

Code of Conduct

A Scope

- (i) This Code of Conduct applies to all staff and the Board of Interaction Disability Services Ltd.

B Purpose

- (i) The NDIS Code of Conduct sets minimum expectations, and shapes the behaviour and culture of NDIS providers and persons employed or otherwise engaged by NDIS providers.
- (ii) The NDIS Code of Conduct supports and empowers the rights of people with disability in the NDIS and Commonwealth Disability Support for Older Australians services to have access to safe and ethical supports and reflects the core values and principles set out in the National Standards for Disability Services, the National Mental Health Standards and the National Disability Insurance Scheme Act (2013).
- (iii) This Code of Conduct details the values that guide Interaction, the principles covering appropriate conduct in a variety of contexts and outlines the minimum standard of behaviour expected of persons employed or otherwise engaged by Interaction.

C Policy

- (i) Interaction has a zero tolerance of the violence, abuse, neglect and exploitation of people with disability.
- (ii) All staff and the Board, must adhere to the NDIS Code of Conduct which is based on the fundamental rights of people with disability set out in the UN Convention on the Rights of Persons with Disabilities.
- (iii) All staff and the Board must perform their duties ethically and with professionalism, skill, diligence and objectivity in order to achieve the best possible outcomes for the people using the service.
- (iv) All staff and the Board will maintain a focus on providing the best possible outcomes for all participants. This includes promoting a positive image of people with disability.
- (v) All staff and the Board must be aware of their ethical responsibilities and will be encouraged to develop an environment that fosters empowerment, responsibility and integrity.

D Definitions and Acronyms

Further definitions and acronyms relevant to this Policy may be found in the **Glossary or Acronyms** document in the Policies Document Library.

- (i) **AHPRA** refers to Australian Health Practitioner Regulation Agency.

Approved by: _____

Page 1 of 9

- (ii) **Boundaries** refers to the limitations and responsibilities of an individual's interactions with others.
- (iii) **Bullying** refers to repeated and unreasonable behaviour directed towards another person or group that creates a risk to health and safety. This includes both hidden and obvious behaviours and encompasses all communications.
- (iv) **Confidentiality** refers to the safeguarding of information relating to participants, staff and organisational matters.
- (v) **Conflict of interest** refers to when individuals are influenced or may appear to be influenced by a personal, internal or external interest when performing their duties.
- (vi) **Discrimination and harassment** refers to treating someone unfairly, humiliating or intimidating a person directly or indirectly because of their sex, race, age, disability, marital or domestic status, pregnancy, breastfeeding, carer status, sexual orientation, gender identity or intersex status. It also applies when the unfair treatment happens because of a relationship with or association with a person from one of the groups listed above.
- (vii) **Ethical conduct** is underpinned by the principles of integrity, impartiality, responsiveness to the rights and needs of participants and colleagues, accountability and honesty.
- (viii) **Sexual misconduct** refers to any unwelcome acts or behaviour that are sexual in nature. This includes physical and verbal actions committed without consent or by force, intimidation, coercion or manipulation. It includes sexual violence and exploitation but are not limited to actions which constitute a criminal offence.

Acts or behaviour that may constitute sexual misconduct includes:

- Asking a person on a date;
- Touching any part of a person's body in a sexual way;
- Touching a person in a way they do not wish to be touched;
- Displaying their genitals to another person;
- Coercing, by pressuring or tricking, another person to engage in sexual behaviours or acts;
- Making sexual or erotic comments to another person – in person or by text message, email or social media message (as well as written comments, this includes images and audio);
- Making sexually suggestive comments or jokes;
- Intentionally staring at a person in a way that makes them feel uncomfortable;
- Making comments about a person's sexuality or appearance;
- Making requests of a sexual nature, including to remove clothing, for sexually explicit photographs, videos or for sexual activities;

Approved by: _____

Page 2 of 9

- Showing a person pictures or videos of naked people, or people undertaking sexual activities;
- Ignoring or encouraging sexual behaviour between people with disability that is non-consensual or exploitative.

This list does not cover all situations and there may be other activities or behaviours that constitute sexual misconduct.

- (ix) **Sharp practices** refers to a range of practices involving unfair treatment or taking advantage of people, including over-servicing, high pressure sales and inducements.
- (x) **Slander** refers to the publication of defamatory matter of any kind and is actionable without any proof of special damage. This may include spoken or written communications.
- (xi) **Supported decision-making** refers to a model for supporting people with disability, often cognitive in nature, to make significant decisions and exercise their legal capacity. The person with disability weighs options and makes a decision with the support of an individual or a network of people who they choose to involve because they trust them to provide reliable, unbiased support for decision-making.
- (xii) **Victimise** refers to imposing a hardship, punishment, or discipline on a person because they have acted on the rights given them by law or by this Code of Conduct, or because they have supported someone else acting on their rights.

E Implementation

- (i) Where a staff member holds professional membership or is required to adhere to additional codes of conduct or ethics, these may supersede Interaction Policy, e.g. BAHS staff who maintain AHPRA registration.
- (ii) All staff will carry out their duties as outlined in their position description.
- (iii) Staff are expected to be familiar with all relevant Interaction policies and apply them in a professional and diligent manner.
- (iv) Any breach of the Code of Conduct Policy will be handled in line with relevant Interaction policies.
- (v) It is the responsibility of the Divisional Executive or their delegate to notify any reportable breaches of the Code of Conduct policy to the NDIS Commission and any other relevant authorities. This includes but is not limited to reporting incidents such as alleged sexual misconduct, unlawful sexual or physical conduct or inappropriate relationships.
- (vi) The NDIS Quality and Safeguards Commission or Interaction may refer a breach of the Code of Conduct to other regulators of professional codes, such as AHPRA, for their consideration in relation to a breach of the relevant code.

NDIS Code of Conduct

Approved by: _____

Page 3 of 9

- (i) The NDIS Code of Conduct requires workers and providers delivering NDIS supports and services to adhere to the following:
 - Act with respect for individual rights to freedom of expression, self-determination and decision-making in accordance with relevant laws and conventions;
 - Respect the privacy of people with disability;
 - Provide supports and services in a safe and competent manner, with care and skill;
 - Act with integrity, honesty and transparency;
 - Promptly take steps to raise and act on concerns about matters that might have an impact on the quality and safety of supports and services provided to people with disability;
 - Take all reasonable steps to prevent and respond to all forms of violence, exploitation, neglect and abuse of people with disability; and
 - Take all reasonable steps to prevent and respond to sexual misconduct (See Sexual Misconduct section below for more detail).
- (ii) Any persons employed or otherwise engaged by NDIS providers, who are found to have breached the NDIS Code of Conduct, may be subject to further action from the NDIS Quality and Safeguards Commissioner. Actions may include education, compliance and enforcement action or prohibiting them from working within the NDIS sector.

Sexual Misconduct

- (i) Staff should never engage in sexual misconduct with respect to participants and they have a key role in reporting such misconduct. The support relationship between staff and a participant they support relies on a high degree of trust which must never be exploited or betrayed.
- (ii) Staff must not commit or participate in any form of sexual misconduct or inappropriate relationship with a participant. Staff must not knowingly engage in any form of sexual misconduct or inappropriate relationship with the families and carers of participants they support.
- (iii) When delivering services, staff are expected to adhere to the highest standards of behaviour, be respectful and take every action to make sure participants are safe. Staff and their line managers must ensure there are professional boundaries in place for relationships between staff and participants.
- (iv) It is the responsibility of the line manager to prevent and respond to any inappropriate behaviours by staff towards a participant, including sexual misconduct. This may be through ensuring appropriate worker screening, regular staff supervision and discussions in participant, team and/or house meetings.

Approved by: _____

Page 4 of 9

- (v) It is the responsibility of the line manager to guide staff in the distinction between:
 - Sexual misconduct and appropriate conversations around a participant's sexual support or family planning needs;
 - Inappropriate touching versus appropriate touching;
 - Understanding behaviour that involves an inappropriate and overly personal or intimate relationship with a participant; and
 - Whether their own or others' relationships have become inappropriate and instruct them to cease any such relationship.
- (vi) Where staff are unsure of appropriate conduct, staff should refer to their line manager and/or any guidance issued by the NDIS Quality and Safeguards Commission.
- (vii) Staff should report any alleged, actual or potential sexual misconduct, unlawful sexual or physical conduct or inappropriate relationships to their line manager. This includes abuse towards a participant from a third party such as a family member or carer. The line manager will report to the NDIS Quality and Safeguards Commission or relevant authority as required.
- (viii) Staff will support participants so they feel safe to make a complaint about alleged sexual misconduct without fear of retribution or loss of services. Staff have a responsibility to take steps to facilitate access to independent advocacy support or support for harm or trauma experienced if the participant desires this support.

Expected behaviours - Rights

- (i) In addition to the NDIS Code of Conduct, staff will:
 - Adhere to Interaction's vision, mission and values;
 - Uphold a participant's right to choice and control; including who they may want to involve in decisions and discussions about their services and supports, or other aspects of their lives. In the case of children, involvement in decisions will be related to the child's age and stage of development and may include families and guardians;
 - Support participants to make their own decisions or through supported decision-making;
 - Be ethical in all aspects of their work and communications;
 - Sensitively respond to participant's expressed culture, values and beliefs; Respect personal space and not engage in behaviour that offends or could be perceived to offend or brings about harm to others;
 - Uphold the privacy of people's information unless required to disclose by law;

Approved by: _____

Page 5 of 9

- Not engage in or accept discrimination, harassment, victimisation or bullying in the workplace;
- Foster an environment in which participants and their families feel safe to raise an issue, make a complaint or provide negative feedback without fear of retribution;
- Not take photos or record participants without current media consent;
- Not retain images of participants on their personal devices;
- Not discuss participants on personal social media;
- Not browse social media sites, play online video games, research restricted content or play videos or movies unless they are authorised to do so for work related purposes;
- Not take participants to staff's homes or to personal functions without the written approval of the relevant Divisional Executive;
- Not invite their own family, friends or pets to participants' homes at any time without prior approval from the Divisional Executive. Should staff require something to be dropped off whilst they are on shift, staff are to arrange to meet the family member or friend at the front of the building;
- Not engage in sharp practices;
- Work cooperatively as a member of a team which includes accepting a fair share of the workload, being punctual and honouring commitments;
- Maintain a safe working environment; and
- Maintain their professional boundaries at all times. It is not the role of, nor appropriate for staff to, provide advice to families on personal matters.

Expected behaviours - Communications

- (i) In addition to the NDIS Code of Conduct, staff will:
- Communicate in a form, language and manner that enables participants to understand information and make known their wants and preferences understood;
 - Communicate in a manner that upholds the integrity of Interaction; Compose emails in a professional manner;
 - Not use language that may offend others;
 - Not send or post content that could be perceived as harassment, discrimination, victimisation or bullying;
 - Not use demeaning, slanderous or derogatory language or remarks;

Approved by: _____

Page 6 of 9

- Not share confidential information in line with Interaction's Consent Policy; and Limit their personal use of phones to minimise the impact on participants and service delivery.

Expected behaviours – Devices and IT

- (i) In addition to the NDIS Code of Conduct, staff are not permitted to:
- Download, copy or pirate software or electronic files without authorisation or in breach of copyright;
 - Cause or have intent to cause any harm or damage to Interaction's systems;
 - Access, obtain, record or disseminate any form of pornographic, violent, graphic or nude content to and/or from any Interaction device or system; and
 - Access, obtain, record or disseminate any pictures or videos that are provocative or pornographic of children to and/or from any Interaction device or system. Any instances will be referred to the police.

Expected behaviours – Gifts and Benefits

- (i) In addition to the NDIS Code of Conduct, staff will:
- Not give any gifts, either through donation or purchase, to participants without prior approval from the Divisional Executive or their delegate;
 - Not ask for or accept any gift or benefit that impacts or may impact on the way they provide supports;
 - Not send or post chain letters, solicitations, or advertisements unrelated to business purposes or activities; and
 - Declare any actual or potential conflicts of interest relating to the identification or delivery of supports and services.

Expected behaviours – Staff Presentation

- (i) In addition to the NDIS Code of Conduct, staff are to follow the general guidelines for personal presentation outlined below:
- Jewellery will be discreet and kept to a minimum to meet safety requirements, as relevant to the position and program;
 - Hair will be neatly groomed;
 - Deodorant/antiperspirant will be worn to control body odour;
 - Clothing will fit appropriately, cover the torso and not be shorter than mid-thigh (e.g. no midriff tops);

Approved by: _____

Page 7 of 9

- Active wear may be worn when providing direct care to participants, but consideration must be made regarding appropriateness to the type of support being provided, participant behaviours and choice, and program type;
 - Shoes should be smart, clean and tidy;
 - Open toe shoes or casual sandals can be worn, as relevant to the position and program; and
 - All staff providing direct care will wear enclosed, non-slip soles, and flat footwear at all times.
- (ii) The following is deemed inappropriate and unacceptable for staff and does not represent a professional image:
- Clothing with racial, sexual or otherwise offensive slogans or images;
 - Unclean clothes;
 - Strapless, midriff or halter neck tops;
 - Skirts or shorts above mid-thigh;
 - Thongs footwear; and
 - Clothes that are low cut or see through.

Expected behaviours – Alcohol and Other Drugs

- (i) The consumption of alcohol or other drugs is not permitted whilst on shift, or prior to the commencement of a shift.
- (ii) Staff who are taking prescription or non-prescription medication which is likely to affect work performance must inform their line manager immediately who may arrange alternative work or suggest appropriate leave.
- (iii) The possession, consumption, distribution and sale of illegal drugs by staff on shift or in any of Interaction's sites will not be tolerated.
- (iv) All staff have a responsibility to report to their line manager any concerns where alcohol or other drug use on duty is suspected by a colleague. Any concerns raised will be kept confidential.
- (v) Where an organisational event or function is held, staff must seek approval from the CEO or their delegate for the consumption of alcohol. Staff members on shift at the time of the function will be bound by Interaction's Code of Conduct Policy. Visitors or staff not on shift will be exempt from this, although their appropriate conduct will be expected.

F Relevant Legislation and Standards

- (i) Children and Young Persons (Care and Protection) Act (1998)
- (ii) Defamation Act (2005)

Approved by: _____

Page 8 of 9

- (iii) Health Practitioners Regulation National Law Act (2009)
- (iv) National Disability Insurance Scheme Act (2013)
- (v) National Disability Insurance Scheme (Code of Conduct) Rules 2018
- (vi) National Standards for Disability Services (2013)
- (vii) NSW Disability Inclusion Act (2014)

G Interaction Forms

- (i) Photo Consent Form

H Related Policies

- (i) Anti-Discrimination Policy
- (ii) Disciplinary Policy
- (iii) Whistleblower Policy
- (iv) Workplace Bullying Policy

Approved by: _____

Page 9 of 9

Interaction Disability Services Ltd Policy
Approved: May 2023

Review Date: May 2026

Version 12