




## Code of Conduct and Ethical Behaviour

### STATEMENT

The Paraplegic & Quadriplegic Association of South Australia Ltd trading as *estara* delivers services that promote individual rights to freedom of expression, self-determination and decision-making and actively works to prevent abuse, harm, neglect and violence. *estara* recognises that its reputation, the quality of the services it provides to the community and community confidence is determined by the integrity and behaviour of the people it engages to provide services on its behalf.

*This Policy is delegated for approval by the Chief Executive Officer*

Approved by:  Chief Executive Officer	Date of Approval: April 2022  Date of Next Review: April 2025
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**In this policy, 'us' 'we' or 'our' refers to The Paraplegic & Quadriplegic Association of South Australia Ltd ACN 644 670 977, which is a Company Limited by Guarantee and trading as *estara*.**

*Please note that printed copies are not able to be controlled and the Shared Drive should always be referred to for the most current version.*

## **SCOPE**

Compliance with this policy is a condition of appointment for all workers engaged to provide services on behalf of *estara*.

## **DEFINITIONS**

Refer to the *estara* Policy and Procedure Definition Glossary

## **RESPONSIBILITIES**

It is our responsibility to communicate our policies and procedures to all workers on a systematic basis. Senior Leadership, Managers and Supervisors are responsible for monitoring their workers' understanding of their obligations and need for compliance with policies and procedures. Workers are responsible for complying with our policies and procedures.

### **The *estara* Board is responsible for:**

- the governance and oversight of *estara* in a manner which upholds and reflects the principles of this Code.

### **The Chief Executive Officer is responsible for:**

- enforcing this Code across the Company.

### **The Director of People and Culture is responsible for:**

- reviewing and monitoring the application of this Code across all Divisions of *estara*.

### **Directors and Managers are responsible for ensuring:**

- persons engaged to provide services have read and understood this Code prior to employment
- each worker has signed the **Code of Ethical Behaviour Declaration** upon commencement of employment and that the declaration is forwarded to People and Culture.

### **Workers engaged to provide services are responsible for:**

- reading the Code of Ethical Conduct and signing the **Code of Ethical Behaviour Declaration** upon commencing employment
- making a **Declaration of Interest**, if the worker has a delegated financial authority or a personal interest which might influence their decisions or conflict with the interests of *estara*.

## **CODE OF CONDUCT**

All workers must:

- demonstrate integrity and humanity and observe the principles of the UN Declaration of Human Rights avoiding all discriminatory practices including but not restricted to those relating to race, gender, sexual preference, religion and politics
- comply with all applicable Australian Laws
- promptly take steps to raise and act on concerns which may impact on the quality and safety of supports and services provided to clients
- take all reasonable steps to prevent and respond to all forms of violence against, and exploitation, neglect and abuse of any person with a disability
- take all reasonable steps to prevent and respond to sexual misconduct

- provide supports and services in a safe and ethical manner
- provide supports and services in a safe and competent manner and, consistent with the NDIS Code of Conduct and this Code, ensuring that:
  - our clients are respected for their right to freedom of expression, self-determination and decision-making
  - our clients are treated with integrity, honest and transparency
- comply with person-centred service provision principles as directed verbally and/or in writing in clients plans
- not impose restrictions on client choice and decision making; provide clear and honest information to clients based on professional direction
- comply with all lawful and reasonable directions given by someone who has the authority to give direction
- maintain principles of infection control
- provide appropriate supports and not discourage clients from seeking support from medical professionals, such as doctors or specialists
- comply with relevant privacy laws and not discuss or disclose personal information with anyone without the appropriate authority
- maintain accurate and objective records and documentation
- not work while under the influence of drugs or alcohol
- not financially or otherwise exploit clients
- not give misinformation or participate in gossip about fellow workers or clients
- not engage in sexual or inappropriate personal relationships with clients
- preserve and, wherever possible, improve the quality of life for each client
- disclose and take reasonable steps to avoid, any conflict of interest (real or apparent)
- use *estara* resources in a proper manner
- treat all client's belongings and resources in an ethical and proper manner
- recognise and promote individual freedom of expression
- not make use of the position held in order to gain, or seek to gain, a benefit or advantage
- not express personal opinions as being those of *estara*
- at all times behave in a manner that upholds the values, integrity and good reputation of *estara*.

The Board, Chief Executive Officer and Directors of *estara* should take appropriate actions to achieve the objectives and purpose of *estara*. These actions include but are not limited to:

- the effective and economic management of all available resources
- the appointment, training and continuous development of competent and appropriately skilled workers
- the development of effective communications, understanding and cooperation between all workers at all levels
- fair and equitable treatment of all persons
- compliance with workplace related legislation and regulations including Work, Health and Safety, human resource management and financial management
- frequent review of services and supports to ensure ethical application of all practices.

## **THE PRINCIPLES OF ETHICAL BEHAVIOUR**

Workers must behave in a manner that will not bring themselves or *estara* into disrepute. Their behaviour must not cause embarrassment to or disadvantage a client.

## **PROCEDURES**

Any worker engaged to provide services on behalf of *estara* must be provided with a copy of this policy as part of their appointment package and informed that compliance with the policy is a condition of appointment.

They should also be informed of the requirement to complete a Code of Ethical Behaviour Declaration and, in some circumstances, to declare any conflict of interest as part of this policy and associated *estara* policies.

## **REPORTING UNETHICAL BEHAVIOUR**

If a person believes that the behaviour of any worker is unethical, they must immediately report it to their Supervisor.

Unethical behaviour includes:

- workplace behaviour that is contrary to this code
- workplace behaviour that violates any law, or is corrupt conduct or misconduct
- mismanagement of resources or fraudulent behaviour
- behaviour that creates a danger to public health, safety or the environment
- behaviour that restricts the rights of clients to:
  - be treated with dignity and respect
  - have freedom of expression
  - have choice and control
  - have privacy
  - be free from discrimination in any form.

## **RELATED LEGISLATION**

- Age Discrimination Act 2004
- Australian Human Rights Commission Act 1986
- Children and Young People (Safety) Act 2017
- Code of Conduct for Unregistered Health Practitioners - Health and Community Complaints Commissioner (HCSCC)
- Disability Discrimination Act 1992
- Equal Opportunity Act 1984
- National Disability Insurance Scheme (Code of Conduct) Rules 2018
- National Standards for Disability Services –
  1. Rights
  2. Participation and Inclusion
  3. Individual Outcomes
  4. Feedback and Complaints
  5. Service Access
  6. Service Management.
- Privacy Act 1988
- Racial Discrimination Act 1975
- Restrictive Practices Reference Guide for the South Australian Disability Service Sector
- Sex Discrimination Act 1984
- Work, Health and Safety Act 2012
- Workplace Gender Equality Act 2012

## **SUPPORTING ESTARA DOCUMENTATION**

- Child and Young Person Protection Policy and Procedures
- Client Choice and Control Policy and Procedures
- Client Rights and Responsibilities Statement
- Client Safeguarding – Management of Client Finances
- Communication with Clients Statement
- Complaint – Concern Management Policy and Procedures (Client Complaints)
- Conflict of Interest Governance Policy and Procedures
- Conflict of Interest – Service Delivery Policy and Procedures
- Discipline and Termination of Employment Policy and Procedures
- Equal Opportunity Policy
- External Communication Policy and Procedures
- *estara* Culture Statement
- Gifts and Donations Policy and Procedures
- HomeCare+ Support Planning Policy and Procedures
- Infection Prevention and Control Policy
- Person Centred Policy and Procedures
- Privacy – Private Information Management Statement
- Quality and Safeguarding Statement
- Restrictive Practices Policy and Procedures
- Vulnerable Adult – Client Safeguarding Policy and Procedure
- Whistleblower Protection Policy
- WHSE – Documenting and Recording Incident Concern Reports Policy and Procedures
- WHSE – Duty of Care Policy and Procedure
- Workplace Bullying, Harassment and Discrimination Policy and Procedures

## **BREACHES OF THIS POLICY**

A **breach** of this policy is grounds for disciplinary action, up to and including termination of employment. Ignorance of these procedures will not generally be accepted as an excuse for non-compliance. Only in extreme circumstances and where such ignorance can be demonstrated to have occurred through no fault of the individual concerned will *estara* accept such an argument.

## **DISTRIBUTION AND REVIEW**

*estara* will ensure all persons engaged to provide services either paid or unpaid will be aware of this policy and will have easy access to it in an appropriate format. All policies are to be reviewed on a periodic basis or when legislation or government policy determines.



## **STATEMENT OF CODE OF CONDUCT AND ETHICAL BEHAVIOUR DECLARATION**

The Code of Conduct and Ethical Behaviour is accessible at:  
[www.homecareplus.asn.au/policies](http://www.homecareplus.asn.au/policies)

I have accessed and read the Code of Conduct and Ethical Behaviour and believe that I understand its meaning for me.

I accept that compliance with the requirements of the statement is a condition of my employment with The Paraplegic & Quadriplegic Association of South Australia Ltd and that a deliberate failure on my part to comply with the statement or its underlying policy may be grounds for termination of my employment.

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_/\_\_\_\_/\_\_\_\_

**Full name:** \_\_\_\_\_