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Service Provider

1.3 Child Care Services Taree & Districts Inc.

Ethical Conduct Policy

Child Care Services Taree & Districts Inc. are passionate about inclusive practice and social justice. We believe all people have the capacity to learn and succeed regardless of diverse circumstances and abilities. We see a future that is built on solid and sustainable relationships where families are supported, respected and valued. We are committed to preventing and responding to abuse, neglect and exploitation of people with disability. We believe in choice and opportunities so that people achieve their full potential.

The Ethical Conduct policy sets the standards for the way we work at CCSTD and the values we hold as an organisation. It provides a practical set of guiding principles to help you make decisions in your day to day work, whatever you do and wherever you do it, and outlines the expectations and rights of all CCSTD staff, support workers, volunteers and participants. The Ethical Conduct Policy is supported by relevant legislation and policies.

The Purpose of the Policy:

By conducting ourselves and carrying out our role in a professional and ethical manner at all times, we are reflecting our values, and the principles contained in this Ethical Conduct Policy. The health, safety and wellbeing of the people we support is the organisation's main concern. This will contribute to a positive organisational culture and result in a professional, safe and healthy work environment.

Policy Statement

CCSTD are committed to:

- Creating a service environment that is free from discrimination, abuse and neglect, and exploitation and where risks to the rights and well-being of the people we support are minimized.
- Promoting legal and human rights to the people we support so they can have full advantage of their choices and opportunities for inclusion and independence.
- Promoting a culture of no retribution in the case of reporting, including reporting of suspected and alleged abuse, neglect, or exploitation or incidents suggestive of abuse, neglect or exploitation.
- Ensuring timely, adequate and appropriate responses to incidents.
- Fostering best practice through ongoing reviews, workplace development and training.

Recognising Abuse, Neglect and Exploitation

Abuse is when the actions of someone violates your human rights. Abuse can be physical, mental, psychological, sexual or even financial. Violent behaviour by a person towards another can include abusive behaviour. People with a disability are more likely to experience violence from a carer or family member.

Neglect is the failure by a service provider or a person caring for you to provide adequate care to you. Types of **neglect** include:

- Physical neglect - failure to provide adequate food, shelter, clothing and protection. Supervision medical or dental care that places you at undue risk through unsafe environments or practices
- Passive neglect - withholding or failure to provide the necessities of life
- Wilful deprivation - wilfully denying you assistance and thereby exposing you to the risk of physical, mental or emotional harm
- Emotional neglect - restricting your social, intellectual and emotional growth or wellbeing

Exploitation can include Illegal taking, misuse, or concealment of funds, property or assets of a vulnerable person. Identity theft is also considered a form of exploitation.

Principles of Prevention of Abuse, Neglect and Exploitation

- Strategies to prevent the abuse, neglect and exploitation of people with disability include the reduction of isolation, and the enhancement of social connections.
- People at risk have the right to be provided with tailored advice and support.
- Systems are established to prevent the occurrence or recurrence of abuse, neglect and exploitation within the service delivery context.

Principles of Identification of Abuse, Neglect and Exploitation

- Early Intervention approaches are implemented for the identification of the abuse, neglect and exploitation of people with disability, taking particular care of known risk situations.
- Regular reviews are in place so that gaps which may contribute to a person experiencing abuse, neglect or exploitation are identified and remedied.
- Training in identifying signs of abuse, neglect, discrimination and exploitation.
- Observations should be documented and reported if necessary. For example: A change in personality, emotional state or living conditions.

Expectations

Throughout all interactions Staff and Support Workers will:

- Treat participants/participant representatives, and people from other organisations with respect and dignity;
- Be fair, reasonable, equitable and responsive in your dealings with families and participants.
- Perform your duties with professionalism and integrity;
- Be conscientious in the performance of your duties and exercise honesty, integrity and sensitivity and professionalism in your work;
- Be alert to areas in which services could be improved or in which difficulties are experienced;
- Strive to continually improve the services provided;
- Provide an environment that is free from harassment or discrimination on the grounds of gender, marital status, sexual preference, pregnancy, race, age, impairment, religious or political conviction.

Participant Interactions

It is expected that you will:

- Immediately report any incident that appears to involve mistreatment or cruelty.
- Not engage in mistreatment of clients, cruelty or inappropriate behaviour in any form.
- Not sexually harass or discriminate against participants on the grounds of gender, marital status, sexual preference, pregnancy, race, age, impairment, religious or political conviction.
- Not strike or use physical force against participants.
- Never swear, shout or be verbally abusive in any way towards participants.
- Always display a positive attitude towards participants and their families.
- Respect participants rights and opinions and encourage participation in decisions which affect them.
- Respect participants autonomy including the right to intimacy and sexual expression.
- Give participants the opportunity to gain knowledge and learn new skills.
- Ensure that participants are informed of their rights and responsibilities and what participants can do if they have a grievance with an individual or CCSTD.
- Maintain confidentiality on all matters that relate to participants.
- Not take advantage of participants or their families in financial or other matters.

Personal Supports Provided to a participant who lives alone

If supporting a participant who lives alone to attend to their personal care and daily activities in their home there should be two Support Workers working with that participant. A sole Support Worker may work with the participant if they have assessed whether any risk factors exist in relation to the participant and have entered into a written service agreement with the participant that the Support can be provided. This Rule has been made in accordance with Sections 73L and 73G of the NDIS Act 2013.

Conduct Towards Fellow Staff, Support Workers and Volunteers

It is expected that you will:

- Treat staff, support workers and volunteers with respect and courtesy, not sexually harass or discriminate against them on the grounds of gender, marital status, sexual preference, pregnancy, race, age, impairment, or religious or political conviction.
- Only discuss concerns involving another staff member, support worker or volunteer with that person and/or management, not with other staff members/volunteers.
- Maintain confidentiality on matters of a personal nature relating to staff, support workers or volunteers.
- Never allow personal relationships, inside or outside the work environment to adversely affect your work performance or that of other staff, support workers or volunteers.

Responsibilities of the CCSTD Committee and Manager

- Ensuring that staff receive appropriate induction and training in identifying risk of harm, understanding reporting procedures;
- Providing appropriate supervision / reflective practice to staff
- Ensuring that staff have hard copy and / or access to documents;
- Induction of new staff or Approved Carers including Child Protection Policies and procedures.

- Ensuring that their program area promotes the safety, welfare and wellbeing of children and young people, and provides an environment that is free from violence and exploitation and provides services that foster health, developmental needs, spirituality, self-respect and dignity
- Ensuring that all child-related employment positions within the organisation are identified, and recruitment for those positions is undertaken in accordance with legislation and policy requirements;
- Ensuring that preferred applicants for child-related employment positions supply two forms of identification;
- Ensuring that, prior to any employment offers being made for child-related positions new Working with Children Checks are satisfactorily completed in accordance with this policy
- Reporting to the NDIS Quality and Safeguards Commission any allegations of reportable conduct against a current or former staff member of CCSTD.
- Ensuring that an investigation in relation to allegations of reportable conduct within the agency follows procedural fairness and best practice investigation processes;
- Promoting behaviours and professional performance within the organisation that clearly values the protection of children and young people from risk of harm, and the promotion of their safety, welfare and wellbeing;
- Ensuring systems are in place for recording and responding to allegations or convictions of a child protection nature against staff. This includes reportable allegations and convictions and allegations that are exempt from notification to the Ombudsman.
- Ensure that all workers are aware of their mandatory obligation to report suspected risk of significant harm and of the procedures for doing so. Use appropriate tools to inform decision making, such as the online Mandatory Reporter Guide, professional judgment or specialist advice, where there are concerns about risk of harm.

Rights

You have a right to:

- Work in an environment which, as far as is practical, is free from exposure to hazards;
- Refuse to work where there is a risk of imminent and serious injury or harm;
- Be given clear expectations of required performance;
- Object to directions which you believe, on reasonable grounds, are illegal, improper or against your particular religious beliefs or philosophy;
- Work in an environment that is free from harassment or discrimination on the grounds of gender, marital status, sexual preference, pregnancy, race, age, impairment and religious or political conviction;
- Support equal opportunity in employment and to have applications for positions treated on merit;
- Raise grievances in an atmosphere which is not threatening and without fear of retribution.
- Have all grievances and allegations made by or against you dealt with in a confidential and prompt manner.
- Participate in public life, including joining trade unions, political parties and interest groups;
- Be given adequate training and equipment to do your job.
- Have information about you kept confidential unless you give permission for it to be passed on
- Support fairness and equity in the way management administers the policies and procedures of CCSTD

- Be treated with respect and dignity and receive clear and honest communication from supervisors and managers.

Rights of the Participants

- People with disability have an inherent right to respect for their worth and dignity as individuals.
- People with disability have the right to participate in and contribute to social and economic life and should be supported to develop and enhance their skills and experience.
- People with disability have the right to realise their physical, social, sexual, reproductive, emotional and intellectual capacities.
- People with disability have the same rights as other members of the community to make decisions that affect their lives (including decisions involving risk) to the full extent of their capacity to do so and to be supported in making those decisions if they want or require support.
- People with disability have the right to respect for their cultural or linguistic diversity, age, gender, sexual orientation and religious beliefs.
- The right to privacy and confidentiality for people with disability is to be respected.
- People with disability have the right to live free from neglect, abuse and exploitation.
- People with disability have the right to access information in a way that is appropriate for their disability and cultural background and enables them to make informed choices.
- People with disability have the same right as other members of the community to pursue complaints.
- The crucial role of families, carers and other significant persons in the lives of people with disability, and the importance of preserving relationships with families, carers and other significant persons, is to be acknowledged and respected.
- The needs of children with disability as they mature, and their rights as equal members of the community, are to be respected.

Ethical Conduct

Ethics are a set of principles by which behaviour can be judged to be right or wrong. Our Ethical Conduct Policy sets the minimum standards of behaviour expected of CCSTD staff, support workers and volunteers.

Guidelines to Ethical Conduct for CCSTD Staff, Support Workers and Volunteers

The guidelines are intended to ensure that staff and volunteers of CCSTD will deliver services in accordance with our standards, expectations and the following principles:

1. Staff and volunteers should perform their duties with professionalism and integrity.
2. Staff and volunteers should effectively and efficiently support participants.
3. Fairness and equity must be observed by our staff, support workers and volunteers in dealings with participants and stakeholders.
4. Real or potential conflicts of interest are to be avoided.

Duty of Care

Staff, support workers and volunteers are expected to practice both General Duty of Care and Occupational Duty of Care at all times. General Duty of Care refers to avoiding doing anything that would foreseeably cause harm to any person. Duty of Care is a requirement that a person, acts reasonably towards others and the public with reasonable attention and caution to avoid acts or omissions that could expose people, for whom there is responsibility, to a reasonably foreseeable risk of injury or harm.

Reporting of Unethical Behaviour

Staff, support workers and volunteers must report any unethical behaviour or wrongdoing by any other staff member, volunteer or third party to an appropriate co-ordinator or manager, without the fear of reprisal. Unethical behaviour may include any action that is a violation of the law, policy, or regulation, or represents gross mismanagement, or is a danger to health or safety.

If participants are exposed to unethical behaviour by staff or support workers the Complaints and Feedback Procedure should be followed. Other contacts available to participants are Disability Advocate NSW and the NDIS Commission.

Reportable Incidents

As outlined in the *NDIS Rules 2018* certain incidents that happen, or are alleged to have happened, in connection with the provision of supports or services by registered NDIS providers are known as **reportable incidents**. These incidents include the death, serious injury, abuse or neglect of a person with disability and the use of restrictive practices in particular circumstances. If a reportable incident occurs, or is alleged to have occurred, CCSTD must give details about the incident to the Commissioner. Details of certain incidents (such as the death of a person with disability) must be notified within 24 hours, while others must be notified within 5 business days.

Mandatory Reporter

Mandatory reporters are required by law to report suspected child abuse and neglect to government authorities. Mandatory reporters in NSW should use the Mandatory Reporter Guide (MRG) if they have concerns that a child or young person is at risk of being neglected or physically, sexually or emotionally abused.

The MRG supports mandatory reporters to:

- determine whether a report to the Child Protection Helpline is needed for concerns about possible abuse or neglect of a child (including unborn) or young person.
- identify alternative ways to support vulnerable children, young people and their families where a mandatory reporter's response is better served outside the statutory child protection system.

It is recommended that mandatory reporters complete the MRG on each occasion they have risk concerns, regardless of their level of experience or expertise. Each circumstance is different and every child and young person is unique.

Compliance with Policy and Lawful Directions

It is expected that you will:

- Comply with CCSTD policies and procedures;
- Read and sign and abide by the Early Childhood Australia Code of Ethics
- Read and understand the *National Disability Insurance Scheme Rules 2018*
- Obey any lawful direction given by your supervisor or any other person having the authority to give direction;
- Adhere to legislative and contractual obligations placed on CCSTD.

Consequence of Breaching CCSTD Policies and Procedures

Breaches by Staff, Support Workers or Volunteers of the policies and procedures may result in disciplinary action or dismissal. CCSTD will follow policies and procedures put in place to address all complaints and feedback reported to the service and ensure that all participants are aware of the advocacy services and the NDIS Commission available to them.

Conflict of Interest

It is expected that you will:

- Not allow private interests to adversely affect your performance or impartiality;
- Not give preference to any person or organisation as a result of any private association with that person or organisation;
- Make an immediate disclosure to your supervisor when it is considered that a conflict of interest might arise for you or other families of staff;
- Advise your supervisor or manager where any benefit has been offered or received from an outside source.
- Not seek to unduly influence any person to obtain promotion, transfer or other advantage.

Use of Alcohol and Drugs

All Staff, Support Workers and Volunteers will:

- Attend the workplace free from the influence of illicit drugs and alcohol, and not consume alcohol or drugs that may affect your performance in the workplace;
- Notify your supervisor of any medication that you have prescribed that may affect your performance;
- Report concerns about working with other staff, workers or volunteers you perceive to be a safety risk due to drug/ alcohol use to the office manager as soon as possible;
- Drink only in moderation and within legal limits when representing CCSTD at official functions;
- Recognise that CCSTD has a smoke-free policy and that smoking is limited to designated areas and recognised breaks.

Use of Official Information

It is expected that you will:

- Not use information gained about CCSTD operations to improperly gain any kind of advantage for yourself or for another person or organisation;
- Not pass on information gained about CCSTD families, participants or staff to other people or organisations without the necessary consents being obtained.

Work Health and Safety

It is expected that you will:

- Co-operate in ensuring that the highest possible health and safety standards are maintained through all CCSTD activities;
- Take reasonable care to ensure your own safety at work and avoid adversely affecting the health, safety and welfare of any other person;
- Use or wear any protective equipment or clothing required to be used or worn;
- Immediately report any situation at the workplace which may constitute a hazard to any person;
- Report and document any accident or incident immediately.

Use of CCSTD Vehicles

It is expected that you will:

- Not drive CCSTD vehicles when under the influence of alcohol or drugs;
- Only drive CCSTD vehicles when authorised by CCSTD and legally licensed to do so;
- Use CCSTD vehicles for their authorised purpose;

Not allow unauthorised drivers to drive CCSTD vehicles;

- Ensure that CCSTD vehicles are regularly and properly cleaned and maintained;
- Not smoke in CCSTD vehicles;
- Drive CCSTD vehicles with care and safety at all times and in accordance with CCSTD policies and the road traffic code;
- Promptly settle any fine incurred as a result of traffic and parking infringements occurring while you are a driver of an CCSTD vehicle;
- Report any damage to an CCSTD vehicle in your control and any vehicle malfunctions to the Service Manager.
- Report any driving convictions to your manager at the time of the offence

Financial Probity and Accountability

Staff, support workers and volunteers must ensure that in financial matters, including the handling of monies, they are fully accountable for all transactions or advice. Staff, support workers and volunteers undertaking financial responsibilities, must observe all relevant legislative and regulatory requirements, and CCSTD financial policies and procedures.

Diligence

Staff, support workers and volunteers must perform their duties diligently in order to contribute effectively to achieve the desired performance of their workplace. Any staff member, support worker or volunteer who is negligent, careless, indolent, inefficient, or incompetent in the discharge of her/his duties will face disciplinary action which may result in dismissal.

Punctuality

Staff, support workers must be punctual in attendance, be on duty for the whole of normal working hours and must inform the manager if they will be absent from work.

Wastage and Extravagance

Staff, support workers and volunteers must strive to attain value for money and avoid wastage or extravagance with usage of CCSTD resources. Facilities and other physical resources must be used for their appropriate purpose and maintained appropriately. If possible, staff and volunteers should identify improvements to systems and procedures to achieve effective and efficient use of CCSTD resources.

Courtesy to Clients and the Public

Staff, support workers and volunteers must be courteous and polite at all times in dealings with clients and the public.

Gifts and Favours

It is unacceptable for staff, support workers or volunteers to encourage gifts or favours for services provided in connection to their official duties for themselves or their family. Gifts cannot be in the form of cash or negotiable instruments. When a gift or favour is received, staff, support workers and volunteers must declare it to their manager. If staff, support workers and volunteers believe that a gift is given to induce favoured treatment, their manager must be advised immediately, who shall then address the incident and report to the Management Committee.

Invitations

Staff, support workers and volunteers are sometimes invited by other organisations to attend events. Invitations may be accepted in consultation with the manager if their attendance will be regarded as mutually reciprocal or will enhance networking. In accepting invitations, staff, support workers and volunteers must be aware that they are representing CCSTD.

Fairness

Staff, support workers and volunteers must treat all people fairly, with sensitivity and involve them in decisions that affect them. Staff, support workers and volunteers must be responsible for any decisions made and ensure that they have observed the legal requirements, established the facts and avoid improper exercise of powers.

Work Environment

CCSTD aims to foster and maintain good working relations. Staff, support workers and volunteers must respect, and seek when necessary, the opinions of other staff, support workers and volunteers and acknowledge their contribution.

Participation in Seminars and Related Activities

Staff must obtain the prior approval of the Manager before presenting at seminars organised by professional conference organisers during normal working hours. Any payment or fee received for seminar participation must be paid to CCSTD, unless you have obtained exemption, in writing, of this requirement from the Management Committee.

Equal Employment Opportunity

CCSTD is committed to fairness and non-discrimination to maintain standards of equity, ethical conduct and accountability. Management Committee, staff, support workers and volunteers must ensure that CCSTD work environment is free of discrimination and harassment.

Work Health and Safety

CCSTD is committed to a healthy, safe and secure work environment and staff and volunteers are expected to become familiar with Work Health and Safety Regulations and legal obligations that impact on the way in which they undergo their duties. No smoking is permitted in CCSTD facilities, including offices, workplaces and motor vehicles.

Access and Equity

CCSTD will ensure that all participants, staff, support workers and volunteers regardless of race, culture, religion, gender or language are equally able to benefit from, and participate in, its activities. Staff, support workers and volunteers should assist in identifying and eliminating any barriers to full access and equity so that CCSTD can communicate more effectively with its participants.

Copyright and Intellectual Property

CCSTD retains the copyright of any work or intellectual property produced by staff, support workers and volunteers during their employment.

Patronage or Favouritism

Staff, support workers and volunteers must ensure that they do not use their position or power to influence a personal gain for themselves, their family or friends.

Confidentiality after Leaving CCSTD

Once employment or involvement has ceased, Committee members staff, support workers and volunteers should not use confidential information obtained during employment to advantage a prospective employer or disadvantage CCSTD in its operations.

Relevant Legislation and Standards

- NDIS Practice Standards
- National Disability Scheme Insurance Rules 2018
- Anti-Discrimination Act 1977 (NSW)
- NSW Disability Service Standards (NSW DSS).
- NDIS Code of Conduct
- Privacy and Personal Information Act 1988 (NSW)
- Privacy Code of Practice (General) 2003 (NSW)
- Work Health and Safety Act 2011 (NSW)
- The Disability Inclusion Act 2014 (NSW) and Disability Inclusion Regulation 2014 (NSW).