

## Expected Outcome

All Team Members and management will perform their duties with integrity and abide by this Code of Behaviour and Confidentiality Procedure.

## Training Requirements

All Team Members

## Procedure

The following is an in-depth explanation of the Code of Behaviour and Confidentiality Agreement.

### **Abide by the Aims, Objectives and Philosophy of the Service.**

All Team Members and management must perform their duties in line with the Aims, Objectives and Philosophies of the Service.

### **Observe all the rules of the Service including those specified in the constitution, Policy and Procedure Manual, Home and Community Care Guidelines and any others determined by the Governance Body.**

All Team Members and management must perform their duties according to the constitution, the Policy and Procedure manual and management direction.

### **Represent the Service and the Team in a positive way**

All Team Members and management have a responsibility to promote and represent the Service and the Team in a positive way to other Team Members/management and the community. This includes when Team Members are using social media such as face book, text messaging and twitter.

If any Team Members or management have concerns regarding the Service, these issues must be raised and addressed according to the Policies and Procedures of the Service.

### **Act in an honest and trustworthy manner in both word and action (including reporting any dishonest act witnessed).**

Team Members and Governance Body Members are to observe the strictest practice of honesty and integrity at all times and this may include a duty to report dishonesty on the part of another member of Team Members or Governance Body Members.

### **Treat Service Users with courtesy, respect and consideration, act on complaints and provide services to the best of their ability.**

The Service exists to provide assistance to our Service Users to live as independently as possible. By providing a courteous, respectful service that takes Service User suggestions/complaints seriously we empower our Service Users.

## Protect Confidentiality

Confidentiality is the preservation of information concerning the Service users, Team Members, Governance Body and members of the Service.

As Team Members or Governance Body Member there will be information that you will have access to by the nature of your work. Information, phone numbers

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addresses of Service Users/Team Members are to be kept confidential. Not all Team Members and Governance Body Members will be allocated access to Service User/Team Member records and this must be respected at all times.

Any information disclosed at team meetings, Governance Body meetings, Sub-Committees and working party meetings is considered confidential unless permission is given at the particular meeting for information to be disseminated.

All Team Members and Governance Body Members have a responsibility to ensure that confidential documents cannot be accessed or read by people not authorised to do so. Any information of a confidential or sensitive nature should be kept in secure storage and where possible hand delivered or tabled at an appropriate meeting rather than being circulated.

When it is necessary to work with other agencies in order to provide service, the obligation of confidentiality should be binding on everyone concerned.

Where information is requested regarding the outcome of Governance Body Committee meetings by individuals who are not members of the Service or a duly elected Governance Body member, they should be referred to the Chairperson or the Manager.

Team Members and Governance Body members must not:

- Disclose to any person any information concerning the financial details of the Association or its projects;
- Disclose to any person any matter raised at Governance Body Meetings, whether documented or otherwise, without the express approval of the majority of Governance Body Members;
- Disclose any matter relating to:
  - Governance Body Meetings;
  - Team Member Remuneration;
  - Personnel matters, including employment;
  - Financial Arrangements;
  - Team Members; or
  - Any disciplinary actions taken

Without the express approval of the majority of Governance Body Members or where the information is required in the day to day business of the projects (e.g. Financial Administration Assistant having details of Team Member remuneration.)

- Cause Governance Body documents to be released to any person without the express approval of the majority of Governance Body Members. For the purpose herein, Governance Body papers shall include but not be limited to:
  - Financial Records;
  - Governance Body Minutes;
  - Governance Body Agenda's;

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- Governance Body Reports;
- Correspondence and memoranda; and
- Performance Dispute/Grievance Reports.

Confidentiality refers to both verbal and written communication (including social media such as face book, text messaging and twitter)

**Continue to respect confidentiality after leaving the organisation**

Former Team Members or Governance Body Members are to maintain confidentiality of official information known to them after leaving the employ of the Service.

**Follow reasonable instructions given by supervisors and/or management**

Team Members and Governance Body Members will not willfully disobey or disregard a reasonable direction or request given by the Manager, or a person with the authority to make or give the direction/request. Team Members and Governance Body Members who disagree with the direction/request can discuss the matter according to the Team Member Performance and Grievance Procedure.

Team Members and Governance Body Members should give their time and attention to carry out their work efficiently and the standard of their work should reflect a positive image of themselves and the Service. The work of a Team Member is to be done within the policies and guidelines of the Service without personal views being reflected in the way the work is done or how the Service is delivered. Should a Team Members and Governance Body Members conscientiously disagree with a particular policy then the Team Members and Governance Body member should discuss the matter with the Manager and/or the Governance Body.

**Recognise and declare any potential conflicts of interest**

Team Members and Governance Body Members are to act in the general public's interest and not in a manner to obtain unfair advantage for themselves, other individuals or services. Team Members and Governance Body Members are to disclose any interest, which could lead to, or could be perceived to lead to, a conflict of interest.

Should a Team Member or Governance Body Members become aware that a conflict has arisen or potential conflict may arise, the Team Member is to inform the Manager and/or Governance Body.

**Declare any Political Participation that may impact upon the Service**

Team Members or Governance Body Members who participate in political activities are to ensure that this involvement does not conflict with the performance of their duties.

**Disputes and grievances must be dealt with in line with Team Member Performance Dispute and Grievance Procedure.**

Conflict is a part of life, when working or volunteering with a variety of people conflicts are natural. Remember if you have a problem it must be dealt with according to the Policy and Procedure of the organisation. It is your responsibility to

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try in good faith to resolve any disputes and assist at all times to promote harmony in the workplace.

**Will not act Corruptly**

Corrupt conduct occurs when:

- A public official performs their duties dishonestly or unfairly;
- Anyone (including a public official) who does something that could result in a public official performing their duties dishonestly or unfairly;
- Anyone (including a public official) who does something that has a detrimental effect on official duties, and which involves any of a wide range of matters, including (for example) fraud, bribery, official misconduct, violence by an Team Member or former Team Member breaches public trust; or
- Team Members and Governance Body Member or former Team Member misuses information or material obtained in the course of duty.

**Not smoke, take illegal drugs or consume alcohol when on duty or on the premises.**

HKCT is a smoke free environment. As we ask that Service Users do not smoke in your presence we also ask that you give the same respect. This includes service vehicles.

HKCT requires that no Team Members or Governance Body member is under the influence of drugs or alcohol while working or volunteering.

**Not make an offer or make suggestion about purchasing/acquiring any property of the Service User**

Should a service user wish to or be considering selling a piece of property interest by a Team Member may result in the Service user:

- making a gift of the property to the Team Member;
- offering the item to the Team Member at less than the market value; or
- asking the Team Members advise with regard to disposal of the item.

All of the above place the Team Member in an unacceptable position of power and could be construed as abuse of Duty of Care.

**Not solicit gifts from Service Users.**

It is natural for Service Users to sometimes want to give a gift to a Team Member however the Service has a Duty of Care to Service Users to protect them from situations that could be perceived as abuse of position.

The acceptance of a gift may place a Team Member or Service User in a situation where they may feel a debt is owed. This could also lead to a Service User receiving, or being perceived as receiving, preferential treatment or the Service User feeling obligated to provide further gifts to the Team Member.

Team Members and Governance Body Members are not to directly or indirectly encourage or demand or any gift or benefit in respect of work performed or services delivered by them in connection with their position at the Service.

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If a sum of money is paid over the standard rate for the Service it will be considered a donation to the Service. This should be explained to the Service User and a receipt given.

To ensure that Service Users are not placed in a position of potential abuse no Team Member of the Service will accept **any gift over the value of \$10**. Team Members may accept gifts of home produce (such as a cutting of a favourite plant, homemade jam). Any Team Member receiving **any gift under the value of \$10** or home produce from a Service User must notify the Office and have the item placed on the Gift Register, recording the gift protects both the Service User and the Team Member. **Any gift over the value of \$10 is not accepted at all.**

**Not have sexual relationships with Service Users, visit Service Users home or take them to Team Member's homes outside of regular duties approved by the Service.**

People you meet while working with the Service are Service Users of the Service and as such will be protected by the Service. It is inappropriate to form relationships with Service Users outside the parameters of service provision. Inappropriate relationships encourage a blurring of boundaries between individuals and can result in the Service User and/or Team Member becoming dependent upon each other rather than relying on the Service for information and support.

**Not abuse or harass, physically or verbally, other Team Members or Service Users of the Service.**

All Team Members must refrain from any form of conduct, including using bad language that may cause offence, intimidation or embarrassment to Service Users, Team Members, Governance Body Members or members of the Public. Discrimination and harassment will not be tolerated under any circumstances

It is the responsibility of every Team Member to:

- not participate in discriminatory or harassing behaviour within the workplace;
- Offer support to anyone who is being harassed and let them know where they can get help and advice (they should not, however, approach the harasser themselves); and
- Maintain complete confidentiality if they provide information during the investigation of a complaint. Team Members should be warned that spreading gossip or rumours may expose them to a defamation action.

Sexual harassment is any unwanted or uninvited behaviour of a sexual nature which makes a person feel humiliated, intimidated or offended. Sexual harassment can take many different forms and may include physical contact, verbal comments, jokes, propositions, the display of offensive material or other behaviour which creates a sexually hostile working environment.

Specific examples of sexual harassment may include: uninvited touching; uninvited kisses or embraces; smutty jokes or comments; making promises or threats in return for sexual favours; displays of sexually graphic material including posters, pinups, cartoons, graffiti or messages left on notice boards, desks or common areas; repeated invitations to go out after prior refusal; "flashing" or sexual gestures; sex-based insults, taunts, teasing or name calling; staring or leering at a person or at

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parts of their body; unwelcome physical contact such as massaging a person without invitation or deliberately brushing up against them; touching or fiddling with a person's clothing including lifting up skirts or shirts, flicking bra straps, or putting hands in a person's pocket; requests for sex; sexually explicit conversation; persistent questions or insinuations about a person's private life; offensive phone calls or letters; stalking; and offensive e-mail messages or computer screen savers.

Sexual harassment is unlawful in any work-related context, including conferences, work functions, office Christmas parties and business or field trips and includes interactions with Service Users.

Sexual harassment is not behaviour which is based on mutual attraction, friendship and respect. If the interaction is consensual, welcome and reciprocated it is not sexual harassment.

**Not give advice to Service Users.**

It is not the role of the Service to provide advice to Service Users. If you are asked for advice please tell the Service User that you cannot give advice and as what may be right for you may not be right for them.

**Not alienate Service Users from their family.**

It is important to remember "there are two sides to every story" and the Service does not engage in family disputes or attempt to alienate Service Users from their families.

**Misconduct**

Misconduct may result in suspension and/or instant dismissal of a Team Member. Misconduct includes, but is not limited to:

*Theft of property or funds from the Service.*

This includes any equipment, stationary, food, petty cash, falsely claiming reimbursement and/or overtime/travel etc, and all other goods and property owned by the Service

*Willful damage of project property.*

This includes the neglect of general maintenance of equipment and/or any damage purposefully done to any of the Services property and/or equipment

*Intoxication through alcohol or other substances during working hours.*

This includes any Service User functions (e.g. Christmas Parties etc) where Team Members are responsible for Service User care or while delivering meals to Service Users.

*Verbal or physical harassment of any other Team Member or Service User, particularly in respect of race, sex or religion.*

The above will not be tolerated by the organisation under any circumstances. It should be noted that harassment is defined by the person being harassed not the person inflicting the harassment. Ensure your behavior cannot be construed as harassment at any time.

*The use of unprofessional speech such as swearing or bad language.*

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It is the duty of all Team Members to always act in a professional manner and this includes speaking politely to all.

*The disclosure of confidential information in respect to the organisation to any other party without prior permission.*

Disclosure of confidential information is also a **crime** under the Privacy Legislation. This includes discussing a Service User in anyway where other people may over hear. (e.g. telling another Service User or volunteer that a Service User is in hospital is a breach of privacy unless that Service User has expressly given permission for that other Service User or volunteer to be told)

Disclosure may include both verbal and written communication (including social media such as face book, text messaging and twitter)

*The disclosure of information concerning the Service Users of the organisation other than the information that is necessary to assist Service Users and to ensure their safety.*

Same as above. Information released to ensure a Service Users safety may be medical information given to ambulance/medical personnel.

*Carrying on private business in an activity similar to that undertaken by the organisation without prior written permission.*

No private similar business may be conducted without written permission of the Governance Body.

*Carrying on a private business from project premises or using project resources for private business.*

This includes but is not limited to taking private business phone calls, using the organisation's photocopier, stationary, equipment etc to support a private business

*Failure to comply with the Code of Behaviour and Confidentiality Procedure and the corresponding Agreement.*

This is the Code of Behaviour and Confidentiality Procedure. You will sign a copy of the Code of Behaviour and Confidentiality Agreement.

*Falsification of any organisation records for personal gain or on behalf of any other Team Member/Service User.*

This includes, but is not limited to, falsification of time sheets, leave records, and travel reimbursement sheets.

**Governance Body Members additionally agree to:**

Attend meetings as set whenever possible, and if unable to attend, to send apologies.

Not act on Service matters without the consent of the Governance Body, including not interfering in the day-to-day operations of the Service.

**Failure to abide by the above rules they may result in termination of employment, volunteer agreement or expulsion from the relevant Governance Body/Body.**

**Documents to be completed and/or related to this procedure**

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- DOC 1.03-3-1 Code of Behaviour and Confidentiality Agreement

**Corresponding Policy**

- POL 1.03 Quality Management

**Relevant Standard**

**Community Care Common Standards**

1.7 Human Resources

**Disability Service Standards**

8. Service Management

**Procedure History**

No: 1.03-3	Code of Behaviour & Confidentiality Procedure		Date Approved		
Date Procedure due for review	Date Procedure Reviewed:	Amendments	Positions informed/trained in amendments	Method	Date