

Code of Conduct

Effective Date: 1/7/2009

Amended: 25/7/2023

1. PREAMBLE

The Code of Conduct is provided as a subset of the University's (*hereinafter referred to as "the University"*) Code of Conduct and is developed on the basis of the ethical principles and values of the Code of Conduct. All staff members are not only expected to comply with this Code of Conduct of Sunway University, but like other administrative employees and affiliate members of the University, are to abide by the standards of conduct and behaviour as enunciated in the Code of Conduct of Sunway University.

2. PURPOSE

All staff members of the University are expected to perform their duties and responsibilities with integrity, efficiency, diligence, fairness and honesty. They are also expected to act appropriately in their dealings with students, colleagues, the management, the University and members of the outside community.

This Code of Conduct is intended to clarify for staff members the personal and professional conduct that is expected by the University in the performance of work. It is also to guide staff members to identify and resolve ethical issues that may arise in their employment. It is written as a set of principles and guidelines on standards of conduct with examples to illustrate acceptable and unacceptable behaviour. Standards of conduct provided in this Code of Conduct are not exclusive or complete. Furthermore, it cannot and does not cover all possible ethical issues and problems that may arise in the day-to-day work of a staff member. Neither can it contain detailed descriptions of the issues identified.

It should be recognized that the Code of Conduct does not exclude the rights and obligations of a staff members under the laws of the country.

3. APPLICATION OF THE CODE OF CONDUCT

The Code of Conduct applies to all staff member of the University, whether full-time, part-time or flexi-time appointees. Visiting, honorary and adjunct academics, and others acting in a capacity as academics (referred to as "**affiliates**") are also expected to comply with the Code of Conduct in respect of their activities relating to or impacting upon the University, staff members and students.

4. CONFLICT OF ALLEGIANCE

The University recognizes that many of its staff members are also bound by codes of conduct or ethics defined by learned and professional societies or organizations. Staff members have multiple allegiances: to their disciplines, professions, the University and the communities at national and international levels. In situations where conflicts of allegiance do arise, staff members are advised to weigh the importance of these allegiances in each particular set of circumstances and notify their superiors, Human Resources or senior management of the University.

5. THE CODE OF CONDUCT

5.1 Respect for the Law

In common with the citizens of Malaysia, all staff members have an obligation to observe and comply with the laws of Malaysia. While under the employment of the University, they will not disregard the law nor engage in illegal activities and behaviour.

In the context of their employment, staff members should be fully aware of all relevant Malaysian laws, Education Acts and Regulations and other legislative rulings that govern operation of private education institutions, employment and work, and student activities in education institutions. They are expected to work in full compliance with all the requirements of these laws. Those who require information on legal matters related to their work in the University are advised to consult with the Registrar of the University.

5.2 Compliance with the System of University Governance

All staff members are expected to be knowledgeable about the system of University Governance. They have the responsibility to participate in the life of the University and in its governance. They are required to act and work in support of the University's mission, values and priorities of the University and to contribute towards the achievement of the objectives of the institution.

In meeting this obligation, staff members must comply with the statutes, rules, regulations, policies and Codes of Conduct of the University. For example, staff members should refrain from any conduct which could adversely affect personal work performance or the safety or well-being of others. With respect to this issue, it is the policy of the University to prohibit the consumption of alcohol or smoking on campus as well as the use, possession, sale or distribution of illegal substances on University premises.

5.3 Academic Freedom

The University supports the concept of academic freedom as necessary for teaching, research and scholarship. It is the duty of staff members to use this freedom in a manner consistent with a responsible and honest search for knowledge and its dissemination. Academic freedom does not extend to behaviour that is harassing or disruptive, which interferes with or defames other staff members, or which may impact negatively on the interests (commercial or otherwise) of the University, the Sunway Education Group, or the Sunway Group of companies more generally. Staff must be sensitive to the competitive commercial environment in which the University operates and use academic freedom in a manner that is compatible with that context, which may be different from that of other higher education institutions.

5.4 Respect for People

The University seeks to provide a collegial working environment where all people are treated with respect, where people's rights are respected and where staff members and student achievements are given due recognition. Respect for people relates to the manner in which staff members deal with students, with other staff members and with members of the community. The University regards a staff member's personal behaviour towards and interaction with others as a vital part of the duties of his/her position.

Many factors have significant impact and consequences on the staff member's interpersonal relationships with others. These include:

5.4.1 Courtesy and Responsiveness

Staff members are expected to be courteous, responsive and prompt in dealing with students, other staff members and members of the community.

5.4.2 Non-discriminatory Behaviour

Staff members must treat all people justly and engage in conduct that is non-discriminatory on the basis of colour, race, gender, age, religion, status, disability, or cultural background.

5.4.3 Harassment and Bullying

Staff members should avoid behaviour that is or may reasonably be perceived as humiliating, harassing, intimidating, insulting, bullying, discriminating, patronizing or threatening. This would include any act that would amount to sexual harassment, exploitation and abuse.

5.4.4 Respect for Opinions

Staff members should accommodate and respect the opinions and perspectives of other staff members and students. They must refrain from acting in a way that would unfairly harm the reputation and career prospects of other staff members and students.

5.4.5 Respect Privacy of Others

All staff members and students are entitled to privacy and confidentiality with respect to personal information and data relating to performance of duties at the University. Staff members must respect people's rights to privacy and must undertake to keep personal information of others in strict confidence with due attention paid to the need for non-disclosure of any personal information to others in oral and written communications.

5.4.6 Professional Obligations

Staff members should encourage the pursuit of independent learning, integrity and ethical sensitivity in their colleagues and students, and should themselves demonstrate these qualities in their interactions with them. In teaching-learning situations, academic staff members should behave courteously towards students and be sensitive to their need for feedback and consultation, and will respond with flexibility and compassion to students in difficult circumstances.

Academic staff members should be professional with respect to ownership of academic works and acknowledge or give credit to the contributions of colleagues and students.

5.5 Personal and Professional Behaviour

The personal and professional behaviour of staff members should conform to appropriate standards that are expected of them by virtue of their positions in a University and be such as to bring credit to the institution, to professional practice and to fellow staff members. This includes:

- performing duties in accordance with the mission, priorities and objectives of the University;
- being proficient, honest, impartial and conscientious when performing their duties;
- keeping up to date with advances in the body of knowledge in their areas of expertise or professional field and seek to improve work performance and their workplaces;
- performing official duties to the best of their ability, with professionalism, integrity and diligence and will not undertake work beyond their capacity or competence;
- properly attired to project a good image and professional outlook;
- when making a professional judgment on a colleague or student, there is obligation of the staff members to be ethical, fair and objective;
- always assess any student's work fairly, objectively and consistently;
- maintaining a co-operative and collaborative approach to working relationships;
- refraining from exploitation of professional work relationships for personal gain or profit;
- rejecting favours of any kind from students and colleagues which may create a potential conflict of interest situation;
- engaging in conduct which has regard to the University's interests and which does not bring the University into disrepute.

5.6 Integrity of the University

Staff members must function to maintain and enhance public confidence in the integrity and quality of deliverables of the University and advance the University's common good.

The principle of integrity is about staff members not using his/her official position and power improperly. It also meant that any conflict that may arise between personal interest and official duty is resolved in favour of public interest.

5.7 Conflict of Interest

Staff members are placed in a position of trust – they manage resources, have access to information on people of the University community and make decisions that affect the interests of other staff members and students. This trust will be placed at risk when staff members fail to avoid (a) conflicts between their own private and/or financial interests and their responsibilities as a staff member of the University, and (b) situations where there could be a basis for the perception of conflicts e.g. participating in decisions affecting another staff member or student with whom the staff member has a close personal relationship.

The potential for a conflict of interest arises when staff members are placed in a situation where private interests, financial and non-financial, could influence or appear to influence judgements made during the course of his/her professional duty.

The following situations are examples of where potential for a conflict of interest might occur.

5.7.1 Financial Relationships

Financial relationships e.g. where staff members have interests in a company from which equipment is purchased or services obtained, can give rise to a conflict of interest. Staff members may find themselves in a position in which performance of their professional duties e.g. dealing with contractors and suppliers, may confer material or monetary benefits to themselves or their relatives. Should such a relationship exist, staff members are expected to disclose the relationship before any dealings or contractual decisions are made.

In general, staff members must take care that their financial interests and actions do not conflict or have potential conflict with the obligations of their position/ employment in the University.

5.7.2 Personal and Family Relationships with Students

To ensure fairness and objectivity, staff members should avoid any situations which may require them to supervise or assess a student with whom they have, or have had, a personal, familial or other significant relationship. Staff members must always ensure due processes are followed in assessment and not allow personal relationships to influence assessment of performance of the student.

When this is not possible, safeguards must be put in place i.e. more than one assessor will be involved. To ensure accountability, staff members are required to notify his/her Head of Department (HOD)/ Head of Centre (HOC)/ Dean of the existence of any such actual or potential conflict of interest.

5.7.3 Personal and Family Relationships Between Staff Members

Staff members should avoid any situations which may require them to supervise or to make a selection or promotion decision of another staff member with whom they have, or have had, a personal, commercial, familial or other significant relationship. Where a significant relationship and an actual or potential conflict of interest exists, the staff member must notify his/her HOD/ HOC/ Dean of such existence. Supervision, if permitted, must be openly seen to be of the highest professional standard and neither unfairly advantaging nor disadvantaging the supervisee.

5.7.4 Secondary Employment and Outside Professional Work

Staff members must comply with the Outside Work Policy which provides for the terms and conditions for staff members to undertake paid or unpaid outside work. All staff members and affiliates engaged in paid University work must ensure that any outside work which includes professional and charitable activities they perform:

- does not conflict with the interests of the University;
- does not interfere with their time commitment of duties and responsibilities of their employment with the University;
- does not adversely affect their University work performance;
- does not involve the use of University resources unless approved by the University authorities;
- is of a standard which enhances the prestige of the University and the professional reputation of the staff members involved.

Staff members should not seek to secure paid outside work tasks that would rightly be considered as part of his/her University duties.

5.7.5 Business activities

All staff members must declare to the University Management their business interests and their ownership/position/status in the business. They are required to complete the '[Conflict of Interest Declaration Form](#)' prior to confirmation of employment. Generally, staff members are not permitted to engage in any private business which conflicts with the business interests of the Sunway Group and/or of the University and which interferes with the performance of the staff member's duties and responsibilities at the University.

5.7.6 Acceptance of gifts

Staff members must not solicit, accept or encourage giving of any form of gifts or benefits for themselves or for another person in connection with the performance of their professional duties. Receipt of gifts can be perceived as an inducement to act in a particular way or to place the staff members under an obligation that may, directly or indirectly, compromise or influence them in their official capacity, thus creating a real or apparent conflict of interest.

Accepting gifts or favours of any kind from students to procure a positive assessment such as a better grade will be considered as gross misconduct under this Code of Conduct.

Cash or gift vouchers must not be accepted from any party which derives a commercial benefit from a contractual relationship with the University.

A staff member may give or accept an occasional gift of nominal value which is offered in accordance with social or cultural practice, provided that the recipient is satisfied that he/she cannot be compromised in the process. Any gift or benefit which cannot be considered as occasional and token must be declined or accepted on behalf of the University and it should then be retained by the relevant Programme or School.

All staff members and affiliates must comply with the Conflict of Interest Policy and ensure that there is no actual or perceived conflict between their personal interests or duties to other parties and their duties and responsibilities as an employee or affiliates. They must make disclosure to the University Management of all relevant facts and circumstances giving rise to an actual or perceived conflict of interest and cooperate with the Management to ensure that all appropriate steps are taken to eliminate such conflicts in accordance with the Conflict of Interest Policy.

5.8 Ethical Conduct of Research

Staff members undertaking or assisting research should do so in a manner consistent with intellectual honesty. In practice, it means that research should be designed to enhance knowledge in a particular field of scholarship, that it should employ sound methodology, and that the accuracy and integrity of data should be safeguarded. The intellectual contributions and intellectual property of others should be acknowledged appropriately. Harm to experimental subjects should be avoided, and the ethical principle of voluntary informed consent to research participation by human subjects should be respected. Appropriate ethical approval should always be obtained. The findings of research should only be published if the research has been conducted to the highest possible standards (including with sufficient statistical sample sizes where appropriate), the findings are reproducible or independently verifiable, and any conclusions drawn or claims made in such publications are fully justifiable from the results obtained.

Staff members undertaking or assisting research should not solicit funding or consultancies from the gambling and tobacco industries, nor should they conduct research deemed to be in support of the gambling and tobacco industries. Independent research on the impact of gambling and tobacco upon the community is permissible.

5.9 Intellectual Property and Copyright

Staff members are expected to comply with the Intellectual Property Policy.

Staff members should ensure that any work which they claim authorship is original and where it includes the work of another person, the work is appropriately acknowledged.

5.10 Public Comment

Public comment includes official or other statements by way of public speaking engagements, views and comments on radio/television and letters to newspapers, journals, notices or where it might be expected to reach the public.

Staff members and affiliates in their capacity as private citizens have a right to make public comments on any matter of public interest. In making public comments on issues of professional or public concern, it is expected that those views and commentaries will lie within the staff member's area of professional expertise. If so, the staff members may use the name of the University and his/her position in order to establish his/her credentials. If comments on issues are not within the staff member's professional expertise, the staff member must make clear that the comments are being made in his/her private capacity and not made as official views of the University. Views of the University can only be made public by senior managers authorized to act on behalf of the University. When staff members are representing the University, the highest ethical and professional standards are expected of them.

5.11 Protection of Confidential Information

Staff members and students are entitled to confidentiality and privacy with respect to information which is personal to them. No staff members shall have access to official information about any individual, unless a responsible and/or authorized official of the University is satisfied that the staff member is acting in the course of his/her duties and that the information is relevant to the purpose for which it is sought. All staff members have a duty to maintain the confidentiality and security of information on other staff members and students that they have accessed.

All staff members are also expected to maintain the confidentiality of dealings the University has with staff members, students and with outside organizations

5.12 Disclosure and Use of Official Information

The University is entitled to the protection and integrity of all official information it holds. No official University information will be made available to staff members except for institution purposes.

Personal information on staff members and students and official information of the University e.g. budgets, committee minutes and reports, will not be released to a third party. Staff members can only release official information that they are authorised to release in the course of their duties, with University authorisation or under special circumstances e.g. in a health threatening situation or under a legal obligation. A staff member should not release official University information in a manner which is misleading or likely to be misused.

5.13 Use of University Resources

All staff members and affiliates have a general responsibility to safeguard, properly use and care for University resources and properties as provided for by the University's Code of Conduct.

They are expected to use University resources in an efficient manner, and for official University purposes only. Unless permission has been granted for non-University usage, all staff members must avoid using resources of the University for private gain or the gain of a third party.

They must comply with the University's policy on the use of the University Information Technology System. Facilities such as electronic equipment, photocopying, telephones, mails, e-mails and internet are some areas where staff members are obliged to act responsibly. Excessive use of any of these facilities for private purposes can lead to the University taking disciplinary action against the staff members.

6. BREACH OF CODE OF CONDUCT

While the main goal of the Code of Conduct is educative, it acts to regulate behaviour. Where conduct falls below the minimum standards outlined in the Code, staff members may be counseled in accordance with the appropriate management policy and strategies. Significant departures from the standards of the Code of Conduct may amount to serious misconduct and the University can take disciplinary action against staff members in accordance with its disciplinary and relevant policies and procedures.

All staff members are urged to monitor the application of the principles outlined in this Code. If there is any doubt as to the applicability of the Code or a concern that breaches of the Code have occurred, staff members are encouraged to discuss the matter with his/her HOD/ HOC/ Dean or appropriate University authorities. Suspected breaches of the Code or of other University policies will be investigated and the appropriate action will be taken depending on the issues/concerns raised. The University will take the necessary steps to provide protection for staff members who make disclosures in good faith regarding conduct that is inconsistent with this Code.

7. RESOLVING ISSUES UNDER THE CODE OF CONDUCT

In general, minor breaches of the Code may not warrant any action. However, significant and consistent departures from the principles of the Code will be considered as serious misconduct and will be dealt with as follows:

- i Wherever possible, issues should be resolved at the local level. This may involve a staff member discussing the matter directly with his/her HOD/ HOC/ Dean. Staff members may seek advice from the Human Resources Department.

- ii The relevant HOD/ HOC/ Dean will assess the issue to determine the most appropriate course of action to follow, which could involve referring the matter directly to the President/ Vice-Chancellor. If the concern falls within the scope of any of the University's policies, it will be referred for resolution under the appropriate policy procedures.