

PURPOSE

To provide guidance for staff and students speaking publicly as part of their role at the University.

1.0 INTRODUCTION

1.1 The University is a legal entity and that entity as a whole is represented publicly by the University Council through the Chancellor, and the Vice-Chancellor, or their delegates. The role and functions of the University are defined in section 14 of the Education Act 1989. For the purpose of this policy attention is drawn to Sections 160-162.

1.2 Members of staff and students of the University may speak publicly in one of three roles:-

1.2.1 As an academic or expert speaking publically on a matter related to their area of expertise and their role at the University. This is an important activity for the University and one which is encouraged and supported.

1.2.2 As an official of the University or delegate of the Chancellor or Vice-Chancellor representing the official view of the legal entity that is the University.

1.2.3 As a private individual speaking publicly about matters not related to their area of expertise and/or their role at the University.

2.0 DEFINITIONS

2.1 For the purposes of this Policy only :-

2.1.1 "Members of staff" shall include all Councillors, all Committee members (whether or not on a University payroll), all staff and employees of the University and its subsidiary companies and their boards, and all honorary Members of staff or honorary appointees.

2.1.2 "Speaking" includes all forms of communication that could be reasonably regarded as being in the public domain. For the purpose of clarification this includes all forms of electronic communications and social media.

3.0 POLICY

3.1 When speaking publicly members of staff and students should consider in which role they are acting and identify clearly to the recipients of that communication that role – as an academic or expert, as an official of the University or as a private individual.

3.2 Speaking as an academic or expert

Members of staff (Academic and Professional) are encouraged to make statements to the media, or respond to media queries, or make public statements in subject areas where they have recognised special expertise or recognised competence, provided it is made clear that when making such a statement or communication that it is not made by or on behalf of The University of Auckland. Such statements should implicitly, or preferably explicitly, refer to the recognised expertise or competence. Members of staff making such statements or communications are also encouraged to work through the University's Communications Manager who is able to provide advice and support for staff interactions with the media

3.3 Representing the University

No Staff Member or student is to speak for, or to publicly commit the University as an entity on any issue, as to any expenditure, or to create any liability for the University unless that person has an explicit delegation to do so, flowing either from the Council or the Vice-Chancellor.

3.4 Speaking in a private capacity.

When speaking in a private capacity or when representing another organization that is not connected with their University role a Staff Member should not include in the communication any material that may suggest that this communication relates to their role at the University. A University title or honorific should not be used where a Staff Member is making a statement or communication that is intended to be, or submitted as, speaking or writing in that person's private capacity. This aspect of the policy applies to any member of staff undertaking private consulting that is not part of their role at the University or is not contracted through the University or Uniservices.

3.5 Communications

Members of staff should conduct private communications such that a recipient is in no doubt that the staff member is writing or communicating in their private capacity and not on behalf of the University. Particular care should be taken in using any University email or web address when communicating in a private capacity.

Private communications are not to be carried out using a University email or web address in circumstances where there might be a perception that such communications are on behalf of the University. Where communicating (in hard copy, emails, electronically or online) in their private capacity, Members of staff should not use, for example, University letterhead, paper, business cards, envelopes or sign offs whether electronic or otherwise.

All Members of Staff should be aware that all University communications, whether sent as part of official University business or for private purposes, are subject to discovery as part of an official investigation or as a result of a request under the Official Information Act.

Members should be mindful that communications made using University resources (letterhead or email or similar) should not in the normal course be representing or reproducing third party logos, advertising, or affiliations.

AUDIENCE

All Members of staff and all students of the University of Auckland.

RELEVANT LEGISLATION/RELATED PROCEDURES

The Fair Trading Act 1986

The Consumer Guarantees Act 1993

The Contractual Remedies Act 1979

The Education Act 1989

The University Delegations Framework and delegations made pursuant to it

The University's Insurance Policies and procedures

The University's Conflict of Interest Policy

The University's Information & Communications Technology Acceptable Use Policy

The University's Email Usage Policy.

NON-COMPLIANCE

Non-compliance with this Policy may result in:

- (i) legal claims being made against the University;
- (ii) individual Members of staff prejudicing or removing any insurance cover they may have under the University's overall cover for University officers;
- (iii) Private communications being "discovered" during the course of an investigation or an Official Information Request
- (iii) Conflicts of interest;
- (iv) Disciplinary action.

DOCUMENT MANAGEMENT AND CONTROL

Prepared by: The Office of the Vice-Chancellor
Owned by: The Vice-Chancellor and Deputy Vice-Chancellor (SE)
Approved by: The Vice-Chancellor
Review date: 2 yearly; March 2014
Past Review dates: 2012
Amendment dates: March 2010; July 2012