASFA makes all necessary refunds promptly.

Student information

ASFA provides accurate and current information to prospective students, so that the student can make an informed decision about the appropriateness of the Courses for the student.

All students receive information on all relevant matters. This includes but is not limited to detailed information on costs of tuition, recognition of prior learning and current competencies, granting of credits, withdrawal arrangements, credit transfers, refund entitlements, details of assessment procedures and appeals processes, grievance procedures, student welfare and guidance services, contact details for queries, etc.

Privacy issues

ASFA ensures that in accordance with the Privacy and Personal Information Protection Committee Act 1998, students' records are kept in a safe environment, and are treated as confidential.

ASFA also abides by the National Privacy Principles of the Privacy Act 1988 (Cth), as amended. This includes protecting the personal information ASFA holds from misuse and loss, and from unauthorised access, modification or disclosure.

Student support services

ASFA provides specific staff to ensure that students' queries, problems and complaints are properly managed on the student's behalf.

Student complaints and appeals

ASFA documents and implements policies and procedures for dealing with students' complaints and appeals in a constructive and timely manner.

ASFA ensures that:

- Each complaint, appeal and its outcome is recorded in writing;
- Each appeal is heard by an independent person or panel;
- Each appellant:
 - Has an opportunity to formally present his/her case; and
 - Is given a written statement of the appeal outcomes, including reasons for the decision.

ASFA's Policy on Students' Complaints and Appeals is available on ASFA's Website – www.superannuation.asn.au

ASFA's Code of Practice for Assessors

ASFA assessors must comply with a Code of Practice based on the international code of ethics and practice of the National Council for Measurement in Education (NCME).

The Code of Practice for ASFA Assessors is:

- The differing needs and requirements of the person(s) being assessed, the local enterprise(s) and/or industry are identified and handled with sensitivity.
- Potential forms of conflict of interest in the assessment process and/or outcomes are identified and appropriate referrals are made, if necessary.
- All forms of harassment are avoided throughout the planning, conduct, reviewing and reporting of the assessment outcomes.
- The rights of the candidate(s) are protected during and after the assessment.
- Personal or interpersonal factors that are not relevant to the assessment of competency must not influence the assessment outcomes.
- The candidate(s) is made aware of rights and processes of appeal.
- Evidence that is gathered during the assessment is verified for validity, reliability, authenticity sufficiency and currency.
- Assessment decisions are based on available evidence that can be produced and verified by another assessor.
- Assessments are conducted within the boundaries of the assessment system policies and procedures.
- Formal agreement is obtained from both the candidate(s) and the assessor that the assessment was carried out in accordance with agreed procedures.
- Assessment tools, systems, and procedures are consistent with equal opportunity legislation.
- The candidate(s) is informed of all assessment reporting processes prior to the assessment.
- The candidate(s) is informed of all known potential consequences of decisions arising from an assessment, prior to the assessment.
- Confidentiality is maintained regarding assessment results.
- Results are only released with the written permission of the candidate(s)
- The assessment results are used consistently with the purposes explained to the candidate
- Self - assessments are periodically conducted to ensure current competencies against the Competency Standards.
- Professional development opportunities are identified and sought
- Opportunities for networking amongst assessors are created and maintained.
- Opportunities are created for technical assistance in planning, conducting and reviewing assessment procedures and outcomes.

ASFA's Code of Practice was updated September 2005

ASFA would be very interested to hear your views on ASFA's implementation of its Code of Practice.

We have provided on the Website a Feedback Form – ASFA Code of Practice Feedback Form. This can be printed, completed and forwarded to ASFA, either by Fax or by post. We would appreciate your help in this.