Capital Region Community Services

# Code of Conduct

## Introduction

This Code of Conduct provides Capital Region Community Service (CRCS) employees with a framework for CRCS' expectations of their conduct, decisions and actions. It underpins our commitment to provide quality services and to uphold our duty of care to our employees and those who access our services and programs. Employees are expected to observe the Code of Conduct as part of their conditions of employment.

In the provision of its services to the community, CRCS requires a professional standard of behaviour from its employees which:

1. demonstrates respect for the rights of the individual and the community
2. reflects the Vision, Purpose and Values of CRCS
3. reflects CRCS's commitment to Child Safety
4. is consistent with the CRCS *High Quality Service Policy and Framework*
5. is consistent with Codes of Conduct and Ethics relating to classifications of employees (see Section 10)
6. upholds the best possible standards of service to the community, and
7. promotes and maintains community confidence and trust in the work of CRCS.

## Scope

This Code of Conduct applies to all CRCS employees, volunteers, Board Directors, student placements and persons who have been engaged to provide services for, or on behalf of CRCS, such as contractors and consultants.

## Contents

## SECTION 1: Respect for all Persons

CRCS expects employees to:

1.1 act in a way that treats people with dignity and respect, and values their diversity

1.2 be tolerant of the views held by others that may be different from their own

1.3 act with respect for the privacy of people, by maintaining the confidentiality of other employees and people who access our services and programs, and only disclose information where there is proper authority to do and in accordance with CRCS' *Privacy and Confidentiality Policy and Procedure*

1.4 not undertake bullying, harassing or discriminatory behaviours towards any individual or group of individuals whilst in the workplace or whilst undertaking work on behalf of CRCS

1.5 act with respect for people's rights to freedom of expression, self-determination and decision-making in accordance with applicable laws and conventions

1.6 respect the ethical, legal and human rights of people who access our services and programs, including their rights to make their own decisions and to participate actively in any plans made on their behalf

1.7 be aware of CRCS' *Reconciliation Action Plan* (RAP) and work consistently to contribute to closing the gap for Aboriginal and Torres Strait Islander people both within CRCS and the wider community

1.8 acknowledge the traditional owners of the land when commencing CRCS meetings and events to demonstrate our respect and our commitment to reconciliation and their contribution to our community

1.9 demonstrate respect for and give due consideration to the professional views, experiences, actions and findings of colleagues, stakeholders and members of other professions and programs

1.10 ensure that all persons have reasonable access to the available resources, services and opportunities which contribute to their well-being

1.11 demonstrate and encourage respect for the diversity of cultures that constitute Australian society

1.12 aim to expand choices and opportunities for all people who access our programs and services as well as individuals who may do so in the future

1.13 encourage participation by members of the community in addressing relevant social/personal issues

1.14 demonstrate a collective and individual responsibility to work safety and ensure the safety of colleagues and individuals who access and visit our workplaces. CRCS expects that all employees will comply with all Work Health and Safety policies, procedures and safe work guidelines and be engaged in activities to help prevent injuries and illness, and

1.15 create conditions for the empowerment of individuals, groups and the community and not create dependence.

## SECTION 2: Personal and Professional Behaviour

2.1 Employees are expected to apply themselves to their work with diligence, care and attention.

2.2 Employees are expected to act in a professional manner as could reasonably be expected by a skilled and competent person working in their position with CRCS.

2.3 Employees are expected to demonstrate the CRCS values whilst at work with CRCS and are required to behave and act ethically, be accountable, be inclusive, be respectful, optimistic and innovative.

2.4 Employees must comply with all relevant legislative, industrial, safety and administrative requirements as well as CRCS policies and procedures as they apply from time to time.

2.5 Employees must provide advice, make decisions and take action in an appropriate and timely manner, based on all available relevant information. Employees will be required to demonstrate that they have undertaken their due diligence in this regard from time to time.

2.6 Employees must act honestly, with integrity, with compassion and without bias. Employees who feel they are not able to be unbiased in carrying out their duties with participants are encouraged to discuss this matter with their manager or Executive Manager in order to resolve the issue and ensure the best interests of our participants are maintained.

2.7 Employees will demonstrate respectful communication about and to others working at CRCS and ask for clarification from the appropriate person if in doubt. Gossip is not an acceptable method of communication at CRCS. Employees must seek correct information from the relevant source. Employees who participate in sharing false, derogatory or vexatious information or information that may be considered to be harassing, discriminatory or bullying or in any other way in contravention of this Code of Conduct will be disciplined.

2.8 Employees must actively work towards their own professional development and participate in all mandatory training.

2.9 Employees must take responsibility for their own self-care and access supports (such as the Employee Assistance Program) provided by CRCS as required or requested by CRCS.

2.10 Employees must not be under the influence of alcohol and/or other drugs that jeopardise the health, safety and wellbeing of themselves or others whilst performing their duties. Consumption of alcohol and/or other drugs must be lawful and not affect their ability to safely and fully undertake the inherent requirements of their role.

2.11 Employees must exercise a high level of care, diligence and professional competence, and undertake all facets of their position including areas outlined within the employee position description but also in areas where CRCS can reasonably expect an employee to perform tasks that could realistically be expected from a competent and skilled person in that job.

2.12 Managers must provide services and allocate resources consistent with CRCS policies and the CRCS values of inclusion, ethics and accountability.

2.13 Employees must not act in a manner or communicate via any medium in a manner that puts the reputation of CRCS or any employee, volunteer, participant or stakeholder in jeopardy or could be considered, offensive, disrespectful, harassing, discriminatory, bullying, defamatory or in any other manner that is in contravention of this Code of Conduct. Employees must follow any grievance or dispute resolution policies and procedures of CRCS to resolve any issue or dispute.

2.14 Employees must respect the professional nature of the relationship between employee and participant and not engage in any behaviour that enables the relationship to become social or encourages interactions that are not within the CRCS boundaries of normal working hours and practice. Employees must declare any conflict of interest and conduct their professional duties as per Section 9 of this Code where a pre-existing relationship

exists or subsequent relationships are formed.

## SECTION 3: Duty of Care

Employees must:

3.1 provide care, supports and services in a safe and competent manner, with care and skill

3.2 properly consider the impact of their decisions, and seek to minimise any risk of harm or disruption to others from those decisions, giving particular regard to human rights, workplace safety, equity and access

3.3 recognise they have a general legal duty to take reasonable care to avoid harm being caused to a colleague or participant. They are required to exercise the degree of care that could reasonably be expected from a competent and skilled person in that job

3.4 exercise a high level of care, diligence and professional competence, especially when working with vulnerable or dependent people who access our services and programs and must comply with any relevant sector code of conduct

3.5 promptly take steps to raise and act on concerns about matters that may impact the quality and safety of care, supports and services. Employees can escalate their concerns to the CEO if they don't feel that appropriate action and attention has been given to address any of their concerns. Report to the CEO or any Executive Manager any suspected incidents of harm, abuse or neglect to participants as soon as practical after suspicion arises. Abuse and neglect include, but are not limited to, physical, sexual, emotional, financial, systematic abuse and physical or passive neglect. If there is an allegation or a reasonable suspicion that any incidents are related to the conduct and/or actions of a CRCS employee, the matter must be reported to the Chief Executive Officer or an Executive Manager for investigation and reporting in accordance with CRCS policies and procedures

3.6 advise their Executive Manager who will (if appropriate) advocate on behalf of participants where incidents or suspected incidents of abuse and neglect are identified (and not related to the conduct and/or actions of a CRCS employee). Employees must report incidents or suspicions of abuse in accordance with CRCS policies and procedures. This obligation forms part of CRCS' commitment to the health, safety and wellbeing of people who access our services

3.7 avoid negligent conduct by giving sufficient attention to their actions and decisions by seeking and reviewing the policies, procedures and guidelines of CRCS before taking any action. If in doubt after taking this step, employees must seek the direction and advice of supervisors before they proceed, and

3.8 take responsibility and be able to provide justifications for their decisions and actions in writing, if requested.

## SECTION 4: Fairness and Equity

4.1 Employees must act with integrity, honesty and transparency, by maintaining open and honest communication.

4.2 Employees must follow the rules of procedural fairness (or "natural justice") in coming to decisions by:

4.2.1 taking all reasonable steps to find out all the relevant facts

4.2.2 informing those persons whose rights may be affected by the decision, that the matter is being considered

4.2.3 providing these persons with any relevant information and giving them the chance to respond and present their case

4.2.4 giving reasons for decisions (if requested, in writing), and

4.2.5 informing the person of any rights of appeal or review concerning those decisions (including the time-limits for appealing or seeking review).

4.3 Employees should strive to ensure decisions and actions are made without undue delay.

4.4 Employees must ensure that the recruitment, selection, appointment and promotion of employees is in accordance with the CRCS *Recruitment, Selection and Appointment Policy and Procedure*.

## SECTION 5: Use of Resources

5.1 Employees must ensure financial resources, property and facilities are only used for work related purposes, unless the Chief Executive Officer or Executive Manager has granted permission for use for other purposes within their delegated authority.

5.2 Employees should safeguard resources consistent with the CRCS *Asset Management Policy and Procedure.*

5.3 Employees must use CRCS technology and peripherals in accordance with the CRCS *Acceptable Use of Information and Communication Technology Policy and Procedure*.

5.4 Employees must use motor vehicles for work related purposes in accordance with the CRCS *Owned Motor Vehicles Policy and Procedure*, *Public Passenger Vehicle Policy and Procedure* and *Grey Fleet Policy and Procedure*.

## SECTION 6: Intellectual Property

6.1 The term "intellectual property" includes the rights relating to scientific discoveries, industrial designs, trademarks, service marks, commercial names and designations, inventions in all fields of human endeavour and all other rights resulting from activity in the industrial, scientific, literary or artistic field.

6.2 CRCS is the owner of intellectual property created by employees in the course of employment unless a specific agreement has been made varying the principle.

6.3 Any agreement must be ratified by the Chief Executive Officer and be consistent with relevant CRCS policy.

6.4 Intellectual Property not owned by CRCS but purchased/permitted for use by CRCS must only be used for the original intended purpose unless permission is obtained from the owner to vary the purpose.

## SECTION 7: Respect for the Law

7.1 Managers are to ensure that copies of relevant legislation, delegations and associated administrative procedures are available and accessible to employees under their supervision.

7.2 All CRCS employees must comply with legislation relevant to their work. This can include, but is not limited to:

7.2.1 *Aged Care Act 1997*

7.2.2 *Quality of Care Principles 2014*

7.2.3 *National Disability Insurance Scheme Act 2013*

7.2.4 *Children and Young Persons Act 2008*

7.2.5 *Fair Work Act 2009*

7.2.6 *Work Health and Safety Act 2011*

7.2.7 *Privacy Act 1988*

7.2.8 *ACT Human Rights Act 2004*

7.2.9 *Discrimination Act 1991*

7.2.10 *Education and Care Services National Law and Regulations 2011*

A list of known legislation applicable to CRCS is maintained in the *Compliance Register*.

7.3 All employees must endeavour to:

7.3.1 carry out all lawful and reasonable instructions related to their work

7.3.2 refuse to comply with an instruction that is, or appears to be, unlawful and report the matter to the Chief Executive Officer, and

7.3.3 have a good working knowledge of the legislation, regulations, quality standards and delegations related to their role.

## SECTION 8: Reporting Corrupt Conduct

8.1 Corruption is deliberate dishonesty or deliberate unlawful conduct, including but not limited to:

8.1.1 taking bribes

8.1.2 falsifying or destroying official documents

8.1.3 misuse of confidential information

8.1.4 theft of property belonging to CRCS or to people who access CRCS services and programs, and

8.1.5 providing a benefit to self or others that is inequitable and/or illegal and/or puts CRCS at risk and is inconsistent with the law and/or standards and/or CRCS policies, procedures and practice.

8.2 Corruption is not when someone has made an honest mistake that can be addressed through performance management practices.

8.3 Employees must report any suspected corrupt conduct, misconduct, serious mismanagement or substantial waste of CRCS resources to the Chief Executive Officer.

8.4 Employees must report any breaches of this Code of Conduct to their Executive Manager or Chief Executive Officer.

8.5 Employees must not take any reprisal action against a person who reports any of the above matters.

## SECTION 9: Conflicts of Interest

9.1 Conflicts of interest exist when it is likely an employee could be influenced, or there is a reasonable perception that an employee is influenced by a personal interest when carrying out their professional duty. Conflicts between personal interests and professional duties that should be declared, and in some cases avoided, include but are not limited to:

9.1.1 employees or their families being landlords of people who access our services and programs

9.1.2 relatives or friends of employees being employed to provide a service paid for by people who access CRCS services and programs

9.1.3 employees providing service to a relative or close friend

9.1.4 employees on a selection panel interviewing a relative or close friend

9.1.5 relatives or friends of employees being employed to provide contract services for CRCS, and

9.1.6 relatives and/or friends in a supervisory relationship within the workplace.

9.2 Conflicts of interest that lead to biased decision-making may constitute corrupt conduct.

9.3 It is the responsibility of all employees to avoid any situation that could compromise their ability to perform their duties with impartiality.

9.4 Employees can be moved to other work areas or managers where it is found, or is reasonably suspected, that a personal relationship is impacting on an employee's ability to perform their duties with impartiality.

9.5 If an employee is uncertain whether a conflict exists, they should discuss the matter with their line manager and attempt to resolve any conflicts that may exist.

9.6 Employees must not accept any gifts or benefits, the receipt of which might in any way influence, or appear to influence you in your professional capacity.

9.7 There may be occasions when refusing a gift would offend or upset the giver. On these occasions the employee should:

9.7.1 indicate that they are accepting the gift on behalf of CRCS or service, and

9.7.2 report the receipt of the gift to their Executive Manager to determine how to make use of the gift.

9.8 It is acceptable to receive gifts of a token value from people who access our services and programs from time to time for services rendered, such as flowers, cards, chocolates, biscuits and other tokens.

9.9 People who access our services and programs must never be encouraged to purchase gifts for employees.

9.10 A conflict of interest may occur for employees who provide support coordination services to NDIS participants. CRCS requires that all employees who provide support coordination services to NDIS participants ensure that:

9.10.1 NDIS participants are provided with a list of providers (this may be a list of registered providers for the relevant support item/s from the NDIS Website or white pages listings etc)

9.10.2 they do not specifically recommend CRCS as a service provider or prompt participants to choose CRCS as a service provider, and

9.10.3 participants exercise their own choice in determining a service provider and, if, after being given choices, the participant chooses CRCS as a provider, that there is a clear separation of roles put in place to ensure that the Support Coordinator interacts with CRCS as a service provider as they would if CRCS were not the service provider (i.e. manage issues and complaints without bias, with integrity and in accordance with all other standards of professional behaviour as outlined within this Code of Conduct).

## How to report a conflict of interest and/or corrupt conduct

9.11 Employees who believe a conflict of interest exists and/or have a reasonable suspicion that an employee of CRCS has a conflict of interest and/or has engaged in corrupt conduct (either real or perceived) must report this to the Chief Executive Officer or an Executive Manager of CRCS as soon as reasonably practicable.

9.12 Failure to report or declare a conflict of interest and/or corrupt conduct will result in disciplinary proceedings.

## SECTION 10: Professional and Association Codes of Conduct / Ethics

10.1 Professional and association codes of conduct guide the ethical practice of people working in their sector. They ensure a safe skilled workforce that provides quality outcomes in the sector they represent. Examples of professional codes of conduct relevant to CRCS employees and governing persons include but are not limited to:

10.1.1 *NDIS Code of Conduct*

10.1.2 *Aged Care Quality and Safety Commission Code of Conduct*

10.1.3 *Aged Care Quality Standards*

10.1.4 *Charter of Aged Care Rights*

10.1.5 *Early Childhood Australia (ECA) Code of Conduct*

10.1.6 *Child Safe Standards*

10.1.7 *Australian Association of Social Workers (AASW) Code of Ethics – where applicable*

10.1.8 *Australian Psychological Association (APS) Code of Ethics*

10.1.9 *Code of Ethics and Practice of the Association for Counsellors in Australia.*

10.2 Employees must abide by all codes of conduct/ethics that apply to the role they perform at CRCS. Non-compliance with such service quality and standards may result in disciplinary action being taken against:

10.2.1 the employee by the relevant regulatory body or Commission

10.2.2 CRCS by the relevant regulatory body or Commission, and/or

10.2.3 the employee by CRCS.

## SECTION 11: Management

11.1 Coordinators, Managers, Senior Managers and Executive Managers are accountable for the work-related needs of their employees.

11.2 Coordinators, Managers, Senior Managers and Executive Managers are expected to:

11.2.1 treat all employees with honesty and respect

11.2.2 promote the CRCS Vision, Purpose and Values as the foundation of service and proper conduct

11.2.3 inform employees of this Code of Conduct and set good examples for employees through their own behaviour in upholding the Code's principles and obligations

11.2.4 provide a family-friendly environment supportive of flexible work practices and adaptive to employee's needs

11.2.5 ensure employees have an explanation of their position objectives and duties, and have access to and are familiar with any policy and procedures, manuals, guidelines and practice frameworks applicable to their area of work

11.2.6 keep employees informed of legislation that applies to them and the consequences if they fail to comply

11.2.7 explain to employees the performance standards expected of them, and objectively assess their performance against those standards

11.2.8 ensure employees have access to training and development opportunities, attend all mandatory CRCS training and promote a lifelong learning ethic through offer CRCS through the mechanisms CRCS has for employee engagement and communication such as the CRCS awards, news, newsletter and social media etc

11.2.9 take all reasonable steps to prevent and respond to:

a. all forms of violence, discrimination, exploitation, neglect and abuse, and

b. sexual misconduct.

11.2.10 ensure employees develop and maintain accurate records that document appropriate activities, participant information, statistics, incidents, hazards, risks, decisions and the reasons for them

11.2.11 support the right of employees to pursue grievances using internal and external processes and ensure that employees are free from victimisation for exercising that right

11.2.12 take appropriate action when employees fail to comply with this Code of Conduct and related standards of conduct, in accordance with the principles of natural justice

11.2.13 promote the services, programs, events and activities of CRCS to employees and encourage participation, and

11.2.14 ensure that employees receive information and communication that flows through the organisation and in particular information that you have been asked to pass on to employees such as (but not limited to): information about CRCS activities and events, meetings, initiatives, recruitment advertisements, mandatory training information, professional development opportunities, payroll information, facilities information, information technology, finance notifications and information, safety information, RAP information and information about CRCS programs and services.

## SECTION 12: Failure to Comply

12.1 Employees who fail to comply with this Code of Conduct or any other lawful directions will be asked to explain their actions.

12.2 If an employee's conduct is found to be contrary to these requirements, and does not involve an honest mistake, the employee will be subject to a range of management options, including, where considered that serious breaches have occurred, appropriate disciplinary action which may include termination of employment.

12.3 All disciplinary, termination and misconduct policies and procedures are detailed in CRCS policy and procedures.

## SECTION 13: Feedback

13.1 Feedback on this policy can be submitted to policy@crcs.com.au.

## SECTION 14: Review

14.1 This policy will be reviewed within three years of the date of endorsement.

## SECTION 15: Agreement

I have read the Capital Region Community Service (CRCS) Code of Conduct and understand my role and responsibilities as outlined therein.

I agree to comply with the CRCS Code of Conduct as a condition of employment/engagement.

| | |
|---|---|
| **Employee / Volunteer / Student Name** | |
| **Signature** | |
| **Date** | |

Please forward the **original signed copy** of this document to People and Culture.