



# **Corner House Respite Services Staff Code of Ethical Conduct**

## Introduction

The CHR Code of Conduct covers staff expectations and specifies CHR's ethical principles. CHR expects all staff adhere to the requirements outlined within the Code of Conduct whilst representing the agency on shift and within the community.

Staff are expected to be aware of, refer to and understand all approved policies and procedures. CHR will provide the policies and procedures through ongoing training, during induction and throughout employment in a controlled format.

Legislation applying to employees are:

Age Discrimination Act 2004 (Cth)

Anti-discrimination Act 1977 (NSW)

Disability Discrimination Act 1992

Crimes Act 1900

Children and Young Persons (Care and Protection) Act 1998 (NSW)

Disability Services Act 1993 (NSW)

Fair Work Act 2009

Human Rights and Equal Opportunity Commission Act 1987

NDIS Code Of Conduct – National Disability Insurance Scheme Act 2013

Ombudsman Act 1974

Privacy and Personal Information Protection Act 1974

Racial Discrimination Act 1975

Sex Discrimination Act 1984

Work, Health and Safety Act 2011 (NSW)

### **Who must comply with the Code of Conduct?**

- All CHR staff

By accepting employment with CHR, staff must be aware of and comply with this code.

- Contractors, volunteers, advising board members and consultants

All should be aware of this code. Any serious breach of this code may result in contract or volunteer activity being terminated and/or legal action.

### **What is expected of people who are subject to the code?**

Some general guidelines for people include performing duties to the best of their ability and follow reasonable instructions from their supervisor. They must be professional in all duties and be accountable for presentation, as well as act honestly and ensure compliance with workplace safety requirements. They must be a team player and strive to improve their knowledge and skills through relevant professional development.

### **What happens if I breach the code?**

The breach will be dealt with in accordance with the appropriate course of action in relation to legal, legislative and organisational requirements.

Consideration will be given to:

- The seriousness of the breach
- The likelihood of reoccurrence of the breach
- If the breach has been committed before by the employee
- The risk the breach poses to participants, the organisation and the employees
- If the breach warrants formal disciplinary action

Breaches will be dealt with in line with the CHR Disciplinary Policy, CHR Bullying, Harassment and Discrimination Prevention Policy, CHR Complaints Management Policy and CHR Grievance Management Policy. This will occur through counselling, via criminal or civil action depending on the nature of the breach.

Records of all investigations undertaken on an employee, the breach, feedback and other information will be recorded the employee's file for performance history. This is recorded in line with the CHR Records Management and Privacy Policy.

### **Confidentiality and Privacy**

All information gained through the course of employment is confidential and will not be shared with others outside of the organisation without authorisation from the Director. In some cases releasing information without proper authority to do so could be a criminal offence.

All employees must:

- Respect the confidentiality and privacy of colleagues and individuals in care
- Ensure individual in care's information is not shared with persons outside of CHR, or employees or contractors within CHR that have no legitimate reason to have access to the information.

- Comply with the CHR Records Management and Privacy Policy.
- Not make or retain copies off site of confidential materials.

### **Duty of Care**

In order to maintain an adequate standard of performance, each individual employee has the responsibility to proactively attain new skills and knowledge in their area of expertise. Where appropriate, CHR may offer additional training in order to provide employees with the additional skills required to carry out their respective roles.

CHR employees who are directly responsible for the caring of others have a primary moral obligation to ensure the care given is beneficial and not to cause harm. Employees have an ethical responsibility to not expose an individual in care to risk or harm at any time and actively reduce potential risks where possible.

CHR will consistently provide a safe and secure workplace for all of its employees. This standard will be continuously maintained by providing the adequate communication channels to all employees. Using the appropriate channels will enable employees to convey any concerns regarding their workplace safety.

### **The NDIS Code of Conduct**

The Code of Conduct requires workers and providers who deliver NDIS supports to:

- act with respect for individual rights to freedom of expression, self-determination, and decision-making in accordance with relevant laws and conventions
- respect the privacy of people with disability
- provide supports and services in a safe and competent manner with care and skill
- act with integrity, honesty, and transparency
- promptly take steps to raise and act on concerns about matters that might have an impact on the quality and safety of supports provided to people with disability
- take all reasonable steps to prevent and respond to all forms of violence, exploitation, neglect, and abuse of people with disability
- take all reasonable steps to prevent and respond to sexual misconduct.

### **Copyright and Intellectual Property**

Employees cannot use CHR intellectual property including copyright for private purposes or share information with third parties including the media without the written permission of the Director.

If employees develop material relating to their employment with CHR (eg, for university or TAFE studies), they must gain written permission prior to submission from the Director.

### **Professional Relationships with Participants and Families**

All participants receiving supports from CHR and their staff must only receive communication that is professional and free from abuse. All participants and their families have the right to a safe emotional and physical environment.

Employees must not enter a relationship with a participant or their family member. Any breach will carry serious consequences within CHR and with the police where necessary.

### **Bullying, Harassment and Anti-Discrimination**

CHR has a zero-tolerance policy regarding bullying, harassment and discrimination in the workplace. All employees and participants have the right to an environment that is free from harassment and discrimination. All employees must abide by the CHR Disciplinary Policy, CHR Bullying, Harassment and Discrimination Prevention Policy, CHR Complaints Management Policy and CHR Grievance Management Policy.

### **Conflicts of Interest**

All employees have the responsibility to notify their supervisor immediately where they identify a real or perceived conflict of interest in their working activities and duties to avoid the risk of possible engagement in unethical activities.

### **Personal Relationships with Participants**

Employees must not develop or pursue relationships which extend beyond professional boundaries with individuals in care unless there is a legitimate reason for the relationship. Examples of these include the participant in care being a family member of the employee, or already having an existing friendship with the participant and the relationship was not established because of or through their work at CHR. These relationships must be declared to the Director.

### **Personal Relationships**

Personal relationships occur within workplaces as well as with through business activities with external agencies. These relationships are not to cause conflicts of interest within the position or duties of the employee and must not be viewed as ethically questionable. Employees must declare personal relationships to the Executive Manager to ensure a conflict of interest assessment is completed to manage recruitment processes and financial relationships.

### **Gifts, Benefits and Bequests**

Gifts, benefits, bequests and hospitality must not be accepted by any employee without declaring the occurrence of such offers to a supervisor or the Director prior to acceptance. Employees must deal with others fairly and honestly, not threaten or harass, or actively seek

gifts, benefits, or hospitality from others. Gifts of monetary value are not to be accepted under any circumstances and the offer of such must be declared immediately to the Director.

Approval for the acceptance of a gift, benefit, bequest or hospitality will be assessed through determining whether acceptance may be viewed to compromise objectivity, may be reasonably seen as likely to influence the employees in their official capacity or where the clear intention is to induce the employee towards a specific decision and placing them under an obligation to do so. Gifts, benefits or hospitality must not be accepted at any time from a vulnerable group or individual, this includes a participant's immediate or extended family members.

Employees must inform prospective givers that they are unable to accept the gift/benefit without approval or declaration to the Director prior to acceptance. Throughout festive periods family members and others may give gifts to employees, these are to be declared to the Director prior to accepting and utilising. The Director will ensure the family member is not to get the impression that once the gift has been given and accepted that now there is an obligation or the expectation of a change in behaviour towards benefitting their participant over others.

### **Dress Code**

Employees must dress professionally and in a manner that establishes credibility, will role model a positive presentation to the participants that CHR support and in a way that maintains respect.

Employees should dress neat, clean and appropriate for the environment that they are working in. Clothing should be comfortable and take into account the level of contact with the participant they are supporting, Workplace Health & Safety and weather forecasts.

Acceptable items of clothing include:

- T-Shirts
- Cap Sleeved Shirts
- Polo Shifts
- Enclosed Footwear that must protect from hazards and be supportive
- Denim pants/jeans
- Cargo shorts, pants or capri pants
- Knee length professional skirts or dresses

Unacceptable items of clothing include:

- Singlets
- Midriff tops
- Shirts with offensive language
- Thongs
- Slippers
- Sandals
- Hot pants/short shorts
- Sarongs
- Short Skirts

- Exposed underwear
- Gym tights

### **Alcohol, Smoking and Other Drugs**

CHR is committed to providing a safe working environment by minimising the harm associated with alcohol and drugs to its employees and individuals in care.

The consumption of drugs and alcohol is strictly prohibited whilst carrying out work related tasks. CHR will conduct random, for cause, post incident and field Drug and Alcohol Testing. Persons refusing to undergo a test, will be refused access to their site, and will be required to undergo and pass a test before being allowed to recommence work.

CHR have zero tolerance for employees smoking cigarettes or the use of a vape device (or use of an e-cigarette) on any of its premises or while employees are representing CHR. All employees, visitors and individuals in care are entitled to an environment that is free from second-hand smoke.

In addition to this and in accordance with company values, CHR employees should provide adequate role modelling to all individuals and families supported by CHR, and in no way encourage or validate smoking.

### **Public Comment**

Employees must be aware of any circumstance that they may be perceived to be making comment on behalf of CHR to any form of media.

Employees must not publicly criticise CHR on social media or in public forums.

CHR understands that there may be circumstances that cannot be avoided in relation to exposure to the media. Where there is an opportunity to do so, the employee must inform the media that they are unable to speak on behalf of the organisation and must refer the media representative to the Director to make public comment.

### **Criminal Charges and Convictions**

All employees are required by law to inform the Director or their manager if they are charged with or convicted of a serious offence.

### **Jewellery and Accessories**

CHR requests that employees apply reasonable risk assessment to their jewellery, body piercings and accessories. This includes removing such jewellery or body piercings where there is a possibility to have harm caused to the employee or item of jewellery or where the jewellery or body piercing impedes the employee's ability to perform their required tasks.

CHR takes no responsibility in replacing jewellery of any kind.

CHR employees should declare any tattoos that have any symbolism that can be perceived as derogatory, racist, culturally offensive, sexist or have offensive language in order to address this issue and avoid conflict. CHR reserves the right to ask employees to conceal any potentially offensive tattoos.

### **Use of CHR Equipment**

CHR provide employees with equipment to adequately carry out the requirements of their role and this should be treated with care and respect. Any damage to company property must be declared as soon as possible to the Director for assessment. The employee is responsible for replacing or cost of repair to any damaged CHR equipment,

### **Recording and Reporting**

CHR employees who work directly with individuals in care are mandatory reporters. During their employment, if an employee identifies an individual who they perceive is at risk of significant harm, they are required to report the incident and circumstances to follow the CHR Protection of Human Rights and Freedom from Abuse Policy and procedures.

Fraudulent and corrupt behaviour is to be reported immediately to the Director. This behaviour usually involves abuse of trust, dishonest or deceitful behaviour, gaining personal benefit, claiming unentitled expenses, financial corruption or the disclosure of information for personal benefit.



## **Code of Ethical Conduct**

### **Statement of Agreement – Employees, Consultants, Contractors, Work Experience Volunteers, Students and Volunteers.**

I have received and read my copy of the Code of Ethical Conduct and had the opportunity to clarify issues with the Compliance Manager or the Operations Manager.

**I agree to abide by this conduct.**

Employee Name:

Employee Signature:

Date: