

EMPLOYEE CODE OF ETHICS AND CONDUCT POLICY

Purpose

Our Employee Code of Conduct company policy outlines our expectations of all employees, volunteers and contractors regarding their conduct and ethical behaviour towards clients, colleagues, supervisors and the overall organisation.

Policy Statements

Community Care TASMANIA promotes freedom of expression and open communication. It is expected that all employees, volunteers and contractors work in accordance with this policy, and that they will work in a way that will result in a well-organised, respectful and collaborative work environment.

Community Care TASMANIA commits to creating and maintaining a safe work environment for all workers that is free from abuse, violence, discrimination, harassment or victimisation.

Restrictive practices do not form part of Community Care TASMANIA's care or support of clients and are not tolerated. Restrictive practices include:

- a. seclusion
- b. chemical
- c. mechanical
- d. physical
- e. environmental
- f. psychosocial

Scope

This policy applies to all employees, volunteers and contractors of Community Care TASMANIA, regardless of employment status or position.

It is a condition of employment with Community Care TASMANIA that employees comply with this Code of Ethics and Conduct Policy in the performance of their duties.

Compliance

All employees must perform their duties in a manner which promotes and ensures that the organisation complies with relevant legislation. This includes compliance with all environmental, Work Health and Safety, privacy and any other relevant State and Federal laws.

This policy incorporates required employees', volunteers' and contractors' ethical and conduct obligations to ensure compliance with numerous client funding frameworks, including National Disability Insurance Scheme (NDIS), Home Care Packages (HCP), Commonwealth Home Support Packages (CHSP), Veterans Home Care (VHC), and Home and Community Care (HACC).

1. CODE OF CONDUCT

This policy requires all employees, volunteers and contractors delivering care and support services to;

1. Act with respect for individual rights to freedom of expression, self-determination and decision-making in accordance with applicable laws and conventions.
2. Respect the privacy of all clients receiving care and support, including people with a disability.

3. Provide supports and services in a safe and competent manner with care and skill.
4. Act with integrity, honesty and transparency, including abiding by the philosophy and values of Community Care TASMANIA.
5. Promptly take steps to raise and act on concerns about matters that may impact the quality and safety of supports and services provided to clients, including those with a disability.
6. Take all reasonable steps to prevent and respond to all forms of violence against, and exploitation, neglect and abuse of, clients, including people with a disability.
7. Take all reasonable steps to prevent and respond to sexual misconduct.

2. WORKING WITH CLIENTS

All employees, volunteers and contractors, including those providing direct care and support as well as all office-based employees, are required to perform their duties in a manner which ensures that the following standards are consistently met;

When interacting or working with clients using our services, employees, volunteers and contractors will;

1. Provide support and services in a safe and competent manner, with care, skill and compassion.
2. Always treat clients with respect, and be mindful of their rights to privacy, dignity and confidentiality by treating all information provided to them by a client as confidential.
3. Always show respect for clients' cultural or religious sensitivities or requirements, and will ensure responsiveness of the services being provided to clients' needs and circumstances.
4. Work professionally to meet the standards of superior customer service, meeting the clients' expectations and needs promptly and efficiently.
5. Uphold the rights of all clients, including their rights as consumers.
6. Never harass, abuse clients – physically, verbally or psychologically.
7. Never to act in a way that may alienate clients from their family or personal support networks, or which could be construed to do so.
8. Facilitate informed decision by participants in a person-centred approach which supports and reflects their preferences and expectations
9. Ensure that clients are provided with, and understand, all information relevant to their situation, options available to them and conditions of use for the service.
10. Treat all people in a manner that demonstrates respect and ensures their environment is safe, taking all reasonable steps to prevent any activities that will impact on the quality and safety of the services provided.
11. Report to their supervisor or case manager any potential or real risks of harm or abuse to clients, including to persons with a disability.
12. Take all responsible steps to prevent and respond to all forms of violence against, and exploitation, neglect and abuse of clients, including people with disability. In the event this is suspected;
 - a. Advise the office immediately it is suspected to raise your concerns
 - b. Protect the safety of the client in the first instance
 - c. Seek the appropriate assistance
 - a. CCT staff
 - b. Police
 - c. Ambulance
13. Ensure all clients have access to independent advocacy or support if they require in making any decisions, and to never give advice to clients.
14. Never to attempt to diagnose the medical condition of a client, but to limit discussion to health promotion as provided by a registered health professional.
15. Be aware of personal and professional boundaries by never disclosing personal information or concerns to a client, never taking a client to your home, never meeting with clients when you are not rostered to do so, and never entering a sexual relationship with a client
16. Treat all people in a manner that demonstrates respect and ensures their environment is safe, taking all reasonable steps to prevent any activities that will impact on the quality and safety of the services provided.
17. Not accept money or other gifts from clients.
18. All employees will promptly take steps to raise and act on concerns about matters that may impact the quality and safety supports and services provided to clients.
19. All employees will take all reasonable steps to prevent and respond to all forms of violence against, and exploiting neglect and abuse of, clients including people with a disability.

20. All employees will respect individual clients' rights to freedom of expression, self-determination, and decision-making in accordance with laws and conventions.
21. All employees will take all reasonable steps to prevent and respond to sexual misconduct.

3. STANDARDS OF WORK

All individuals will perform their duties to the best of their abilities and at the highest level of professional conduct. They will be accountable for their work and their interactions with others.

Employee Accountability:

1. Work within the values, goals and objectives of the organisation
2. Follow the rules, policies and procedures of the organisation, including the financial accounting procedures.
3. Act within the law
4. Undertake all duties in a diligent manner
5. Not act in a way that brings them or the organisation into disrepute
6. Undertake training as required.

Personal behaviours:

1. Work cooperatively as a member of the team
2. Support colleagues and treat everyone with respect and courtesy
3. Discuss ethical concerns with colleagues and managers
4. Project a positive image of the organisation
5. Not be absent from duties without an appropriate reason
6. Maintain confidentiality

4. WORKPLACE STANDARDS

4.1 All employees, volunteers and contractors are required to;

1. Always act with integrity and honesty in the performance of their duties.
2. Act fairly and equitably.
3. Treat all persons with whom they come into contact during the course of their work, including colleagues, clients and other stakeholders, with courtesy, honesty, and respect. This respect includes the individual, their values and their rights.
4. Not misappropriate CCT funds or property.
5. Only use CCT resources for the purposes as directed by Management in the discharge of their employment duties.
6. Always be transparent when making decisions and when giving advice, ensuring principles of accuracy and timeliness are also observed.
7. Ensure that all actions taken during the performance of their duties can withstand scrutiny.
8. Show integrity and professionalism in the workplace and when representing the organisation; in the office, in the community, and online.
9. Be reliable in all matters including punctuality and attending work at the times agreed, and to notify their supervisor or delegated employees of their absences, to report and account for all leave taken, to record attendance and obtain approval before changing their work times.
10. Comply with the requirements of their duty statements and agreed work plans, paying appropriate attention to quality and detail in their work
11. Provide accurate and honest information to delegated officer about work completed and challenges experienced in completing work
12. Follow instructions that are reasonable and lawful and within their capability and training
13. Report any suspected corrupt or fraudulent practices of others. Any staff member making a complaint will be protected from reprisal and report will be treated with confidentiality
14. Observe the requirements for conditions of employment and safety as described in our Workplace Health and Safety Policy. To support employees with this requirement, Community Care TASMANIA will ensure appropriate processes and procedures are in place which meet the requirements of the WHS Act.
15. Perform their duties unaffected by alcohol or the use of drugs other than those prescribed for them by a medical practitioner. This also applies when conducting business or training offsite for Community Care TASMANIA. Employees are obliged to notify their supervisor of any medication they are taking that may affect their performance.
16. Maintain a harmonious, co-operative and productive workplace, respectful of diversity.

17. Ensure they do not use their position to exert inappropriate influence over others
18. Conform with our equal opportunity policy in all aspects of their work, including during recruitment processes, performance evaluations, and in all interpersonal workplace relations.
19. Are required to read and comply with all organisational policies. All staff are to familiarise themselves with the policies at least every 12 months, and whenever there is an alteration in a Policy.
20. When dealing with one another, management, clients, external stakeholders and other agency representatives, to be respectful, honest and courteous.
21. Give accurate information and prompt attention, and observe fairness and equity in all their dealings with others in the performance of their duties.
22. Treat our organisation's property - both material and intellectual - with respect and care. This includes but is not limited to: vehicles, equipment, supplies, and records.
23. Acknowledge all property used while in the employ of Community Care TASMANIA, which includes but is not limited to: vehicles equipment, supplies, data, all records of any type held by CCT, work emails and other IT property- remains the property of Community Care TASMANIA. This clause remains in operation for 10 years after leaving Community Care TASMANIA.
24. Attend work in a clean, tidy and presentable manner, ensuring clothing worn is appropriate and professional (refer code of dress policy).
25. Must respect and maintain strict confidentiality of all information obtained during the course of their employment with CCT. This obligation extends after a person leaves employment. (Refer Employee Code of Confidentiality).
26. Must declare any conflict of interest - whether real or perceived. Will promote the interests of Community Care TASMANIA at all times. <W:\Staff conflict of Interest Declaration\Declaration-and-management-of-conflict-of-interest-form-template.docx>
27. Not permitted to make unauthorised statements to the media about the organisation. This includes all forms of media. Any approaches made to employees by media representatives requesting statements or information about the organisation or its clients must be referred to Chief Executive Officer or a person delegated by the CEO. (Refer *Media Policy*).
28. Undertake to inform Community Care TAMANIA immediately if charged and/or convicted of any disclosable offences which arise since the date of issue of their previously provided National Police Check.

4.2 Sexual Misconduct

All employees, volunteers and contractors are required to take all reasonable steps to prevent and respond to sexual misconduct by meeting the following requirements:

1. Understand and accept that all people have a right to sexual expression and to develop and maintain sexual relationships.
2. High standards and professional boundaries are to be maintained between worker and client.
3. Workers are to ensure that touching while performing supporting functions of a client is professional and cannot be mistaken for sexual misconduct.
4. No personal relationship is allowed between a worker and a client, if you feel that a relationship is developing you must report it to the case manager and be removed from that client's care.
5. Clients are encouraged to make a comment, compliment and a complaint when they feel they need to. These communications will be taken seriously and followed up as required. CCT will act in good faith to assist the client to resolve any complaints.
6. Do not engage in sexual or other unlawful harassment towards co-workers, clients or stakeholders/external agencies.

4.3 Anti-Discrimination and Equal Opportunity

Community Care TASMANIA and its employees, volunteers and contractors are never to discriminate on the basis of characteristics such as gender, race, disability, pregnancy, age, marital status or sexual preference.

4.4 Harassment and Bullying

Harassment and bullying are unacceptable and contrary to ethical behaviour. Additionally, harassment based on a person's sex, race, ethnic religious background, age, pregnancy, marital status, disability, transgender (transsexual) status or sexuality breaches anti-discrimination and human rights law.

Harassment in the workplace can take many forms. It can be obvious or subtle, direct or indirect. It includes:

- Sexual or suggestive remarks or gestures
- Displaying or circulating sexually suggestive, offensive or degrading/insulting material (e.g. on walls, computer screen savers, email)
- Making fun of someone, spreading rumours, and unwelcome practical jokes
- Obscene or unsolicited telephone calls, letters, faxes or email messages
- Invasion of personal space, unnecessary physical contact
- Continually ignoring or dismissing someone's contribution
- Pushing, shoving or jostling or assault
- Threats, insults, name calling, inappropriate language
- Creating a hostile feeling or environment, even when there are no direct attacks being made on a person

Complaints concerning harassment or bullying will be actioned according to the Compliments, Complaints/ Feedback Policy.

4.5 Privacy and Confidentiality

All employees, including management, volunteers and contractors must;

1. Respect and keep confidential internal matters of the organisation and respect the privacy of others.
2. Act with respect for individual rights to freedom of expression, self-determination decision making in accordance with the applicable laws and conventions.
3. Respect the privacy of clients, including people with a disability and agree;
 - Not to disclose any client information to any other person
 - Not to discuss any client information inappropriately to any other person

4.6 Reporting Unethical Behaviour

If a person believes that the behaviour of any employee, including management, volunteer or contractor is unethical, they must report it to the delegated officer.

Unethical behaviour is defined as:

- Workplace behaviour that is contrary to our codes of ethics or conduct, and other workplace policies
- Workplace behaviour that violates any law, or is corrupt conduct or misconduct
- Mismanagement of resources or fraudulent behaviour
- Behaviour that creates a danger to public health or safety or the environment

4.7 Teamwork

Employees, volunteers and contractors are required to;

- Work together towards agreed work objectives and goals and communicate regularly with one another about progress.
- Work together to look for ways to improve work methods and to solve workplace and service-related problems.
- Give support and guidance to each other, ensure appropriate training and development, and recognise each other's results and achievements

4.8 Conflict of Interest

All employees, volunteers (including Board members) and contractors should place the organisation's interests before any private interests they may have, and should be seen to do so. Conflicts of interest, and the perception of conflict of interest, should be avoided. Community Care TASMANIA has governance in place which requires all Board members and employees to complete a Conflict of Interest declaration form every 12 months in addition to signing a new declaration if there is an actual or perceived conflict of interest since the previous declaration – or when directed by CEO or their delegate.

Where an employee, volunteer and contractor is in a relationship with any other person working or volunteering in or having dealings with the organisation, that relationship must be disclosed to their supervisor where that relationship may cause or be construed to cause a conflict of interest. That supervisor/CEO may issue instructions to the employee, volunteer or contractor regarding relevant workplace matters.

Management plan for Conflicts of Interest

This management plan will ensure conflict risks are managed and resolved in favour of the public interest rather than that of the employee/volunteer/contractor and will be based on the following mitigation strategies:

- **Restrict:** restrictions are placed on employee/volunteer/contractor involvement in the matter
- **Recruit:** a disinterested third party is used to oversee part or the whole process that deals with the matter
- **Remove:** the employee/volunteer/contractor removes themselves, or is removed, from the matter
- **Relinquish or Resign:** the employee/volunteer/contractor relinquishes the private interest that is creating the conflict. Where relinquishing the interest is not possible (e.g. relationship with family) and the conflict cannot be managed in the public interest using one of the other options above, the employee may consider resigning.

With a particular emphasis on Board members of Community Care TASMANIA to:

- avoid conflicts of interest where possible
- identify and disclose any conflicts of interest to CEO
- carefully manage any conflicts of interest
- respond to any breaches.

Failure to comply with the Community Care TASMANIA code of conduct may result in one or more of the following:

- Suspension may occur during an investigation of an event
- Internal and or external investigations
- Additional training requirements
- Mentoring or support
- Coaching
- Closer scrutiny and monitoring of work and performance
- Warning or reprimand
- Financial penalty – for example demotion or variation of Employment Contract
- Dismissal
- Police intervention
- Removing a client from your workload

FORMS AND RECORDS

Name	Source	Hyperlink	Reviewed in 2019
Uniform Policy	Shared Drive	POLICY 34 Uniform Policy.docx	y
Code of Confidentiality	Share Drive	P:\FORMS AND POLICIES FOR COMMON CARE STANDARDS\Community Care Policies and Procedures\Policies and Procedures\POLICY 15 Privacy and Confidentiality- revised Feb 2019 .doc	y
Anti-Discrimination Act	Online	https://www.legislation.tas.gov.au/view/html/inforce/current/act-1998-046	y
WHS Act	Online	https://www.legislation.tas.gov.au/view/html/inforce/current/act-2012-001	y
Code of Conduct Policy	Shared drive		y
Social media Policy	Shared drive	P:\FORMS AND POLICIES FOR COMMON CARE STANDARDS\Community Care Policies and Procedures\Policies and Procedures\POLICY 23 SOCIAL MEDIA CODE OF CONDUCT.docx	y
Suspicion of Abuse form	online	https://www.dhhs.tas.gov.au/disability/projects/elder_abuse NATIONAL DISABILITY, ABUSE AND NEGLECT HOTLINE 1800 880 052	y

Author	Revision	Board subcommittee review	Board Approved
	CEO		5/9/19
CCT CEO or	CEO or delegate February 2016		4/16
	CEO or delegate October - February 2019	October - February 2019	11/4/19
	CEO et al sept 2019	November 2019	7/11/19