

## CODE OF CONDUCT

**Position Statement:** The mission of *Specialist Behaviour Support Services (SBSS)* is to support society's most vulnerable individuals to live in a way which promotes optimal levels of independence, freedom from unnecessary restrictions and as a meaningful part of their local and wider community. All SBSS employees and contractors are expected to behave in a manner that upholds this mission in the course of their duties.

**Context:** The Code of Conduct outlines the required standard of acceptable conduct and behavior that is expected of all SBSS employees and contractors in the performance of their duties and interactions in the workplace. The Code of Conduct and the expectations outlined within in it are fundamental to the mission of SBSS and the work performed by its' employees and contractors.

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## **I. RESPONSIBILITIES**

Employees and Contractors:

- Acknowledge and adhere to the Code of Conduct
- Report any behaviour that does not align with the standards of behaviour outlined in the Code of Conduct
- Model the standards of behaviour outlined in the Code of Conduct
- Model SBSS's organisational values of quality, integrity, accountability, transparency, and rights

Directors and Supervisors:

- Acknowledge and adhere to the Code of Conduct
- Model the standards of behaviour outlined in the Code of Conduct
- Model SBSS's organisational values of quality, integrity, accountability, transparency, and rights
- Ensure all employees and contractors are aware of the conduct and behaviours expected of them as outlined in the Code of Conduct
- Ensure all employees and contractors have copies of the Code of Conduct and other relevant documents and policies
- Take appropriate action to address any breaches of the Code of Conduct
- Take appropriate steps to resolve conflict that arises in the workplace to ensure a healthy and harmonious work environment
- Comply with mandatory reporting requirements including but not limited to mandatory reports of abuse, family violence, and reportable incidents involving children and service users

SBSS acknowledges and adheres to the Code of Conduct set forth by the National Disability Insurance Scheme (NDIS), specifically in that all SBSS employees, contractors, and directors are at all times expected 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 people with disability
3. Provide supports and services in a safe and competent manner with care and skill

4. Act with integrity, honesty and transparency
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 people with disability
6. Take all reasonable steps to prevent and respond to all forms of violence against, and exploitation, neglect and abuse of, people with disability
7. Take all reasonable steps to prevent and respond to sexual misconduct

## **II. POLICY APPLICATION**

### **Personal and professional behaviour**

All employees and contractors are expected to maintain a standard of professional behaviour that adheres to SBSS' organisational values and promotes confidence and trust in the work of SBSS. This includes:

- Upholding the highest standards of quality, integrity, and honesty in the conduct of professional duties
- Respecting the dignity, autonomy, and rights of our service users
- Treating all service users, stakeholders, and other employees and contractors fairly and with respect
- Making decisions ethically and without bias using the best factual information available
- Complying with all legislative, ethical, industrial, and administrative requirements
- Complying with all SBSS policies and procedures relevant to the person's position

## **III. SBSS ASSETS**

Staff may only use the facilities and other resources of SBSS to carry out the functions of work done within an official SBSS capacity. It is expected that all assets will be maintained and cared for to a high-quality standard.

## **IV. YOUR DETAILS**

SBSS expect that each employee will notify SBSS of changes to their personal circumstances. This includes changes of address, changes that might impact on the validity of criminal records checks and other pieces of information that might impact upon a person's ability to fulfil a particular role such as loss of driver's license.

## **V. TREATING PEOPLE WITH DIGNITY AND RESPECT**

All service users, stakeholders, employees, and contractors have the right to be treated with respect, and it is everyone's responsibility to ensure this occurs. Employees and contractors are to treat their colleagues, service users, their families and members of the public with respect, fairness and consistency. Employees and contractors are to be courteous and sensitive to the needs of others and provide all necessary and appropriate assistance as practicable.

## **VI. USE OF INFORMATION**

All employees and contractors must:

- Protect confidential information
- Only access relevant service user information required for work purposes
- Not access or use service user information for unofficial or non-work purposes
- Only release relevant service user information if authorised to do so by the service user or their representative in writing

Employees and contractors are only permitted to release confidential information in accordance with established policies and procedures. As such, information should not be released unless:

- It is required by law
- A legal subpoena has been received
- A freedom of information act request has been received

Appropriate authority has been granted to release the information

## **VII. CONFIDENTIALITY AND RECORDS**

In acting with a high level of professionalism employees must ensure that information about service users remains confidential and private. Information should be limited to those who need to know in order to conduct their duties. In relation to the maintenance of appropriate records, a record serves an essential administrative, legal and historical purpose. Records may be (but not limited to) emails, electronic documents, digital images and audio recordings, correspondence and files. Employees and contractors have a responsibility to:

- Create and maintain full, accurate and honest records of their work activities and service hours
- Capture and store records in line with the Privacy and Data Protection Act 2014 Victoria and the NDIS Privacy Act principles where applicable
- Directors and supervisors have a responsibility to ensure that all employees reporting to them comply with their records management obligations.

Employees must not destroy records without appropriate authority. Employees must maintain the confidentiality of all official information and documents which are not publicly available or which have not been published. SBSS directors and supervisors may utilise and collect related data in accordance with legislative requirements and privacy considerations

### **VIII. CONFLICTS OF INTEREST**

Conflicts of interest arise in circumstances where an employee or contractor's professional duty is influenced or perceived to be influenced by a personal interest. Personal interests include both financial and non-financial interests. Conflicts of interest can also include the personal or professional interests of family members, friends, or associates.

Conflicts of interest can be actual, potential, or perceived.

*Actual:* A conflict of interest is known to exist and steps must be taken to mitigate risk

*Potential:* It is foreseeable that a conflict of interest may arise in the future. Steps must be taken now to mitigate risk

*Perceived:* A reasonable person might think that an employee or contractor could be unduly influenced by a personal interest, even if the employee or contractor is confident of their own objectivity

All actual, potential, and perceived conflicts of interest must be disclosed to the relevant SBSS supervisor or director.

Under no circumstances are employees or contractors permitted to develop personal relationships with service users at any time, including non-work hours and via social media. This includes where the personal relationship develops within a two-year period once the service user no longer access SBSS services.

Where an employee or contractor has a pre-existing relationship with a service user that has been disclosed to a supervisor or director, the employee or contractor must not disclose any information obtained

## **IX. EXTERNAL REPRESENTATION**

Public comment includes public speaking engagements, comments on radio and television and expressing views in letters to the newspapers or in books, journals or notices where it might be expected that the publications or circulation of the comments will be spread to the community at large. Comments made on behalf of SBSS must be authorised by the co-directors. Individuals should refrain from public comment which is critical of the operation or management of SBSS. You should obtain prior approval before addressing or chairing seminars or gatherings of people where the invitation is based upon your position in the organisation. Any statements not representative of SBSS and made by you in external forums should be expressed to be your personal views and not representative of SBSS.

## **X. ACCEPTANCE OF GIFTS AND BENEFITS**

It is unethical for Directors, employees, and contractors to solicit any gifts, benefits or additional money for themselves or other SBSS directors, employees, volunteers or contractors.

Under no circumstances are directors, employees, or contractors to accept gifts or benefits, or any inducement which might in any way obligate, compromise or influence SBSS or that person in their official capacity.

The Code of Conduct should be read in conjunction with the Gifts & Benefits Policy

## **XI. INTELLECTUAL PROPERTY**

SBSS has exclusive ownership of all intellectual property that is created, developed or conceived by you in the course and scope of your employment or using SBSS's equipment, data or other resources.

You agree:

- (i) to assign all such intellectual property to the SBSS, including all associated rights and remedies;

- (ii) on request during or after your employment, to do all things reasonably required to effect such assignment and enable the SBSS to protect its intellectual property by registration.

You consent to any and all acts and omissions by the SBSS and its licensees, successors in title and authorised agents which would otherwise infringe your moral rights under the Copyright Act 1968 (Cth) in relation to any and all copyright works which you create or develop in the course of your employment or during the term of your employment, whether such act or omission occurs before or after your consent is given, and you agree not to assert any moral rights with respect to any such works for so long as your moral rights subsist.

Intellectual property includes existing and future:

- (a) copyright (including rights in relation to all documents, reports, charts, drawings, data bases, software, source codes, models, systems, slides, tapes and specifications); and
- (b) copyright and all rights in relation to inventions (including registered and registrable patents), registered and unregistered trade marks, registered and unregistered designs, patents, circuit layouts, and know-how; and
- (c) rights resulting from intellectual activity in the industrial, scientific, literary or artistic fields;
- (d) methods and processes, specifications, formulas and research data and discoveries, any improvements to industrial and intellectual property and all other rights (including the right to apply for registration) with respect to intellectual property.

You must immediately on termination of your employment or at any time on request of SBSS:

- deliver to SBSS all confidential information and intellectual property capable of delivery;
- destroy all copies of confidential information and intellectual property that cannot practicably be delivered (including those contained in electronic, magnetic or optical media);
- ensure that the delivery of confidential information and intellectual property to SBSS is secure

and that there is no risk of confidential information being exposed or disclosed to third parties.

## **XII. SUPERVISION**

Supervision is an integral tool to building a reflective culture of continuous improvement. SBSS has a strong commitment to supervision as we believe it is critical to the health, wellbeing and development of each staff member and the quality of our services to our users. All SBSS staff are required to attend and actively participate in supervision. This means that both parties will:

- Be prepared before coming to supervision with the things you want to discuss and a clear idea about what outcomes you are seeking
- Demonstrate a willingness to consider new ideas or information
- Be objective about the issues that might be raised
- Accept responsibility for your part in success, problems and solutions
- Be prepared to learn from mistakes

### **XIII. STAFF COMPLAINT PROCESS**

Whilst SBSS endeavours to create a harmonious work environment, there may be times when problems occur. Should you wish to make a complaint, you should speak to your supervisor who will direct you on how to proceed. All serious complaints will be investigated.

- All of those involved in a complaint will have the opportunity to respond, or put forward their perceptions of fact
- Both the complainant and respondent will be notified of an outcome

The organisation will look for learnings as a result of all complaints and seek to address the root causes if applicable.

SBSS expects all staff to raise complaints, whether they be grievances, disputes or otherwise, without malice. When part of an investigation, SBSS requires employees to notify the investigator of all relevant facts, whether directly asked or not.

### **XIV. COMMUNICATION PROCESS**

SBSS expects that all employees will communicate in a manner that supports the work and the organisation. This means:

- Attending relevant meetings and participating in a positive manner
- Sharing information with others that may assist them to better perform their role.



SBSS uses a variety of means to communicate with staff. These include emails, face-to-face meetings, supervision, and team meetings. SBSS expects all staff to keep abreast of the information provided, including policies and procedures. SBSS also expects staff to notify their manager or supervisor if they require additional information to be able to fulfil their role.

## **XV. LEAVING THE ORGANISATION**

Once you have left SBSS for other employment, you should not use confidential information obtained during your employment to advantage your prospective employer or disadvantage SBSS in commercial or other relationships with your prospective employer.

### **FAILURE TO COMPLY WITH THE CODE OF CONDUCT**

Where it is established that a Director, employee, or contractor has breached the Code of Conduct, they may be subject to disciplinary action, up to and including termination of employment or contract.

**Employee/Contractor signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

Related Document	Application
<ul style="list-style-type: none"> <li>• <b>NDIS Code of Conduct</b></li> <li>• <b>SBSS Practice Framework</b></li> <li>• <b>SBSS Personal Information Form</b></li> <li>• <b>SBSS Privacy and Dignity Policy</b></li> <li>• <b>SBSS Conflict of Interest Disclosure Form</b></li> </ul>	<ul style="list-style-type: none"> <li>• Sets forth the rules by which all NDIS-registered service providers must abide by</li> <li>• Outlines the practice standards and values by which SBSS operates with as an organisation</li> <li>• Documentation of employee’s personal information such as contact details, address, TFN, and emergency contact</li> <li>• Acknowledgement of and adherence to upholding the privacy and dignity of our service users and stakeholders</li> <li>• Definition of conflict of interest and unacceptable relationships with service users. Declaration of existing conflicts of interest</li> </ul>