

## Policy statement

Therapy Connect is committed to the highest standards of professional, social and ethical conduct and believe that all who interact with the organisation deserve treatment with the utmost dignity and respect and benefit from a fair workplace. The Therapy Connect Code of Conduct sets out the standards expected for the provision of services and all professional undertakings and aligns with the [National Disability Insurance Scheme \(NDIS\) Code of Conduct](#).

## Scope

This policy applies to all Therapy Connect representatives, both paid and unpaid, including employees, directors, contractors and board members.

## Responsibilities

It is the responsibility of directors to:

- ensure that employees, contractors and board members are supported to understand and uphold the Code of Conduct;
- assume a leadership role in observing and promoting the behaviours and standards outlined in the Code of Conduct; and
- take timely action where a breach of the Code of Conduct is identified and ensure investigations and actions are fair and unbiased;
- ensure that no one is victimised as a result of reporting a breach or suspected breach of the Code of Conduct.

It is the responsibility of employees, contractors and board members to:

- uphold the behaviours and standards outlined in the Code of Conduct in all their dealings whilst undertaking work for or on behalf of Therapy Connect;
- familiarise themselves with any legislation, regulation or contractual requirements that apply to their work for or on behalf of Therapy Connect ; and
- notify a director of any concerns regarding behaviours and standards of conduct, including breaches of the Code of Conduct or applicable legislation, regulation or contractual requirement.

## Definitions

**Misconduct** – Behaviour that is unacceptable in a work environment and is willfully done with a wrong intention. Examples include: using abusive language; willfully contravening workplace policies; excessive and ongoing lateness; knowingly disclosing confidential information; or deliberate misuse of computer systems. Misconduct is more than unintentional inappropriate conduct, negligence, error of judgement or an innocent mistake.

**Serious misconduct** – Deliberate behaviour in a way that is inconsistent with continuing a work contract or employment. Examples include: causing serious and imminent risk to the health and safety of another person or to the reputation or profits of their employer's business; substantial and wilful breach of policy; theft; fraud; assault; being intoxicated whilst working; or refusing to carry out a lawful and reasonable instruction that is part of the job.

**Conflict of interest** - A situation where a person can derive a real or perceived benefit from actions or decisions made in their official capacity. There is a conflict of interest when a person's decisions are affected by relationships, for example family, friends, other positions they hold, or there is personal or financial gain. A conflict may be actual (a conflict which has arisen in the present situation), potential (a conflict that may occur in the future) or perceived (a conflict that is seen by others to be a conflict but is not).

**Under the influence of drugs and alcohol** - An individual shall be deemed to be under the influence of alcohol if they exceed a blood alcohol level of 0.05% and under the influence of drugs if the effects of the drugs interfere with sound judgement and acceptable behaviour.

## Code of Conduct key principles

### 1 – Respect and uphold human rights

All people are free and equal in dignity and rights.

- Act with respect for individual human rights as outlined in the United Nations Universal Declaration of Human Rights and by the United Nations Convention on the Rights of the Child (CROC).
- Treat all people with respect and strive to understand their point of view and situation.
- Ensure all people you work with encounter no discrimination based on their gender or gender identity, age, Aboriginal or Torres Strait Islander heritage, cultural background, physical or intellectual abilities, country of birth, religious beliefs, sexuality, pregnancy and breastfeeding, marital or domestic status, parental status or family or carer responsibilities, union membership, medical record, or physical appearance (including height, weight, size or other body characteristics).
- Adopt a person-centred approach, where people, including young people and children, are involved in decisions that directly affect them in ways appropriate to their age, abilities, development and communication skills. Communicate in a way that ensures people understand information given to them and feel safe to make their own preferences and concerns known.

### 2 – Act with integrity, honesty and transparency

Integrity and honesty are crucial to developing the trust of people receiving services.

- Be transparent about your qualifications and any limits on your competencies.
- Disclose if you have failed a worker screening clearance or been subject to a professional misconduct finding.
- Be open and honest about the services you are able to provide. People have a right to get information about the comparative cost and effectiveness of treatments and the risks and benefits of service options.
- Declare and avoid any real or perceived conflict of interest in your work.
- Avoid giving, asking for or accepting inducements or gifts that may influence decision-making or service delivery.
- Follow all Therapy Connect policies and processes and ensure honesty in all financial dealings.
- Always act in the interests of the people receiving services and uphold the reputation and sustainability of Therapy Connect.

### 3 – Respect privacy and maintain confidentiality

The protection of privacy promotes inclusion and provides a safe space for people to seek support.

- Uphold the Australian Privacy Principles (APP) and comply with the Privacy Act 1988 to ensure people are safe when accessing services.
- Explain why and what information is kept, who has access to it, and what to do if a person believes their privacy is breached. People have the right not to have their personal information disclosed to others without their informed consent, unless mandatory reporting is required.
- Keep personal and confidential information secure at all times.
- Deliver services in a way that maintains personal dignity. This includes both asking permission to perform and explaining procedures that involve physical touch or invading personal space.

### 4 – Provide services in a safe and competent manner

All people receiving services have a right to be safe and to receive quality services.

- Ensure you have adequate expertise and competence necessary for safe and skillful service delivery. You must have and maintain required qualifications and skills and you should decline directions to undertake duties that you are not qualified or trained to deliver.
- Comply with your own professional code of conduct and relevant work, health and safety requirements.
- Never work under the influence of drugs or alcohol.

### 5 – Safeguard the wellbeing of vulnerable people

Vulnerable people, such as children, young people, people with disabilities, Aboriginal and Torres Strait Islander peoples and people from culturally and linguistically diverse backgrounds, are more likely to experience violence, abuse, neglect and exploitation.

- Promptly take steps to raise and act on concerns about matters that may affect the quality and safety of supports and services provided, particularly to people who can be vulnerable.
- Be open to feedback about improvements needed to ensure quality service and ensure complaints are welcomed and treated fairly and in a timely manner.
- Take all reasonable steps to prevent and respond to all forms of exploitation, neglect, abuse and violence, particularly for people who can be vulnerable.
- If an incident or criminal act does occur, after ensuring the safety of the person affected, report it to a director and/or other authorities, including the police where appropriate.
- Work to reduce and eliminate restrictive practices, including behaviour involving seclusion, chemical, mechanical, physical or environmental restraint.

## Responding to misconduct and serious misconduct

If an allegation of misconduct or serious misconduct is made about an employee or contractor, the person will be:

- advised in writing of the alleged misconduct or serious misconduct, including details of the allegations and whether they are considered to be serious misconduct;
- given a reasonable opportunity to be heard and/or to make written submissions, within 10 working days, in relation to the allegations;
- notified in writing of the result of any investigation and the details of any disciplinary action;

- given the opportunity to seek review of the disciplinary action within 10 working days of receiving notice.

A director may suspend the person from work or restrict their work role where there is an allegation of serious misconduct and a potential risk to the safety or wellbeing of others, for example an allegation of abuse of a child, young person or a person with disability.

Allegations of serious misconduct by a director or board member must be handled by an independent external agency to ensure investigation and actions are objective and are not able to be influenced.

The person's employment or contract may be terminated without notice (or payment in lieu) if they have engaged in serious misconduct. If the person seeks a review of a decision to terminate their employment or contract, this review will be handled by an independent external agency.

## Relevant legislation

- National Disability Insurance Scheme Act 2013 (Cth)
- Sex Discrimination Act 1984 (Cth)
- Racial Discrimination Act 1975 (Cth)
- Racial Hatred Act, 1995 (Cth)
- Disability Discrimination Act 1992 (Cth)
- Age Discrimination Act 2004 (Cth)
- Charter of Human Rights and Responsibilities Act 2006 (VIC)
- Fair Work Act 2009 (Cth)
- Work Health and Safety Act 2011
- Australian Human Rights Commission Act 1986 (Cth)
- Privacy Act 1988 (Cth)

## Document control

<i>Code of Conduct Policy</i>	<i>Version 1</i>	<i>Approved: October 2019</i>	<i>Review date: October 2021</i>
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