



MIA Educator

Code of Conduct & Complaints Handling

Part 1 - Introduction

- 1.1 This Code of Conduct ('Code') is intended to regulate the conduct of a MIA member or other member of the public contracted or otherwise engaged by the MIA from time to time as an approved MIA Educator ('MIA Educator') to deliver a MIA education program and/or associated learning materials ('MIA education program')
- 1.2 In addition to the requirement to adhere to the *Code of Conduct for MIA members* and the *Code of Conduct for registered migration agents* issued by the Department of Immigration and Border Protection (where relevant), a MIA Educator must adhere to the following Standards of professional conduct when delivering or otherwise facilitating a MIA education program.
- 1.3 The aims of this Code are:
 - (a) to establish a proper standard for the conduct of a MIA Educator; and
 - (b) to set out the minimum attributes and abilities the MIA Educator must demonstrate when delivering a MIA education program on behalf of the MIA.
- 1.4 The Code imposes on a MIA Educator an overriding duty to act at all times in the best interests of the MIA to ensure the MIA is always represented professionally and respectfully when the MIA education program and associated learning material is presented to course attendees.
- 1.5 The Code is a fundamental MIA standard designed also for an audience beyond the MIA membership, including attendees requiring migration law education, including legal professionals and organisations as well as members of the wider community.
- 1.6 This Code is not intended to provide professional advice on specific issues. It provides a broad framework for assessing misconduct and unprofessional conduct in the context of the provision of a MIA education program.

Part 2 - Standards & responsibilities of professional conduct

2.1 A MIA Educator must:

- (a) attend and deliver the MIA education program and learning materials competently, diligently, fairly and respectfully.
- (b) ensure he/she undertakes appropriate and relevant private personal professional development to ensure personal knowledge with respect to laws governing an area(s) contained within the MIA education program is kept up-to-date having regard to the subject matter and education being presented.
- (c) be reasonably aware of legislation, and common law requirements relating to course materials and subject(s) being presented.
- (d) act in a professional and responsible manner, including being punctual with respect to MIA education program timing requirements.
- (e) not offer, promote or otherwise refer to personal or third party business services which are in competition with the MIA or MIA education program.
- (f) not promote personal or third party business interests which may in any way be in conflict or competition with sponsorship arrangements with the MIA.
- (g) not accept any gift, payment, favour or hospitality that may be interpreted as seeking to exert undue influence.

2.2 A MIA Educator has a duty to:

- (a) declare all relevant conflicts of interest and to take appropriate action when a conflict of interest arises.
- (b) engage with all course attendees in a manner that is consistent with established workplace human resource protocols including workplace bullying and harassment policies and workplace safety legislation.
- (c) respect the dignity, culture, ethnicity, values and beliefs of all colleagues and attendees associated with the MIA education program.

- (d) keep accurate records and documents with respect to the MIA education program that is delivered on behalf of the MIA and to report and present such records promptly on the reasonable request of the MIA.
- (e) acknowledge the limitations of their knowledge and competence and not to misrepresent or otherwise engage in conduct that is likely to mislead or misrepresent an aspect of relevant subject matter contained or otherwise covered by the MIA education program.
- (f) elevate immediately to the MIA any verbal or written complaint raised by any attendee of a MIA education program concerning the alleged breach of this Code by any MIA Educator so the complaint may be investigated by the MIA to determine what action, if any, is to be taken in response to the complaint.

Part 3 - Limitation of Authority

- 3.1 A MIA Educator shall not sub-contract or otherwise engage any third party to undertake the delivery of any aspect of a MIA education program without the express prior written approval of the MIA.
- 3.2 A MIA educator shall not expressly or impliedly represent to any third party that the MIA Educator has authority or agency rights to bind the MIA to any contractual arrangements with any third party.

Part 4 - Complaints Handling

- 4.1 Complaints regarding MIA Educator conduct will be investigated swiftly. Any complaint relating to an MIA Educator's conduct is treated seriously by MIA staff and immediately escalated to the Professional Support Team Manager for further investigation and action.
- 4.2 Where a serious complaint raises allegations of professional misconduct or unprofessional personal behaviour relating to the MIA Educators or course Candidate (where either is also a registered MIA member), the complaint will also be referred to the CEO for potential consideration and referral to the MIA's Disciplinary Sub-Committee for further investigation and action in accordance with the 'Discipline of Members' provisions within the *Constitution of the Migration Institute of Australia* and *Rules of the Migration Institute of Australia*.
- 4.3 All complainants will be informed in writing of the outcome of any complaint investigated by the MIA.

4.4 Complaints should be addressed to the following:

The Professional Support Team Manager
Level 1, 75 King Street
Sydney NSW 2000
Phone: (02) 9249 9000

Part 5 - Definitions

For the purposes of the *MIA Educator Code of Conduct* the following definitions apply:

Attendees means those members of the public who either attend a MIA education program or otherwise receive learning materials by an approved MIA Educator.

Code means the *MIA Educator Code of Conduct*.

Conduct means the professional behaviour of the MIA Educator.

MIA means the Migration Institute of Australia Limited ACN 83 003 409 390

MIA Educator includes a registered MIA member, registered migration agent or other member of the public that may be contracted by the MIA from time to time to perform duties and responsibilities as an independent contractor to provide educational services and expertise with the sole purpose of providing an MIA educational program on behalf of the MIA.

MIA education program means an approved educational program and/or associated learning materials including face-to-face lectures, seminars, workshops, coursework, webinars, the Practice Ready Program (PRP), written materials and verbal/written assessment thereof delivered, performed or otherwise facilitated on behalf of the MIA by an MIA Educator.

Misconduct means conduct that does not conform to the relevant scope and duties of the MIA Educator as reasonably determined by the MIA.

Unprofessional conduct means conduct outside the agreed standards and competencies as set by this Code.