



## STAFF CODE OF CONDUCT

Policy Code	HRP002.01
Person Responsible	Director
Status (Draft/Released)	Released
Date Last Updated	6 APRIL 2023

### 1.0 PURPOSE AND SCOPE

This policy and procedure provides ethical guidelines for staff, volunteers and students engaged in Kindred Health Group business.

This policy and procedure applies to the Director, and any additional staff, students, contractors and volunteers.

### 2.0 RISK

Two main forms of risks are associated with staff conduct: risks associated with staff as representatives of the organisation and the particular risks associated with working with people with disabilities.

As representatives of the organisation, staff conduct can influence public perception, the standing of the organisation within the community and the success of the organisation. Risk treatment begins with clear guidelines for staff conduct (this policy). This must be reinforced with: a culture of procedural fairness in informal and formal discussions about conduct; a culture of no retribution for responsibly reporting suspected infringements of the code of conduct (*Preventing and Responding to Abuse, Neglect and Exploitation Policy and Procedure*); and a culture that promotes a sense of mutual responsibility between the organisation and its staff.

As workers in the disability sector, staff must be able to distinguish between appropriate and inappropriate care between themselves and clients, and be able to express the client/worker relationship appropriately. The guidance this policy provides should be reinforced with a culture of openness and support to assist workers discuss and manage relationships with clients.

### 3.0 POLICY

Kindred Health Group prides itself on its professionalism and on its staff's ability to meet client and other stakeholder needs. The organisation strives to be a leading service provider and to provide a safe, healthy and happy workplace. This Code of Conduct is designed to ensure that all staff, clients and other stakeholders are treated in a manner that reflects the Mission, culture and legal obligations of the service.



#### 4.0 PROCEDURE

##### **NDIS Code of Conduct and Victorian Disability Service Safeguards Code of Conduct**

Kindred Health Group adheres to the NDIS and the Victorian Disability Service Safeguards Code of Conduct (hereafter referred to as the “NDIS Code of Conduct”) for providers and workers.

The Victorian Disability Service Safeguards Code of Conduct has adopted the NDIS Code of Conduct. From 1 July 2020, this Code of Conduct applies to all disability workers in Victoria, regardless of whether they are funded through the NDIS or other providers. Disability workers funded through the NDIS are already bound to follow the NDIS Code of Conduct.

Further information on the Victorian Disability Service Safeguards Code of Conduct may be found here:

<https://www.vdwc.vic.gov.au/rights-and-responsibilities/disability-worker-code-of-conduct>

Staff, students and volunteers are required to observe the NDIS Code of Conduct

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

1. act with respect for individual rights to freedom of expression, self-determination, and decision-making in accordance with relevant 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 might have an impact on the quality and safety of supports provided to people with disability
6. take all reasonable steps to prevent and respond to all forms of violence, exploitation, neglect, and abuse of people with disability (see the *Incident Management Policy*, and the *Preventing and Responding to Abuse, Exploitation, and Neglect Policy*, for further guidance)
7. take all reasonable steps to prevent and respond to sexual misconduct.

In determining whether a person's conduct is in breach of this Code, a range of factors, including the nature of the conduct and the circumstances in which the conduct takes place, will be considered.

Supervising staff are encouraged to ensure that all staff, volunteers and students under their supervision achieve the highest possible standards of conduct.

Guiding principles for the Code of Conduct:

- RESPECT - for people and the law
- INTEGRITY - all actions are honest and ethical
- ACCOUNTABILITY - decisions and actions in all areas of service delivery are transparent, fair and legal



- DILIGENCE - staff, volunteers and students carry out their duties honestly and to the best of their ability

### **RESPECT**

Kindred Health Group staff, volunteers and students will carry out their duties with respect for clients, staff, the organisation and its work. Individuals will refrain from public comments that portray the organisation and/or its work in a negative way.

**Respect for the law:** Kindred Health Group staff, volunteers and students will observe all the laws of the State and the Commonwealth.

Staff and volunteers must immediately inform the Director if charged with a criminal offence punishable by imprisonment, or if found guilty of the offence and the outcome would significantly affect their ability to perform their normal duties.

**Respect for persons:** Kindred Health Group will strive to create an environment where all persons are treated equitably and with respect and where people's rights are upheld. This involves individual and collective responsibilities to:

- respect the rights, privacy and confidentiality of clients, staff, office bearers, volunteers, students and agents;
- promote a positive public image of people with a disability, and their families and carers;
- make decisions which are procedurally fair;
- have respect for the opinions of others and approach any differences in opinion in an open and non-judgmental manner.

Staff, volunteers and students should recognise that their obligation to respect the rights and privacy of all persons associated with Kindred Health Group continues after they cease employment with Kindred Health Group.

Respect for persons emphasises the obligation of office bearers, staff, volunteers and students to refrain from behaviour which is or may be construed as sexual-, racial- or gender-based harassment. They should never behave towards other persons in a manner which may reasonably be perceived as intimidating, overbearing or bullying. All staff, volunteers and students must ensure that co-worker relationships are dignified and respectful at all times. (See also *Equity, Anti-Discrimination and Workplace Harassment Policy and Procedure*)

### **INTEGRITY**

Staff, volunteers and students are placed in a position of trust when they manage or have access to Kindred Health Group resources and information or make decisions that affect the interests of others.

Staff, volunteers and students will not undertake activities for personal gain while conducting business of the organisation.



People who have exited the organisation should not disclose to any future employer or use for their own purposes any confidential information, records, documents or materials they may have had access to during their involvement with Kindred Health Group.

Staff, volunteers and students should make all reasonable efforts to avoid conflicts between their private and/or professional interests and Kindred Health Group responsibilities and must always avoid situations where there are reasonable grounds for the perception of such a conflict.

**Personal relationships:** A conflict of interest may occur when a staff member or volunteer participates in decisions affecting another person with whom they have a close or personal relationship. Situations where such a conflict may occur include, but are not limited to:

- the appointment, supervision or promotion of staff,
- decisions being made that are of a nature to directly benefit the other person the awarding of tenders, or
- other forms of financial assistance.

Kindred Health Group recognises the right of staff and volunteers to engage in personal or intimate relationships with people of their own choosing. However, relationships between office bearers, staff and volunteers should be professional at all times. Personal or intimate relationships should not intrude, or be seen to intrude, on the Kindred Health Group environment or the workplace in general.

When a personal or intimate relationship creates a clear conflict, the staff member should withdraw from the situation. Where there is any possibility of a perceived conflict, the staff member should discuss the matter with a senior staff member or the Director.

Personal or intimate relationships between staff/volunteers and clients are not permitted and any deviation from this may be considered a serious breach of conduct and addressed in accordance with the Human Resources Policy.

Staff and volunteers should also refrain from unnecessary self-disclosure of personal information during their contacts with clients.

**External environments:** Staff or volunteers representing Kindred Health Group in public must conduct themselves with propriety and be accountable for their conduct and decisions made on behalf of Kindred Health Group. Where a staff member or volunteer is unsure of the capacity in which they are acting, they should seek clarification from a senior staff member.

**Alcohol and illicit drug consumption:** During the usual day-to-day conduct of their duties, staff and volunteers **must never** consume alcohol or illicit substances and must be free from the influence of any substance prior to commencement of a shift. Any deviation from this practice will be viewed as a serious breach of conduct and will be addressed in accordance with the *Human Resources Policy and Procedure*.

Whilst alcohol consumption may be permissible, or may be available, at certain business functions, staff and volunteers should refrain from excessive consumption of alcohol whilst representing Kindred Health Group. Staff and volunteers are encouraged to use common sense



to maintain Kindred Health Group's interests and professional image, as well as their own welfare.

**Dress standards:** Dress standards are more a matter of etiquette rather than ethics. However, staff, volunteers and students must present a professional image and maintain an appropriate standard of appearance whilst engaged in Kindred Health Group business.

Senior staff have a responsibility to counsel staff members, volunteers and students whose dress standards do not comply with the above.

**Gifts and benefits:** Staff, volunteers and students must never ask for gifts, or encourage gift giving of any kind in connection with the performance of official or work duties. Personal gifts from clients must be declared and recorded in the Gift Register. Any gifts that are above a nominal value must not be accepted.

**Intellectual property and copyright:** The Copyright Act provides creators with certain rights. This includes the right to be named in connection with their work and against false authorship. When using someone else's work in a presentation or document, authorship should be appropriately acknowledged. Ownership of all materials produced during the course of working for Kindred Health Group is vested in the organisation.

#### **Compliance with laws and Kindred Health Group's governance**

Staff and volunteers and visitors must comply with all lawful and reasonable directions given by Kindred Health Group.

Staff and volunteers and, where applicable, visitors must comply with Kindred Health Group's policies and procedures at all times.

Staff and volunteers and visitors must comply with all relevant legislation, regulations, codes, standards, guidelines and policies that are applicable to Kindred Health Group's operations irrespective of location.

#### **Company property**

Kindred Health Group property includes:

- equipment, vehicles and premises;
- intellectual property (including trade and business secrets) of Kindred Health Group or affiliated entity;
- information concerning staff, volunteers and any contractors that provide a service to Kindred Health Group; and
- any information of a commercial, operational, marketing, business, technical or financial nature relating to the business of Kindred Health Group or any affiliated entity.

Staff and volunteers must only use company property for authorised and appropriate work purposes and must take all reasonable care when doing so.



On termination of employment, for whatever reason, staff and volunteers must transfer to the Director all information in their possession, including all material in writing, software or databases on hard drive or any other means of storage.

If requested by the Director, office bearers, staff or volunteers must immediately return all Kindred Health Group property in their possession or under their control.

### **Outside work behaviour**

Staff and volunteers must conduct their personal affairs in a manner that does not affect their duties and responsibilities to Kindred Health Group.

Staff and volunteers should be aware that their activities or behaviour outside working hours could damage Kindred Health Group's reputation. Staff and volunteers must avoid conduct outside of work that breaches this Code. If Kindred Health Group becomes aware of such conduct, and the conduct is of a type that could have an adverse impact upon Kindred Health Group, disciplinary or other remedial action may be taken against the worker.

### **ACCOUNTABILITY**

All staff and volunteers have an obligation to carry out official decisions and policies faithfully and impartially.

Senior staff members have a responsibility to ensure that sufficient, accurate and appropriate information is provided to enable office bearers to make decisions that are procedurally fair, transparent and timely.

Staff and volunteers who have responsibility for the day-to-day management and delivery of Kindred Health Group services will provide accurate and regular reports.

Fraud, corrupt conduct and maladministration are detrimental to Kindred Health Group and clients. Any staff member or volunteer who reasonably suspects that this may be occurring are encouraged to speak with the Director as soon as possible. Where disclosure of any of these activities occurs, the person disclosing the information will not be subjected to any acts of retribution.

Unfounded reports that are of a malicious or vengeful nature will not be pursued. Appropriate action will be taken against any person who is found to have made malicious or unsubstantiated claims.

### **DILIGENCE**

Kindred Health Group aims to achieve best practice in service delivery. All staff and volunteers contribute to achieving this aim by carrying out their duties honestly and to the best of their ability.

All staff and volunteers should support the Kindred Health Group's aims and objectives, and work within policy and procedural guidelines.



Kindred Health Group's equipment and resources are not available for private use or private gain and appropriate care and security of equipment should be a priority.

Kindred Health Group's resources, equipment and property should be used with economy and without undue waste. All equipment will be used with due care and respect and if necessary, staff and volunteers should seek guidance in the use and appropriate storage of equipment.

All staff, volunteers and students have access to appropriate technology related to their role in the organisation.

Staff, volunteers and students who are authorised to use computers are permitted to use Internet and email for purposes directly related to their duties and for educational or self-development purposes consistent with other Kindred Health Group policies and practices.

Inappropriate use of internet and email, including viewing, downloading, storage or forwarding of materials of a pornographic or illegal nature will be considered as a serious breach of this Code of Conduct and disciplinary action up to and termination of employment will be pursued as a matter of urgency.

#### **Reporting Breaches of the Code of Conduct**

Breaches or suspected breaches of the Code of Conduct, should, in the first instance, be reported to the Director. Trivial, unfounded or vexatious complaints may result in disciplinary action.

Any person who complies with the Code of Conduct in reporting a breach must not be discriminated against and must be protected from reprisal. Confidentiality will be maintained at the highest level possible.

POLICY AMENDMENT RECORD		
DATE	BRIEF DESCRIPTION OF AMENDMENT	AUTHORISED



## CHILD SAFE CODE OF CONDUCT

Policy Code	HRP003.01
Person Responsible	Director
Status (Draft/Released)	Released
Date Last Updated	6 APRIL 2023

### 1.0 PURPOSE AND SCOPE

This Code of Conduct outlines the expected standards of behaviour with and in the company of children, including online conduct.

This policy and procedure applies to the Director, and any additional staff, students, contractors and volunteers.

### 2.0 CODE OF CONDUCT

Kindred Health Group is committed to the safety of all children and young people.

All personnel are required to observe child safe principles and expectations for appropriate behaviour towards and in the company of children, as described below.

All personnel are responsible for supporting the safety, participation, wellbeing and empowerment of children by:

- adhering to the *Child Safe Policy* at all times
- taking all reasonable steps to protect children from abuse
- treating everyone with respect
- listening and responding to the views and concerns of children, particularly if they are telling you that they or another child has been abused and/or are worried about their safety or the safety of another
- promoting the cultural safety, participation and empowerment of Aboriginal children (for example, by never questioning an Aboriginal child's self-identification)
- promoting the cultural safety, participation and empowerment of children with culturally and/or linguistically diverse backgrounds (for example, by having a zero tolerance of discrimination)
- taking a zero tolerance approach to racism, and report instances of it to your Supervisor
- acting to promote an inclusive and respectful culture within the organisation
- supporting children to express their culture and enjoy their cultural rights
- promoting the safety, participation and empowerment of children with a disability (for example, during personal care activities)





- recognising that discriminatory behaviour towards LGBTIQ people is harmful and unacceptable, and taking appropriate action in response to this (e.g. reporting to your Supervisor)
- ensuring as far as practicable that adults are not left alone with a child
- reporting any allegations of child abuse to the Director and ensure any allegation to reported to the police or child protection
- reporting any child safety concerns to the Director
- if an allegation of child abuse is made, ensure as quickly as possible that the child(ren) are safe
- encouraging children to 'have a say' and participate in all relevant organisational activities where possible, especially on issues that are important to them.

**Staff and volunteers must not:**

- develop any 'special' relationships with children that could be seen as favouritism (for example, the offering of gifts or special treatment for specific children)
- exhibit behaviours with children which may be construed as unnecessarily physical (for example inappropriate sitting on laps. Sitting on laps could be appropriate sometime, for example while reading a storybook to a small child in an open plan area)
- put children at risk of abuse (for example, by locking doors)
- do things of a personal nature that a child can do for themselves, such as toileting or changing clothes
- engage in open discussions of a mature or adult nature in the presence of children (for example, personal social activities)
- use inappropriate language in the presence of children
- express personal views on cultures, race or sexuality in the presence of children
- discriminate against any child, including because of culture, race, ethnicity or disability
- have contact with a child or their family outside of our organisation without our child safety officer's knowledge and/or consent (for example, no babysitting). Accidental contact, such as seeing people in the street, is appropriate)
- have any online contact with a child or their family (unless necessary, for example providing families with e-newsletters)
- ignore or disregard any suspected or disclosed child abuse.

By observing these standards you acknowledge your responsibility to immediately report any breach of this code to the Director.

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



POLICY AMENDMENT RECORD		
DATE	BRIEF DESCRIPTION OF AMENDMENT	AUTHORISED

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