



Governing Policy

This By-Law is made under the AAHMS Constitution and is intended to clarify expected conduct of Fellows.

Introduction and Purpose

- Outline the conduct expected by Fellows as well as the conduct that is unbecoming of a Fellow and prejudicial to the interests of the Academy.
- Outline conduct that may be, in the judgement of the Executive, prejudicial to the Academy's interests and therefore potentially warrant expulsion under the Academy's Constitution.

Definitions

Term	Definition
Academy	The Australian Academy of Health and Medical Sciences Limited (ABN 55 167 124 067), an incorporated body limited by guarantee and a registered charity.
Associate Member	A person who is approved as an associate member of the Academy in accordance with the by-laws and policies of the Academy, but who does not hold membership in the Academy
Board	The Board of Directors of the Academy, also known as the Executive, or the Council Executive.
CEO	Chief Executive Officer or most senior Executive Officer currently under employment.
Constitution	The Academy Constitution
Expected Conduct	The conduct set out in clause 1.1.
Fellow	A member of the Academy, as defined in the Constitution.
Fellowship	The membership of the Academy
Misconduct	Any conduct by a Fellow, whether or not it occurs in connection with the position of the Fellow, that may be prejudicial to the Academy's interests or may be unbecoming of a Fellow, including the conduct set out in clause 2

Provisions

1. Expected conduct

1.1. Fellows must ensure that, at all times, they engage in the following conduct (**Expected Conduct**):

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- 1.1.1. uphold the reputation and standing of the Academy within the community, including as an independent, authoritative body comprising a Fellowship of Australia's leading health and medical researchers;
- 1.1.2. foster a culture of respect among all those involved in the Academy, including Academy employees, officers and other Fellows, and among Australia's health and medical sector;
- 1.1.3. support all those involved in the Academy, including Academy employees, officers, Associate Members and other Fellows, in their activities associated with the Academy and in the conduct of their duties in relation to the Academy's work;
- 1.1.4. treat all those involved in the Academy, including Academy employees, officers, Associate Members and other Fellows, and those involved in Australia's health and medical sector with respect and fairness;
- 1.1.5. uphold the reputation and standing of other Fellows in Australia's health and medical sector as researchers elected by their peers based on outstanding contributions to their field or to science, research and innovation generally;
- 1.1.6. uphold and support the integrity of the Academy's processes, whether being the election of Fellows, development of policy advice for third parties (including government departments), assessment of awards or engagement with the health and medical sector and the public at large; and
- 1.1.7. act with professional integrity when engaging in any activities or work on behalf of or otherwise associated with the Academy.

2. Misconduct

For the purposes of clause 8.3(d) of the Constitution, conduct by a Fellow, whether or not it occurs in connection with the position of Fellow, that may be prejudicial to the Academy's interests or may be unbecoming of a Fellow (**Misconduct**) includes the following:

2.1. Academic, research and professional misconduct

- 2.1.1. Any misrepresentation, falsification, fabrication or plagiarism in relation to any aspect of a Fellow's work, whether or not the work directly relates to the Academy, including in connection with proposing, performing or reviewing research or in reporting research results (other than inadvertent errors).
- 2.1.2. Any employer of the Fellow or academic institution in which the Fellow is involved, determining that the Fellow has engaged in any form of academic misconduct or breached any obligation of academic integrity (as defined by the employer or institution), whether or not the Fellow is reprimanded.
- 2.1.3. Any employer of the Fellow or health institution, hospital or medical centre in which the Fellow is involved, determining that the Fellow has engaged in any form of professional misconduct or breached any obligation of professional integrity (as defined by the employer or institution, hospital or centre), including misconduct in connection with seeing, diagnosing, treating and advising patients, whether or not the Fellow is reprimanded.
- 2.1.4. Any published research, journal, article, paper or other academic material authored by or credited to the Fellow (whether individually or jointly) being retracted or becoming subject to scrutiny for any reason other than due to:
 - 2.1.4.1. an inadvertent error made by the Fellow; or
 - 2.1.4.2. the retraction or scrutiny not being attributable to any fault of the Fellow.

2.2. Non-academic misconduct

- 2.2.1. Any instance of engaging in or threatening the harassment (including sexual harassment), intimidation, vilification, abusing or bullying of another person, including but not limited to the Academy's employees and officers, Associate Members, other Fellows, the Fellow's colleagues, other researchers and any other person involved in Australia's health and medical sector.

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- 2.2.2. Any instance of engaging in or threatening behaviour that causes, or is likely to cause, physical or psychological harm of any kind to another person.
- 2.2.3. Any instance of behaviour or conduct, including by publishing any material or statement, that is likely to bring the Academy into disrepute or in any way harm the Academy's reputation, including among persons involved in the Academy, the research and innovation sector and the health and medical sector as a whole.
- 2.2.4. Any instance of behaviour or conduct that contravenes any Australian law relating to anti-discrimination that applies to the conduct or behaviour.
- 2.2.5. Any instance of behaviour or conduct that disrupts or causes unreasonable interruption to the ordinary and orderly conduct of the Academy and its activities, including at any event organised by or affiliated with the Academy or the Fellows.
- 2.2.6. Making, publishing or providing any comment or statement on behalf of the Academy without the Board's express permission (or the express permission of an applicable delegate of the Board), whether in private or publicly.
- 2.2.7. Making, publishing or providing to any person any false statement or comment relating to the Academy or those involved in the Academy.
- 2.2.8. Any instance of behaviour or conduct that breaches any policy of the Academy that applies to Fellows, including the Academy's diversity and inclusion policy.
- 2.2.9. Any instance of behaviour or conduct that brings or may bring prejudicial attention or disrepute to the Academy .
- 2.2.10. Any instance of behaviour or conduct that encourages, persuades, promotes or incites any other person to engage in behaviour or conduct constituting non-academic misconduct as set out in this clause 2.2.
- 2.2.11. Any instance of behaviour or conduct that falls to satisfy the Expected Conduct.

3. Breach of this By-Law

- 3.1. If at any time, following an investigation in accordance with any Board policy, the Board is reasonably satisfied that a Fellow has engaged in Misconduct, including by failing to satisfy the Expected Conduct, then the Board may expel the Fellow in accordance with clause 8.3(d) of the Constitution.
- 3.2. If a Fellow is suspended or expelled as a Fellow as a result of any breach of this By-Law, then:
 - 3.2.1. the Fellow will not be permitted to attend any event organised or affiliated with the Academy or its Fellows; and
 - 3.2.2. the Academy may in its sole absolute discretion not recognise any ticket or other right of entry the Fellow acquires for an event organised or affiliated with the Academy or its Fellows, in which case the Academy will refund the Fellow their purchase price for the ticket (if any).

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Code of Conduct history as at [date]		
Commencement of By-Law		
This By-Law was approved by the Fellowship of the Academy on [DATE], following previous approval by the Executive and Council. It commenced on that date.		
Subsequent amendments to By-Law		
Item	Amendment	Commenced