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## Code Of Ethics & Conduct

### Policy

#### Purpose

The purpose of the Code of Conduct is to provide a public statement of the standards of conduct and integrity expected of staff members, volunteers and Board of Directors of Headway Gippsland Inc. It aims to provide you with information in identifying and resolving issues of ethical conduct which may arise in the course of your duties and, in so doing, maintain public trust and confidence in the integrity and professionalism of Headway Gippsland Inc., and its services.

The principles and standards outlined in the Code of Conduct will assist Headway Gippsland Inc., employees, participants, volunteers and other interested parties to:

- Identify the values which underpin Headway Gippsland Inc.'s work practice.
- Identify the professional obligations of staff and volunteers.
- Identify what constitutes ethical and professional work behaviour.
- Comply with all expected behaviours outlined here and in our associated policies, including but not limited to; OHS, IT & social media, Vehicle Use and Anti-discrimination and harassment.
- Comply with the expected standards, policies and screening criteria required by the NDIS or associated regulators.
- Every individual is protected against discrimination on the basis of sex, age, race and disability.
- Social inclusion is a human right and encourages individuals to play an active role in society, an inclusive society is based on the fundamental values of tolerance and embracing diversity.

#### Scope

The Code of Conduct applies to all employees, contractors, Volunteers and Board of Directors.

### Policy Statement

Headway Gippsland Inc. expects its employees, volunteers, contractors and Board of Directors to achieve and maintain a high standard of ethics, professional conduct and work performance to ensure the delivery of high-quality service to its participants. Where conduct falls below the standards outlined in the Code of Conduct, employees, volunteers and Board of Directors, may be counselled as part of Headway Gippsland Inc. normal performance management process.

Headway Gippsland Inc. employees, volunteers and Board of Directors are required to observe child safe principles and expectations for appropriate behaviour towards and in the company of children as per Headway Gippsland Inc. Child Safety Policy.

Serious breaches of the Code of Conduct may result in termination of employment.

Values that underpin Headway Gippsland Inc. services to its participants and ultimately the Code of Conduct are:

<i>Commitment</i>	We do whatever it takes to enable our participants to live to their full potential in the community.
<i>Empowerment</i>	We encourage our participants to participate in decisions that promote maximum independence.

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<i>Justice</i>	We ensure our participants are working towards a greater sense of belonging in the community.
<i>Dignity</i>	Through listening and accepting we keep the person rather than the problem in focus.
<i>Respect</i>	We acknowledge the strengths of our participants and build relationships based on trust and mutual respect.

### **Conduct**

#### Personal Behaviour - I Will:

- Act ethically and with integrity;
- Act according to the legislative requirements, policies and ethical codes that apply;
- Make decisions fairly, impartially and promptly, considering all available information, legislation, policies and procedures;
- Treat all people I come into contact with during the course of involvement with Headway Gippsland Inc. business with respect, courtesy, honesty and fairness, and have proper regard for their interest's rights, safety and welfare;
- Not harass, bully or discriminate against any person i come into contact with during the course of involvement with Headway Gippsland inc. Business;
- Contribute to a harmonious, safe and productive work environment by our work habits, and professional workplace relationships; and
- Serve our participants by fulfilling our purpose and funding agreement requirement

#### Communication & Official Information - I will:

- Not disclose Headway Gippsland Inc. Information or documents acquired through my work, other than as required by law or where proper authorisation is given;
- Not engage in or misrepresent Headway Gippsland by means of correspondence, public statements, improper social media use or engagement in commentary not aligned with Headway Gippsland values or expected behaviours;
- Not misuse Headway Gippsland Inc. Information for personal or commercial gain for myself or another;
- Adhere to legal requirements, policies and all other lawful directives regarding communication with all involved with Headway Gippsland Inc., members of the media and members of the public generally; and
- Respect the confidentiality and privacy of all information as it pertains to individuals and Headway Gippsland Inc.

#### Fraudulent & Corrupt Behaviour - I will:

- Not engage in fraud or corruption;
- Report any fraudulent or corrupt behaviour;
- Report any breaches of the code of conduct; and
- Understand and apply the accountability requirements that apply.

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### Use Of Headway Gippsland Inc. Resources - I will:

- Be accountable for all expenditures made in the course of Headway Gippsland Inc. business;
- Use publicly funded resources diligently and efficiently. These include office facilities and equipment, and vehicles
- Not use office time or resources for personal gain, financial or otherwise;
- Keep to policies and guidelines in the use of computing and communication facilities, and use these resources in a responsible and practical manner; and
- Be careful to ensure that any official travel is only done when absolutely necessary.

### Record Keeping & Use Of Information - I will:

- Record actions and reasons for decisions to ensure transparency;
- Ensure the secure storage of sensitive or confidential information;
- Where permissible, share information to fulfil our role.
- Not engage in any misuse or appropriation of Headway Gippsland intellectual property, privileged information, or proprietary information, including client contact details, pricing lists or templates

### Conflicts Of Interest - I will:

- Ensure personal or financial interests do not conflict with my ability to perform my duties in an impartial manner;
- Manage and declare any conflict between my personal and business duty; and
- Where conflicts of interest do arise, ensure they are managed in the organisations best interest.

Please name and sign below to confirm you have read the above policy.

Name \_\_\_\_\_ Position \_\_\_\_\_

(Board Member, Volunteer, Staff, Student, Contractor)

Signature \_\_\_\_\_ Date \_\_\_\_\_

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## Code Of Ethics and Conduct

The NDIS Code of Conduct and standards underpin our code of conduct

Headway Gippsland commits our business, our people and our services to the standards set by the NDIS, including the NDIS Code of Conduct. The NDIS Code of Conduct requires workers and providers delivering NDIS support and services to do the following in providing those supports and services:

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 disabilities.
3. Provide support 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.

Here at Headway Gippsland, A NDIA participant will not be charged more for the supply of goods than a non-NDIS participant without a reasonable justification.

The NDIS Code of Conduct requires workers and providers delivering NDIS support and services to do the following in providing those supports and services:

1. Act with respect for individual rights to freedom of expression, self-determination and decision-making in accordance with applicable laws and conventions.

People with disability have the right to make their own decisions, to be free to live the life they choose, and to have the same rights and freedoms as any other member of the community. This includes the right to freedom of expression and the right to make decisions about and exercise control over their own lives. Choice and control is a core principle of the NDIS. People with disability have the right to choose and control who supports them and how the NDIS Quality and Safeguards Commission 6 supports and services are delivered.

Headway Gippsland employees must always:

- Deliver services in a way that maintains the rights, standards and principles underpinning the NDIS
- Support people with disability to make decisions and consult them about who, if anyone, they want to involve in decisions and discussions about their services and supports.
- Communicate in a form, language and manner that enables people with disability to understand the information and make known their will and preferences. People with a disability have a right to question, seek additional information about or refuse to receive any part of a service.
- Consider the expressed values, and beliefs of people with disability, including those relating to culture, faith, ethnicity, gender, gender identity, sexuality and age, as well as disability

2. Respect the privacy of people with disabilities.

Comply with Commonwealth and State and Territory privacy laws and deliver services in a dignified way that maintains personal privacy.

Headway Gippsland Employees should explain to persons with disability:

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- the kinds of personal information about them that will be collected and held, including recorded/audio and visual material
- why this information is held
- who will have access to this information
- how they will ensure the information is secure
- how this information will be used
- how to access and amend information held about them
- how to make a complaint if they feel that the NDIS provider has breached their privacy obligations.

Headway Gippsland Employees should practice the following when caring for a person with a disability:

- maintaining the confidentiality of the person's personal information
- explaining and requesting permission to perform procedures that involve physical touch or the invasion of personal space
- the timely provision of services to prevent embarrassment and discomfort such as toilet breaks or the changing of incontinence pads
- considering everyday personal privacy needs such as being able to shower and dress in a private and comfortable space.

### 3. Provide supports and services in a safe and competent manner, with care and skill.

Headway Gippsland employees must adopt and adhere to the values underpinning the NDIS, including choice and control and person-centred approaches, including but not limited to:

- being honest with their employer and the people with disability they support about their qualifications and ability to provide particular supports and services, as well the limits of their knowledge, skills and experience and having any qualifications required for the role
- developing and maintaining the knowledge and skills required for their role (for example, through training and supervision provided by us) to ensure the appropriate expertise and competence necessary for the supports and services delivered
- being familiar with and adhering to policies and procedures established by Headway Gippsland
- workers who are members of a professional association or other relevant body with existing professional codes of conduct (for example nurses, psychologists and health care workers) are required to deliver services consistent with their relevant professional code as well as with the NDIS Code of Conduct
- keep timely, appropriate, accurate, up-to-date and legible records that report relevant details of a participant's service history, medication and support needs
- detail any allegations and incidents that may have occurred, including alleged breaches of the Code, where they were involved in, witnessed or informed of these
- Adhere to relevant work, health and safety requirements
- record any other issues that may have arisen while providing services

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- provide services only where free from the influence of alcohol and other drugs, as generally 'fit for work' to not risk the health and wellbeing of themselves or others
- maintain sufficient detail to facilitate continuity of participant supports and inform future service delivery.

### 4. Act with integrity, honesty and transparency.

Integrity, honesty and transparency are crucial to developing the trust-based relationships between people with disability and workers that are required for high-quality service delivery. For people with disability to be informed consumers, they need accurate information about their NDIS provider, the workers they interact with, the services they receive, and any real or perceived conflicts of interest of the people working with them. They should be able to make decisions in their best interest, free from inducements or pressure from workers.

Headway Gippsland employees must:

- Provide accurate information about themselves to clients and Headway Gippsland. Workers should be transparent about the qualifications, skills, experience and competencies they possess to deliver those supports and services, and any limitations of their skills, experience or competencies.
- Support informed consent by providing accurate information relating to service provision. This information should be easily understood and cover comparative costs of service options; research supporting the effectiveness of supports; and the risks and benefits of service options.
- Maintain integrity by declaring and avoiding any real or perceived conflicts of interest. Both persons with disability and NDIS providers need to know when a worker has a conflict of interest, potential or real, that may impact on their delivery of supports and services. This includes personal relationships with the person with a disability, their family, friends or carers; financial or commercial interest in an organisation or company providing products, services or supports to people with disability; where the worker's beliefs and values may impact on the delivery of supports or services.
- Avoid giving, asking for or accepting inducements or gifts that may influence decision-making and service provision. People with disability, their family, carers or advocates should not be required or expected to give any sort of inducement to a worker in order to influence decision-making or service delivery. Workers should also avoid giving, asking for, or accepting any inducements or gifts from other service providers or organisations
- Avoid participating in or promoting sharp practices. The term 'sharp practices' refers to a range of practices involving unfair treatment or taking advantage of people, including over-servicing, high pressure sales and inducements

### 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.

Workers have a role in contributing to the delivery of safe and quality supports and services by taking action when they notice issues, including raising concerns. Workers also play an active role in improving supports and services by listening to people with disability to gain their feedback on ways to improve their experience.

Headway Gippsland employees must:

- Take immediate action when a worker identifies a potential issue, or an issue arises regarding the quality and safety of supports and services, the first step is to ensure that the

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person who the issue concerns is safe. The worker should also consult with the person with disability about how they would like to resolve any issues and create a safer environment.

- Workers should familiarise themselves with the Headway Gippsland Incident Management System to meet their reportable incidents obligations.
  - Raise concerns with Headway Gippsland and/or the Commission. Workers have an important role in supporting safe and quality service delivery and in preventing violence, abuse, neglect and exploitation.
  - Registered NDIS providers have an obligation to implement and maintain an incident management system and notify the Commission of reportable incidents in accordance with the National Disability Insurance Scheme Rules. Refer to Incident Report Policy for details of Reportable incidents
  - When directly or immediately addressing a quality or safety issue is not feasible for a worker, employees should raise the issue with Headway Gippsland Management team.
  - Contribute to improving supports and services
6. Take all reasonable steps to prevent and respond to all forms of violence against, and exploitation, neglect and abuse of, people with disability.

Workers play an important role in helping to prevent, intervene early and respond to violence, abuse, neglect and exploitation, and must not engage in these practices.

Headway Gippsland Employee must:

- Adhere to organisational policies and relevant laws, and fully cooperate with the Commission in relation to incidents of violence, abuse, neglect and exploitation
- Identify and respond to situations that could lead to violence, abuse, neglect and exploitation
- Report incidents of violence, exploitation, neglect or abuse to Headway Gippsland, and, as appropriate, to other relevant authorities
- Contribute to the reduction and elimination of restrictive practices involving seclusion, or chemical, mechanical, physical or environmental restraint.

For the avoidance of all doubt, examples of behaviour and conduct constituting different types of harm: refer to Freedom from Abuse and Harm Policy

7. Take all reasonable steps to prevent and respond to sexual misconduct.

People with disability have a right to sexual expression as well as to develop and maintain sexual relationships. As part of this, they need access to information and support to assist them to make informed and positive choices about sex, sexuality, relationships and reproductive health and wellbeing, as well as exercise their rights in regard to privacy.

People with disability are at an increased risk of all forms of sexual violence and sexual misconduct.

Workers will not commit sexual misconduct or engage in inappropriate relationships with persons with disability they support, or knowingly engage in them with the families and carers of people with disability they support.

Workers should report sexual misconduct or inappropriate relationships to Headway Gippsland, the Commission and other relevant authorities, such as the police, child protection authorities and professional bodies.

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### Legal Requirements

- All staff must be truthful in all declarations they make and comply with all laws, policies, procedures, rules, regulations, contracts and all lawful and reasonable directions from Headway Gippsland.
- Any violations of law, ethical principles, policies and this Code of conduct must be promptly reported to the CEO.

### Breaches Of The Code Of Conduct

Anyone can make a complaint about alleged breaches of the Code by employees of Headway Gippsland. This includes people with disability, family members, friends, workers, advocates and other providers. Workers are expected to adhere to this Code and should identify and report breaches to their managers at Headway Gippsland as soon as they are able (generally immediately, as a priority and same day where possible).

If Headway Gippsland employees do not follow the Headway Gippsland Code of Conduct, Headway Gippsland management will review the incident and conduct its own investigation. In serious cases where the investigation is substantiated, the consequence for an offence, or repetition of an offence, may include disciplinary action including review of employment and reporting of said breach to the NDIS Commission as well as termination of employment or contract for service.

Staff need to be aware that some forms of breach may lead to criminal prosecution.

### The Role Of The NDIS In Breaches Of The Code

The NDIS Commission can commence an investigation as a result of any information it receives about a worker's potential breach of the Code whether it is in relation to a complaint, a reportable incident or from any other source. The Commission will work with all relevant people and conduct investigations fairly and efficiently and in accordance with the principles of natural justice.

The Commission has the role of collecting, correlating, analysing and disseminating information relating to complaints that arise out of, or in connection with, the provision of supports or services by Headway Gippsland and our workers. The Commission will gather, integrate and assess information about sharp practices from multiple sources, including workers, provider registration data, participant feedback, complaints, reportable incidents, referrals, intelligence from other agencies including the NDIA, and from its own market studies.

The Commission, an independent regulator, is empowered to take a range of sanctions and remedial action if workers or NDIS providers breach the Code. Penalties for breaching the Code will depend on the nature of the breach. For breaches of a less serious nature, the Commission may, for example, decide to use training and education, warnings and directions. The issue may be referred to a worker's professional body, may trigger a reassessment of an NDIS worker screening clearance and/or may be referred to the police.

For the most serious breaches, the Commission may choose a different response, for example, going to court to have civil penalties imposed or issuing an order that bans a person from working in the NDIS sector. The Commission also has the discretion to publish on its website the result of any action it has taken against a worker.



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### Headway Gippsland Promoting & Protecting Human Rights

Headway Gippsland recognises that all people with disabilities have human and legal rights that should be respected at all times. It promotes and protects those rights as an integral component of each of its services.

Headway Gippsland is committed to fostering an inclusive, respectful, and supportive environment for all people using its services and ensuring that their inherent dignity and human rights are upheld throughout all aspects of service delivery.

This policy supports Headway Gippsland to apply Standard 1: Rights and ensures the rights of people with disability are upheld during the planning and provision of services, and applies to all paid staff, contract workers, temporary agency workers, and volunteers. Staff are expected to be familiar with and apply this policy in all their actions.

### Principles

- All People have the right to respect for inherent dignity, individual autonomy and independence of persons.
- People with disability have the rights of freedom of expression, self-determination and decision-making.
- Headway Gippsland actively prevents abuse, harm, neglect and violence.
- People with disability have the same right as other people to be able to determine their own best interests and make decisions that will affect their lives.
- People with disability have the same right as other people to realise their potential for physical, social, emotional and intellectual development.
- People with disability have the right to full participation in society equal to other people, according to their individual and cultural needs and preferences.
- Headway Gippsland is committed to providing each individual using a service with information and support to understand and exercise their legal and human rights.
- All people have the right to privacy of their personal information.
- Headway Gippsland employs skilled staff and has systems and processes to support staff to promote and protect human rights.
- People with disability have the same right as other people to raise concerns and be supported to formalise complaints.
- People with disability have access to support when abuse or harm occurs.
- Headway Gippsland will take all allegations of abuse, harm and neglect seriously and respond according to best practice.

The Department of Health and Human services introduced new standards for behaviours of staff supporting people.

1st of July 2018;

All Disability support workers must adhere to the following obligations above those already included in this document.

Code of Conduct for disability service workers (zero tolerance of abuse of people with a disability).

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- A disability service worker must provide services without engaging in abuse, exploitation, harassment or neglect.
- A disability service worker must report any form of abuse or suspected abuse.
- A disability service worker must not engage in sexual abuse or misconduct and must report any such conduct by other workers, people with a disability, family members, carers or community members
- A disability service worker must show respect for cultural difference when providing services
- A disability service worker must act ethically, with integrity, honesty and transparency.
- Refer to Health and Human Services document Code of conduct for disability service workers Zero tolerance of abuse of disabled people for further information.
- To taking responsibility for reporting improper conduct or misconduct. I will report the details to the CEO of Headway Gippsland Inc. and other relevant parties; and
- To take responsibility for contributing constructively and positively to enhance good governance and the reputation of the Board and Headway Gippsland Inc., Staff, Volunteers, Carers, and Participants.

You can find further information on the NDIS code of conduct at:

<https://www.dhhs.vic.gov.au/code-conduct-disability-service-workers>

Please name and sign below to confirm you have read the above policy.

Name \_\_\_\_\_ Position \_\_\_\_\_  
(Board Member, Volunteer, Staff, Student, Contractor)

Signature \_\_\_\_\_ Date \_\_\_\_\_

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## Code Of Ethics and Conduct

### **Child safe Code of Conduct:**

All members of the governing body, management, staff and volunteers are required to abide by this Code of Conduct, which sets out the appropriate standards of behaviour within Headway Gippsland. The Code should be interpreted with integrity, transparency and common sense, with children's best interests as the primary objective.

At Headway Gippsland the governing body will:

- Take responsibility for ensuring all staff and Volunteers understand and comply with the Code of Conduct and know their roles, responsibilities and duty of care obligations
- Deal with any breaches of the Code of Conduct seriously and responsively, and take appropriate disciplinary action

All staff and Volunteers will:

- Prioritise the safety and wellbeing of children and young people, and take responsibility for ensuring that the service operates in child safe environments at all times
- Act as a positive role model for children and young people, and model respectful behaviours at all times
- Promote an open environment where children and young people can have a say and express their thoughts and feelings and be taken seriously
- Treat all children and young people fairly, equally and with respect
- Support children and young people to express their culture and enjoy their cultural rights
- Act promptly to identify and address any instances of racism
- Value children's and young people's ideas and opinions, and believe them
- Welcome parents and carers to participate in decisions about their child's training schedule and any other matters about their safety
- Maintain professional standards of conduct, including keeping clear boundaries between professional and personal
- Promote respectful behaviour, and intervene in situations of bullying between children and young people
- Be aware of their duty of care, and their legal obligations such as mandatory reporting of child abuse concerns
- Be sensitive to the needs of children and young people from culturally and linguistically diverse backgrounds.
- Be sensitive to the needs of children and young people with a disability.
- Act in accordance with the organisation's policy on appropriate physical contact with children and young people
- Act in accordance with the organisation's policy on online/digital interactions with children and young people (including Facebook, SMS, etc.)
- Respect children's and young people's privacy, and keep children's and their families' information confidential unless otherwise required for safety reasons
- Report any conflicts of interest (such as an outside relationship with a child)
- Be alert to risk of harm to a child or young person from an adult or another child or young person

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- Take a child seriously if they disclose harm or abuse
- Contact police if a child or young person is at immediate risk of abuse
- Take appropriate action if they witness another person breaching or potentially breaching this Code
- Abide by all organisational policies, procedures and this Code of Conduct
- Report any concerns of abuse or neglect

Staff and Volunteers will not:

- Ignore, disbelieve or minimise allegations or concerns of abuse from children or young people or other adults
- Act in a way that is likely to emotionally abuse, bully, humiliate, oppress or degrade children or young people
- Act in a way that is likely to result in harm to children or young people in any way, including physical, emotional, psychological, or cultural harm.
- Engage in any form of sexual conduct with children or young people, including for example showing children sexually explicit material
- Act in a way that may put children or young people at risk of abuse
- Unlawfully discriminate against any child on the basis of age, gender, race, culture, vulnerability or sexuality
- Engage in unnecessary or inappropriate physical contact with children or young people, such as rough physical play
- Exchange personal contact details with children or young people or have unauthorised contact with children outside of the scope of the organisation's services
- Show favouritism to particular children or young people through special attention, or special relationships
- Take photographic or video footage of any child or young person without their consent and the written consent of their parent/carer
- Work with children or young people under the influence of drugs or alcohol
- Use inappropriate language, discuss topics of an adult nature, or express personal views about different cultures, race or sexuality while children or young people are present
- Verbally assault a child or create a climate of fear
- Offer children and young people alcohol, cigarettes or other drugs
- Subject children to unauthorised restrictive practices such as using exclusionary time-out as punishment

Any person found to be breaching this Code of Conduct will face disciplinary action relative to the seriousness of the breach, and may be subject to criminal proceedings. This may include termination of employment with Headway Gippsland

All staff, volunteers, families and community members are required to speak up if they have concerns about the safety of children. Complaints about a breach of this Code of Conduct must be reported to The Chief Executive Officer.

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Some breaches of this Code of Conduct may need to be reported to external authorities. Refer to policy: Child Safe Complaints management for more information about our reporting obligations and the protections and confidentiality provisions for anyone making a report.

If you believe a child is at immediate risk of abuse, phone 000.

### Confidentiality Agreement

I, \_\_\_\_\_ (name)  
of \_\_\_\_\_ (address)

Undertake to adhere to the following policy in my role as (please select your role)

Board Member/Staff/Volunteer/Student or Contractor

for Headway Gippsland Inc. and in conducting associated business on behalf of Headway Gippsland Inc.

It is the policy of Headway Gippsland Inc. that board members/staff/volunteers/students or contractors of Headway Gippsland Inc. will not disclose confidential information belonging to, or obtained through their affiliation with Headway Gippsland Inc. to any person, including their relatives, friends, and business and professional associates unless Headway Gippsland Inc. has authorised disclosure.

This policy is not intended to prevent disclosure where the law requires disclosure.

Board members, volunteers, students, contractors, and employees are cautioned to demonstrate professionalism, good judgment, and care to avoid unauthorised or inadvertent disclosures of confidential information. They should, for example, refrain from leaving confidential information contained in documents or on computer screens in plain view.

At the end of a board member's term, he or she shall return all documents, papers, and other materials that may contain confidential information.

Failure to adhere to this policy will result in discipline, up to and including separation of service with Headway Gippsland Inc.

Name \_\_\_\_\_ Position \_\_\_\_\_  
(Board Member, Volunteer, Staff, Student, Contractor)

Signature \_\_\_\_\_ Date \_\_\_\_\_

All employees and volunteers are required to become familiar with the Code of Conduct and act in accordance with its requirements.