



MS3	MASS Staff	MASS Code of Conduct Policy and Procedures
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<b>What this policy aims to do</b>	Inform MASS Staff, Board and volunteers of the Code of Conduct expected for the organisation and to acknowledge the commitment of staff to uphold the values of MASS and comply with expectations of conduct.
<b>Who this policy applies to</b>	All MASS staff and volunteers
<b>Who is responsible for carrying out this policy</b>	All MASS staff and volunteers
<b>What words used in this policy mean</b>	Definitions provided in document.
<b>Legislation this policy is based on</b>	<a href="#">Human Rights and Equal Opportunity Commission</a> <a href="#">Fair Work Commission</a> <a href="#">National Standards for Disability Services</a> <a href="#">Child Safe Standards</a> <a href="#">Victorian Human Services Standard</a> <a href="#">Victorian Occupational Health &amp; Safety Act 2014</a> <a href="#">National Disability Insurance Scheme (Code of Conduct) Rules 0281</a> <a href="#">Department of Health and Human Services – Code of Conduct</a>
<b>Other relevant policies</b>	All MASS policies and procedures inclusive of those referenced in this document

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1.1	02/10/2018	C Trenfield	S.Reeves	New document
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1.4	09/02/2022	C.Trenfield	S. Reeves	Annual Review Inclusion of Drugs & Alcohol, Mobile devices, e-communication & social media, Staff conflict of interest, changed Director to CEO, updated Vision and Purpose
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## MASS Code of Conduct Policy

MASS has 3 sections to its Code of Conduct and this includes:

1. General Staff Code of Conduct
2. Child Safe Code of Conduct
3. Disability Service Workers Code of Conduct.

All employees and volunteers of MASS must read, understand and sign the **Staff Code of Conduct** upon commencement with MASS. Staff are expected to uphold the Code of Conduct at all times.

MASS Employees, volunteers, Board Members, and contractors are required to understand and declare compliance with the **MASS Child Safe Code of Conduct** and have knowledge of MASS's Child Safe Policy and Procedures.

All MASS staff, volunteers and contractors involved with the delivery of services are also required to understand and declare compliance with the **Disability Service Workers Code of Conduct**

MASS requires that all its staff, the CEO and volunteers uphold a high level of ethical and appropriate behaviour that demonstrates integrity, professionalism, honesty, respect and compassion.

# General Staff Code of Conduct

## Introduction

The MASS Code of Conduct policy is to be read in conjunction with other MASS Policies, Procedures and Operational documents, as altered from time to time. It is designed to provide a base understanding of requirements of all MASS staff and volunteers in line with the business's vision, mission, values and culture.

## Our Vision

Autistic people reaching their goals and aspirations within their family and community.

## Our Purpose

Improve the lives of autistic people and their families by providing individualised and integrated services from our Centre of Excellence.

## Our Philosophy

"The child's family are their most important teachers, and we aim to give them the understanding, the confidence and the determination necessary for the successful parenting of their child - that is our goal and nothing less is enough." *Joan Curtis, Founder of Mansfield Autism.*

## Values

Mansfield Autism is staffed by people who are passionate about upholding and promoting our unique culture. We believe passionately that it is our staff who are the most important asset in our organisation. Our people are:



## 1. General Conduct

In conjunction with the MASS Child Safe Code of Conduct and MASS Code of Conduct for Disability Service Workers, I understand that I am expected to:

- Observe the rights of service users, fellow MASS staff, board, volunteers and other service providers to respect, dignity and privacy
- Display skills, care and diligence in the performance of duties
- Uphold the rights and safety of service users and ensure their freedom from abuse, neglect and exploitation
- Comply with mandatory reporting requirements where abuse or allegations of abuse of children are made and take all reasonable steps to protect children from abuse
- Act with respect for clients' rights to freedom of expression, self-determination and decision-making in accordance with applicable laws and conventions
- Protect the cultural safety of Aboriginal people and people of culturally diverse backgrounds, especially children (for example by never questioning an Aboriginal child's self-identification)
- Promoting the cultural safety, participation and empowerment of people with culturally and/or linguistically diverse backgrounds (for example, by having zero tolerance of discrimination)
- Promoting the safety, participation and empowerment of people with disability (for example, during personal care activities)
- Report any instance of inappropriate or unjust behaviour including bullying and harassment
- Report any staff member, volunteer or Board member who is an actual risk or suspected of posing a risk to any child or adult who uses our services
- Treat clients, families, members of the public and other staff with courtesy and respect
- Take responsibility for knowing my roster/hours of work and ensure punctuality, this means being onsite and ready to work at the shift start time
- Conduct myself in a professional manner while at work or attending any workplace function inclusive of any team meetings and training be it internal or external
- Follow all requirements with regard to duty of care and report any actual or suspected breaches by self or others to team leader/management as soon as possible
- Act in an honest, respectful, and trustworthy manner at all times
- Keep personal matters and/or differences outside of the workplace

## 2. Presentation Standards and Attire

Staff shall be appropriately dressed for their position, role and work environment and with due consideration to maintaining a professional image with clients, the broader community and at venues where staff are involved in providing support to clients.

Whilst Mansfield Autism Statewide Services wishes to maintain an environment in which dress code remains primarily the individual's responsibility, it recognises it may be necessary to take appropriate steps to ensure that staff maintain a professional image with the clients and the broader community.

This policy does not intend to detail the dress standards appropriate for each specific program

Staff should, within the broad guidelines, exercise their discretion in determining the exact standard of dress they feel appropriate to their program's activities.

### **2.1 General Attire**

- All clothing must be clean, neat and tidy in appearance
- T-Shirts, jumpers and shirts
- Long pants, jeans, track pants and long shorts
- Runners, boots, closed faced footwear (preferably flat non-slip)
- Flat rings, closely fitted earrings and watches
- Hair should be worn in a neat and tidy fashion with lengthy hair being worn in a plait or ponytail

Staff who choose to wear jewellery whilst at work are to ensure the appropriateness of such jewellery in the context of this policy.

Footwear in particular is to be appropriate for the activity but as a minimum should have a covered toe and enclosed heel.

### **2.2 Inappropriate Attire**

- Clothing which displays obscene, sexually suggestive or offensive literature or themes
- Strong perfume or jewellery in such a manner that can be deemed inappropriate or offensive to clients
- Clothing that restricts you from being able to fulfil the requirements of your role in a safe and efficient manner
- Jewellery or accessories that may be a safety hazard when working with clients (for example a scarf that could be a choking/strangulation hazard)

## **3. Drugs and Alcohol**

All MASS staff, board and volunteers are responsible for ensuring they:

- Comply with this policy;
- Recognise that performance of duties could be affected by alcohol or drugs; and
- Immediately notify their Team Leader or Oncall if they are aware of any breach of this Policy by another employee. Subject to any disclosures required by law, any notifications received by the Team Leader or Oncall will be treated confidentially. Failure to report any breach of this Policy by another employee may itself constitute a breach of this Policy.

Except as set out in this Policy; employees must not:

- Attend work, commence, or return to work while under the influence of alcohol and/or drugs; and
- Must not possess, distribute, or sell, use, or consume illegal drugs in the workplace. Such conduct constitutes serious misconduct. It may also constitute a criminal offence, in which case MASS might notify the police or other appropriate government authority.

MASS reserves the right to implement a random drug and alcohol test audit schedule for all employees.

### **Prescription and Pharmacy Drugs**

Where a worker is taking prescription or pharmacy drugs for medical purposes, the worker will not breach this Policy by attending work, if the worker:

- Takes the prescription and pharmacy drugs in accordance with the instructions of their medical practitioner and normal directions applying to the use of those drugs;
- Does not misuse or abuse the use of prescription or pharmacy drugs;
- Ensures they are able to perform their work effectively, competently and safely;
- Is rightfully informed of the impact of consumption of alcohol with prescription and pharmacy drugs and they limit consumption; accordingly, and;
- Checks with their medical practitioner or pharmacist about the effect of the drug on their ability to drive vehicles and safely perform their normal work duties. If a worker's ability to perform work competently, efficiently, and safely is affected, the worker should obtain this advice in writing from the medical practitioner and provide it to their Team Leader as soon as possible and before undertaking their work.

If MASS suspects the employee's ability to safely perform work is affected, MASS may take steps to address the issue in accordance with this policy.

### **Consumption of Alcohol**

It is recognised that some work-related functions may involve the responsible consumption of alcohol. The following guidelines apply to work related functions:

- Consume alcohol responsibly;
- Alcohol must not be served to any employee exhibiting impairment from intoxication;
- Alcohol must not be provided to or consumed by an employee under the age of 18 years
- All employees are expected to behave professionally and to a standard appropriate for a work-related function – intoxication is not an excuse for misconduct; and
- Employees must ensure they have a safe means of transport home and must not drive a vehicle if they are over the legal blood alcohol limit. If you believe you do not have a safe means of transport home from a work related function, you should notify your Team Leader or Human Resources in order for it to be arranged.

If employees attend a non-work related function after work i.e social drinks, the same guidelines outlined above would apply except that it would be the responsibility of the employee to ensure a safe means of transport home.

### **Driving MASS Vehicles**

#### **Alcohol and Illegal Drugs**

- Mass has an obligation to provide a safe and healthy working environment for its workers, clients and others in the workplace. To ensure a safe environment, no vehicle or machinery is to be operated or used by anyone who is under the influence of alcohol, or used or consumed illegal drugs.

- ☑ Employees must comply with alcohol concentration limits applicable to the particular duties they perform, or may be called on to perform
- ☑ Employees must not get behind the wheel of a MASS vehicle while they have any concentration of alcohol (must be .00) in their system
- ☑ MASS will not accept liability for any damage to a company vehicle, an injury or another person or damage to other property cause by an employee's use of a company vehicle while intoxicated from alcohol or illegal drugs. The employee will be liable in such circumstances

### **Prescription and Pharmacy Drugs**

Where an employee is taking prescription or pharmacy drugs that contain a warning that the person should not drive a vehicle or operate machinery, then that employee must not drive a MASS vehicle or any vehicle, or operate machinery unless contrary specific medical advice is obtained and confirmed in writing, from the employee's medical practitioner. If an employee is taking prescription or pharmacy drugs and feels their ability to safely drive a vehicle or operate machinery is affected, the employee must not drive a MASS vehicle, or any vehicle, or operate machinery and must notify their Team Leader immediately.

### **Smoking**

Smoking and/or vaping is not permitted in the presence or view of clients, in any MASS vehicles, under the roofline of any premises, in areas where no-smoking signs are posted, in enclosed public areas or in MASS uniform. In addition, smoking must not take place near hazardous or flammable substances.

## **4. Mobile Devices, Electronic Communication and Social Media**

### **Mobile Phones and Mobile Devices**

MASS recognises that in some circumstances employees may need to make or receive personal and work calls and texts. It is the expectation that while on shift personal mobile phone usage is kept to a minimum. General, non-urgent mobile phone use is distracting and is not permitted during paid working time. Employees agree to:

- ☑ Not use mobile phones in front of clients
- ☑ Not use mobile phones on shift to occupy your time i.e Social media, news or other websites, games, etc
- ☑ Keep personal calls and texts to a minimum
- ☑ Have mobile device on silent or vibration mode during work time and on silent during meetings and trainings
- ☑ Not use mobile devices while operating MASS motor vehicle or machinery
- ☑ Where a call must be taken, speak in a low moderate voice, ensure language is appropriate to the workplace and is kept short.

MASS will not be liable for the loss of or damage to personal mobile phones brought into the workplace by employees. Disciplinary action may be initiated by MASS if it is deemed that an employee's use of personal mobile phones is inappropriate or impacting on clients or an employee's performance in the workplace.

### **MASS in Social Media**

MASS recognises that circumstances may arise in which employees may make mention of MASS in social media. Unless authorised by MASS, any comments made by employees must contain a disclaimer that they are not representing MASS and do not have authority to speak on the organisation's behalf and the views of the employee do not represent the views of MASS. Therefore, an employee cannot speak on behalf of the company without appropriate authorisation from the CEO.

### **External Social Media**

If it comes to MASS's attention that an employee has made inappropriate and/or unauthorised comments about MASS clients or another employer, MASS may choose to take action against such person as outlined in this Policy. Action by the employee in question will not be limited to contributions made on a social media platform, made whilst using MASS equipment and internet resources, but may include action taken as a consequence of inappropriate and/or unauthorised contributions made about MASS clients or another employee via non-company equipment or hand-held device.

### **Use of Internet, Email, Computers and Mobile Telephones**

Employees are entitled to use MASS computer and mobile phone network for legitimate business purposes and for limited personal use. However, any such personal use must not impact upon the users work performance and must not violate this Code of conduct.

An employee must not use MASS computer network for personal use if that use interferes with the efficient business operations or relates to a personal business of the user.

Employees issued with a mobile telephone are encouraged to maintain appropriate data usage, and refrain from downloading apps and other content that is not business-related.

MASS gives no warranty or assurance about the confidentiality or privacy of any personal information disclosed by any employee in the course of using the computer network for the user's personal purposes.

### **Requirements for Use**

Employees must comply with the following rules when using MASS's computer network:

- Operate devices in an ethical manner at all times and adhere to the MASS acceptable use standards as outlined in this policy;
- Use their own username/login and password when accessing the computer network and not divulge such information to any other person unless it is necessary to do so for legitimate business reasons;
- If in possession of electronic equipment employees must at all times handle the equipment in a reasonable manner to ensure the equipment is kept secure;
- Employees must ensure when not in use or unattended that the computer system is shut down or locked;
- A disclaimer is automatically included in all emails and must not be removed;

- ☑ If employees receive an email which they suspect could be a virus, the employee should not open the email or the attachments and notify IT immediately; and
- ☑ If an employee receives an email which contains content of which is in breach of this policy, the user should immediately delete the email and report the matter to IT. The employee must not forward the email to any other person.

#### **Blocking Email and/or Internet Access**

MASS reserves the right to prevent or cause to be prevented the delivery of an email sent to or from an employee or access to an internet website by an employee, if the content of the email or the internet website is considered prohibited conduct.

#### **Computer Surveillance**

On a continuous and ongoing basis during the period of this policy, MASS will carry out computer surveillance of any employee at such times of MASS's choosing and without further notice to any employee.

Computer surveillance occurs in relation to:

- ☑ Storage volumes;
- ☑ Internet sites accessed;
- ☑ Downloaded volumes
- ☑ Suspected malicious codes or viruses;
- ☑ Emails; and
- ☑ Computer hard drives

MASS retains logs, backups, and archives of computing activities which it may audit. Such records remain property of MASS. MASS may use and disclose the computer surveillance records where the use or disclosure is:

- ☑ For a purpose related to the employment or related to MASS business activities;
- ☑ To a law enforcement agency in connection with an offence or legal proceedings;
- ☑ Reasonably believed to be necessary to avert an imminent threat of serious violence to any person or substantial damage to property.

### **5. Meals**

- ☑ Meals will be provided to staff by MASS who have mealtimes with clients ie. at the residences for breakfast and dinner and lunch on weekends and morning tea and lunch at the school. Meals provided are as per the weekly menu, staff who do not wish to eat the meals provided to the clients are to bring their own at the personal expense of the employee.
- ☑ Meals for excursions are provided by MASS for clients and staff, staff that do not wish to eat provided meals are to bring their own at the personal expense of the employee.
- ☑ Meals and expenses while travelling away from home overnight are detailed in MS6 – Staff Travel Policy and Procedure.

## 6. Gifts, Entertainment and Hospitality

- ☑ Employees and Board Members should not solicit gifts, benefits or hospitality from anyone who could reasonably be seen to be seeking support in any decision or anyway be perceived to be bribery or anyone associated with a tendering process.
- ☑ This includes gifts, benefits or hospitality given to a staff member's or a board member's immediate family if the donor can be linked back to the staff member's or board member's duties and responsibilities. The policy does not apply to gifts received in a private context.
- ☑ Individuals who may be offered a gift should seek advice from the CEO.
- ☑ Employees or board members may accept benefits and hospitality, such as invitations to official functions or events of reasonable value, as long as they are related to the business, and provided that they do not involve a conflict of interest or create a perception that the employee or board member's will be unduly influenced by accepting the benefit or hospitality.
- ☑ Employees may keep token gifts (under \$100) such as a box of chocolates, for the work they have done. In limited circumstances, employees may be able to keep a gift worth \$100 or more, but less than \$500, **subject to the documented approval** of the CEO.
- ☑ For employees, acceptance and offers of a gift worth more than \$100 (nominal value) **must** be formally registered on the organisation's gift register.
- ☑ Gifts worth \$500 or more must be surrendered to MASS CEO **under all circumstances**.

## 7. Performance

- ☑ Employee performance and conduct will be reviewed ongoing in an informal nature by their line manager/team leader.
- ☑ All employees will have a formal review prior to the completion of their 6 month qualifying period.
- ☑ Annual performance reviews will be conducted as advised by the CEO, employees will be given a minimum of 2 weeks' notice of the review date and the process to be undertaken.
- ☑ In the instance of ongoing unsatisfactory performance or misconduct formal disciplinary action may be taken as detailed in MS4 – Performance.

## 8. Respect in the workplace

MASS provides a workplace culture in which every person has the opportunity to apply and develop their abilities free of obstruction by way of discrimination, harassment and bullying.

MASS will not tolerate any behaviour of a discriminatory, harassing or bullying nature. Any reported instances of such behaviour will be fully investigated by human resources in a confidential and prompt manner in accordance with the dispute resolution process as outlined in MS10 – Staff Grievance.

Any employee found to have engaged in inappropriate conduct as outlined below and as detailed in MS9 – Respect in the Workplace can expect disciplinary action as a result of their behaviour.

***Discrimination***

Discrimination occurs when a person is treated less favourably than others because of an attribute protected by law. Such attributes may include race, religion, sex, age, colour, employment status etc.

***Harassment***

Harassment is any behaviour that is unwelcome or uninvited that would be reasonably expected to humiliate, offend or intimidate.

***Sexual Harassment***

Sexual harassment is any behaviour of a sexual nature that is unwelcome, unsolicited and unreciprocated that would be reasonably expected to humiliate, offend or intimidate. Conduct can amount to sexual harassment even if a person did not intend to offend, humiliate or intimidate the other person.

***Bullying***

Bullying is repeated, unreasonable behaviour that would be reasonably expected to victimise, humiliate, offend or threaten an employee, which creates a risk to health and safety. Direct or indirect bullying can occur face-to-face, over the phone, via email, instant or text messaging. Bullying can involve many different forms of unreasonable behaviour, which can be obvious (direct) or subtle (indirect).

***What is not bullying***

A single incident of unreasonable behaviour is not bullying, though it may have the potential to escalate into bullying and therefore should not be ignored.

Note: that all employers have a legal right to direct and control how work is done and the professional responsibility and legal right to:

- supervise staff appropriately, professionally and fairly, make properly assessed, merit-based decisions
- monitor workflows
- give feedback on performance
- counsel or discipline staff if work performance, capacity or conduct is not up to standard.

***Victimisation***

Victimisation is where a person is retaliated against or subjected to a detriment because they have:

- Lodged a complaint; or
- Intend to lodge a complaint; or
- Are involved in a complaint of unlawful conduct.
- There must not be any retaliation against a person who raises a complaint or for them to be subjected to any detriment.

***Vilification***

Vilification is a public act which incites hatred, severe contempt or severe ridicule of a person or group, because of race, homosexuality, transgender, transsexuality or HIV/AIDS. Vilification is a particularly serious breach of EEO laws and will be dealt with accordingly.

## 9. Company Property

To the extent that the obligation is relevant to the type of property being used, each employee must:

- Use MASS property only for the purpose for which it was designed
- Take good care of MASS property and ensure it is properly maintained and serviced as directed
- Ensure that MASS property is used in accordance with any relevant operating instructions or procedures
- Refrain from modifying MASS property without prior written approval
- Obtain prior written permission from the Director if the employee wishes to use MASS Property for non-work purposes (e.g. personal use)
- Not remove MASS property from premises or designated storage places without the permission of the relevant Line Manager
- Ensure you have the appropriate licences, qualification or training required to use MASS property ie. valid drivers license to drive MASS vehicle
- Not deliberately damage MASS property
- Not place MASS property in circumstances where it could be stolen or damaged.

## 10. Privacy and Confidentiality

- MASS staff and volunteers may have access to a client's personal, health and sensitive information, which is often provided on the basis of trust.
- MASS will respect the privacy of MASS employees, people who use MASS services and their right to choose if, when and how their information is shared with others.
- MASS staff will only collect information about a person using a service that is needed for their care and support, and then only if the person (or their parent or guardian if a child) agrees.
- MASS staff will respect each person's right to have private interests and activities and will not expect people to share information unless they choose to.
- MASS will respect the privacy of people who use MASS services and their right to choose if, when and how their personal spaces and activities are shared with others.
- In residential services, MASS staff will make sure people using the service have access to a space where they can be alone or spend time with other people in private if they want to.
- If a *privacy breach, possible breach or near miss* has occurred, the details must be documented, and a report sent to DFFH.

### **Non-Disclosure**

Employees of MASS are not permitted to disclose confidential or personal information which is collected by MASS about its clients, employees, suppliers or contractors. If an employee is not sure whether information is confidential or personal, they must check with their immediate Line Manager.

Employees of MASS will not discuss confidential, personal or behavioural information of clients, employees, suppliers or contractors outside of the work environment under any circumstances.

Confidential and personal information is information that is not available in the public domain. It includes, but is not limited to, the following types of information:

- Any personal information about an individual which has been collected by MASS; or
- Any information about a client, employee, supplier or contractor of MASS.

For further detail on Privacy and Confidentiality Policy refer to HS7 – Information Privacy and Policy and Procedure.

### **11. Health, Safety and Environment**

All MASS workers have a duty of care to ensure that they work in a manner that is not harmful to their own health and safety and the health and safety of others.

MASS will be compliant with applicable Occupational and Workplace Health & Safety laws, Environmental laws, regulations and statutory obligations in each jurisdiction in which we work.

MASS will do all it can to provide a safe and healthy workplace that protects and supports the physical and emotional health and safety of all workers, service users, volunteers, students and visitors. This includes providing safe environments and taking appropriate action in response to workplace incidents by:

- Providing training in safety and safe practice to all workers
- Ensuring equipment and facilities are safe to use
- Developing systems to monitor risk and respond to hazards

All premises under MASS' control are to meet workplace standards and are "smoke free" workplaces.

All incidents and injuries must be reported to MASS via the Incident Report Form as soon as practicable, within 24 hours of the incident to ensure the CEO is aware of the occurrence and preventative action can be put in place to prevent recurrence and external reporting requirements are met.

MASS staff involved in / exposed to an incident will be involved in a post incident debriefing session to review process, where practicable put additional preventative measures in place and provide training and support.

For further details on Health, Safety and Environment refer to MS12 – Workplace health and safety, and HS12 – Client incident reporting.

### **12. Conflict of Interest**

MASS staff are expected to act in the best interests of MASS. Conflict of interest occurs when a person's personal interests conflict with their responsibility to act in the best interests of MASS.

- Staff must not misuse their position or special knowledge of MASS for their advantage
- Staff must not disclose any information without Board's informed consent

It is important to understand that a conflict of interest depends on the situation and not on the character and actions of an individual. It is not uncommon for there to be a conflict between personal considerations and organisation interests. Conflicts of interest do not mean that anyone has acted improperly, they just need to be managed even when they have not in fact affected a decision or action.

Types of interest which might give rise to a situation of conflict include:

- A direct and indirect financial interest in a decision, for example if MASS was to consider leasing a property owned by a staff member
- A non-pecuniary interest, such as if a staff member who is related to someone receiving a service from MASS tries to influence a decision about staffing rosters
- Another affiliation, such as when the spouse of a staff member provides a quote for maintenance services.

Examples of real and perceived conflicts include:

- Staff member has a family who receives MASS services
- A staff member has a friend or family member who also works for MASS and is in a position to make decisions about that person that could make them better off.
- Staff member has a paid or volunteer position working for a different provider of disability services.
- Staff member is on the Board of a company which intends to provide services in the Victorian disability sector.
- Staff member has a second job at a company offering external services (such as carpentry, catering or graphic design) and received a fee from MASS for these services.

### Workplace Participant Acknowledgement – General Staff Code of Conduct

I acknowledge that:

I have received, read and understood the General Staff Code of Conduct

I am required to comply with all MASS policies, procedures and ways of working including the Code of Conduct; and

There may be disciplinary consequences if I fail to comply, up to and including the termination of my employment.

General Staff Code of Conduct

<b>Full Name</b>	
<b>Signature</b>	
<b>Date</b>	
<b>Witness Name</b>  <b>Witness Signature</b>	

# MASS Child Safe Code of Conduct

## Commitment to Child Safety

MASS condemns all forms of child abuse, exploitation of children and discrimination against children. We are committed to creating and maintaining an environment that promotes safety for people involved in our programs and services, including all children. All MASS staff and volunteers are responsible for promoting the safety, wellbeing and empowerment of children and young people.

## Consequences of Breaching the Code of Conduct

Staff, volunteers or contractors who breach this Child Safe Code of Conduct may be subject to disciplinary actions that could include enhanced supervision, appointment to an alternate role, suspension or termination from MASS.

## Child Safe Code of Conduct Policy

The Child Safe Code of Conduct lists behaviours that are acceptable and those that are unacceptable. It provides a high-level statement of professional boundaries, ethical behaviour and acceptable and unacceptable relationships. The Code serves to protect clients, reduce any opportunities for abuse or harm to occur, and promote child safety at MASS.

MASS has developed the Child Safe Code of Conduct as a component of the overall Code of Conduct requirements of all staff, Board members, volunteers and contractors. Clear expectations of behaviour are provided to enable appropriate and positive relationships and personal accountability.

Further guidance is detailed in the *Staff and Client Professional Boundaries* section of the MASS Child Safe Policy and Procedures (HS14).

The MASS Child Safe Code of Conduct applies to:

- All staff members, including temporary or casual staff
- Volunteers
- Clients
- Parents, carers and guardians
- Third party contractors and service providers, including external education providers
- The Board of Directors
- Visitors on placement at MASS
- Visitors.

Where a staff member breaches the Code of Conduct, MASS may take disciplinary action, including in the case of serious breaches, summary dismissal.

MASS revises this Code annually. MASS's Board of Directors has endorsed this Child Safe Code of Conduct.

MASS has the following expectations of behaviours and boundaries for all adults interacting with clients within the MASS environment. The acceptable behaviours relate to activities such as Promote, Respect, Act and Report.

### ***Acceptable Behaviours:***

#### ***Promote***

- Promote safety, welfare and wellbeing of clients
- Promote safety, participation and empowerment of clients with a disability
- Promote cultural safety, participation and empowerment of linguistically and culturally diverse clients

#### ***Respect***

- Treat all clients with respect
- Encourage clients to 'have a say' and then listen to them with respect
- Respect cultural, religious and political differences
- Respect the privacy of clients and their families and only disclose information to people who have a need to know

#### ***Act***

- Behave as a positive role model to clients
- Be vigilant and proactive about client safety and child safety issues
- Provide appropriate supervision for clients
- Comply with guidelines published by MASS with respect to child safety
- Use positive and affirming language towards clients
- Help provide an open, safe and supportive environment for all clients to interact and socialise
- Intervene when clients are engaging in inappropriate bullying behaviour towards others or acting in a humiliating or vilifying way
- Where an allegation of child abuse is made, ensure as quickly as possible that the client involved is safe

#### ***Report***

- Report any breaches of the Child Safe Code of Conduct
- Report concerns about child safety to one of MASS's Child Safety Officers and ensure that your legal obligations to report allegations externally are met
- Call the Police on 000 if you have immediate concerns for a client's safety

### ***Unacceptable Behaviours***

#### ***Communications***

#### **Do Not:**

- Use prejudice, oppressive behaviour or inappropriate language

- Express personal views on cultures, race or sexuality in the presence of clients
- Engage in open discussions of an adult nature in the presence of clients
- Engage in inappropriate personal communications with a client through any medium, including any online contact or interactions with a client
- Take or publish (including online) photos, movies or recordings of a client without parental/carer consent
- Post online any information about a client that may identify them such as their full name; age; email address; telephone number, residence, school, or details of a club or group they may attend.

### **Actions**

#### **Do Not:**

- Engage in any form or inappropriate behaviour towards clients or expose clients to such behaviour
- Engage in any form of sexual conduct with a client including making sexually suggestive comments and sharing sexually suggestive material
- Engage in any form of physical conduct or behaviours including doing things of a personal nature that a client can do for themselves, such as toileting or changing clothes
- Engage in any form of physical violence towards a client including inappropriately rough physical play
- Use physical means or corporal punishment to discipline or control a client
- Engage in any form of behaviour that has the potential to cause a client serious emotional or psychological harm
- Develop 'special' relationships clients that could be seen as favouritism (for example the offering of gifts or special treatment for specific clients)
- Engage in undisclosed private meetings with a client that is not your own child
- Engage in meetings with a child that is not your own, outside of school hours and without permission from the Child Safety Officer and the child's parent.
- Ignore or disregard any suspected or disclosed child abuse, neglect or family violence.

### **Reporting any concerns**

MASS's Child Safe Policy and Procedures (HS14) and Freedom from Abuse and Neglect Policy and Procedures (HS5) include information for the Board of Directors, staff, and direct contact volunteers about identify key risk indicators of child abuse, neglect and family violence and how to report concerns or suspicions to one of MASS's nominated Child Safety Officers. See 'Four Critical Actions'. The Procedures also outline how to report child abuse or neglect incidents or suspicions to relevant authorities.

Third party contractors, external education providers, indirect contact volunteers, clients, parents of other community member who have concerns that a child may be subject to abuse or neglect are asked to contact a MASS Child Safety Officer. Communications will be treated confidentially on a 'need to know' basis.

**The welfare and best interests of the child are paramount. Whenever there are concerns that a child is in immediate danger, the Police should be contacted on 000.**

### **Workplace Participant Acknowledgement – Child Safe Code of Conduct**

All MASS staff, volunteers and contractors are responsible for promoting the safety and wellbeing of children and your people by agreeing to and adhering to the following standards of behaviour.

#### **I WILL:**

##### **Promote**

- Promote the safety, welfare and wellbeing of clients
- Promote the safety, participation and empowerment of clients with a disability
- Promote cultural safety, participation and empowerment of linguistically and culturally diverse clients

##### **Respect**

- Treat all clients with respect
- Encourage clients to 'have a say' and then listen to them with respect
- Respect cultural, religious and political differences
- Respect the privacy of clients and their families and only disclose information to people who have a need to know

##### **Act**

- Behave as a positive role model to clients
- Be vigilant and proactive about client safety and child safety issues
- Provide appropriate supervision for clients
- Comply with guidelines published by MASS with respect to child safety
- Use positive and affirming language towards clients
- Help provide an open, safe and supportive environment for all clients to interact and socialise
- Intervene when clients are engaging in inappropriate bullying behaviour towards others or acting in a humiliating or vilifying way
- Where an allegation of child abuse is made, ensure as quickly as possible that the client involved is safe
- Make sure that **as far as practicable** that adults are not left alone with a child and where this is not practicable, I will ensure that staff/parent/carers are aware of the child's whereabouts and regularly check the child
- Make sure that all parents/guardians/visitors to all sites are always signed in to the building and accompanied/supervised by a member of staff
- Report any allegations of child abuse, neglect or family violence to MASS Child Safety Officers and follow procedures outlined in "Four Critical Actions" and MASS Child Safe Policy
- Report any child safety concerns to MASS Child Safety Officers.

**Report**

- Report any breaches of the Child Safe Code of Conduct
- Report concerns or suspicions about child safety to one of MASS's Child Safety Officers and ensure that your legal obligations to report allegations externally are met
- Call the Police on 000 if you have immediate concerns for a client's safety.

**I WILL NOT:**

**Communications**

- Use prejudice, oppressive behaviour or inappropriate language
- Express personal views on cultures, race or sexuality in the presence of clients
- Engage in open discussions of an adult nature in the presence of clients
- Engage in inappropriate personal communications with a client through any medium, including any online contact or interactions with a client
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- Develop 'special' relationships clients that could be seen as favouritism (for example the offering of gifts or special treatment for specific clients)
- Engage in undisclosed private meetings with a client that is not my own child
- Engage in meetings with a child that is not my own, outside of school hours and without permission from the Child Safety Officer and the child's parent.
- Ignore or disregard any suspected or disclosed child abuse.

***I agree to abide by the Child Safe Code Of Conduct:***

Child Safe Code of Conduct

<b>Full Name</b>	
<b>Signature</b>	
<b>Date</b>	
<b>Witness Name</b>  <b>Witness Signature</b>	

# MASS Disability Service Workers Code of Conduct

MASS provides services to autistic people and has a zero tolerance of abuse of people with a disability. MASS provides services to clients that are funded through the National Disability Insurance Scheme and/or the Department of Health and Human Services and is committed to the Code of Conduct for Disability Service Workers.

All MASS staff, volunteers and contractors are required to comply with the Code of Conduct and sign a declaration to acknowledge that commitment.

Zero tolerance of abuse obliges a worker to uphold the human rights of people with a disability. A MASS worker must not commit any form of abuse, harassment, exploitation or neglect. A worker must also actively report cases of abuse or neglect and speak up if they suspect that abuse is occurring.

## What is abuse

Abuse is a violation of a person's human rights and has a number of forms such as financial abuse, emotional abuse, physical abuse and neglect. The terms are explained below.

**Financial Abuse**

Is the misuse of a person’s assets, property, possessions and finances without their consent. It includes:

- Denying a person with a disability the use of their own assets, property, possessions and finances
- Theft, fraud, exploitation and pressure in relation to assets, property, possessions and finances
- Obtaining assets through deception.

This also includes financial abuse perpetrated by other people with a disability.

**Emotional Abuse**

Is actions or behaviours that reject, isolate, intimidate or frighten by threats, or the witnessing of family violence, to the extent that the person’s behaviour is disturbed or their emotional/psychological wellbeing has been, or is at risk of being seriously impaired.

This includes:

- Rejecting, isolating, terrorising and ignoring behaviours
- Denying cultural or religious needs and preferences
- Emotional abuse perpetrated by other people with a disability
- Where a person subjects another person to behaviour that may result in psychological trauma, such as bullying, harassment, humiliation and threats.

**Physical Abuse**

Is actions that involve the inappropriate use of physical contact or force against a person.

This includes:

- Threats of physical abuse made to a person with a disability by another person
- Excessive use of physical force or restraint by a staff member
- Physical abuse perpetrated by other people with a disability, as well as by caregivers or staff.

**Sexual Abuse**

Is actual or attempted unwanted sexual actions that are otherwise forced on a person with a disability against their will or without their consent, through the use of physical force, intimidation or coercion.

**Neglect**

Is the failure to care adequately for a person with a disability to the extent that the health, wellbeing and development of the person is significantly impaired or at risk.

**MASS’s Obligations**

MASS will:

- Not tolerate any form of abuse of people with a disability by workers or other people with a disability and promote zero tolerance of abuse
- Provide employees and volunteers with information to correctly apply the obligations of the code of conduct

- ☑ Assist people to undertake their role, such as keeping support plans up to date and provide training opportunities so they can meet the needs of people with a disability
- ☑ Act on all reported cases of abuse or suspected abuse
- ☑ Never take negative action against staff or volunteers if they report abuse or neglect
- ☑ Base all necessary disciplinary action on the principle of procedural fairness if the obligations of the code of conduct are violated
- ☑ Respect, recognise and value the diversity of people and cultures and create an inclusive environment where it is safe for people with a disability to express their cultural identity
- ☑ Actively maintain a working environment in which the risks of abuse are minimised
- ☑ Create and maintain a positive complaints culture in which people are not afraid to 'speak up' and foster a culture a zero tolerance of abuse of people with a disability.

### MASS Service Worker Obligations

The code of conduct imposes five obligations that all disability service workers must abide by:

1. A disability service worker must provide services without engaging in abuse or suspected abuse.
2. A disability service worker must report any form of abuse or suspected abuse.
3. A disability service worker must not engage in sexual abuse or misconduct and must report any such conduct by other workers, people with a disability, family members, carers or community members.
4. A disability service worker must show respect for cultural differences when providing services.
5. A disability service worker must act ethically, with integrity, honesty and transparency.

#### ***Obligation 1: You must provide services without engaging in abuse, exploitation, harassment or neglect.***

Zero tolerance of abuse of people with a disability requires that a disability service worker appreciates people with a disability have needs, preferences and feelings just like everyone else. It also requires workers to actively listen to, and prioritise, the preferences of people receiving support services, where it is safe to do so.

#### **To meet this obligation you must:**

- ☑ Treat people with a disability with dignity and respect, and uphold their human rights.
- ☑ Never abuse, exploit, harass or neglect a person with a disability.
- ☑ Always take action to ensure a person with a disability you have reason to believe may have been abused, exploited, harassed or neglected receives appropriate support (for example, medical support, counselling and support to report abuse to the police).

- ☑ Actively listen to people with a disability and their families, carers and advocates to deliver support with their interests and needs in mind.
- ☑ Support people with a disability to meaningfully engage with their local community and society.
- ☑ Exercise professional and ethical judgement when providing services.
- ☑ Act with respect for individual rights to freedom of expression, self-determination and decision-making in accordance with applicable laws and conventions.
- ☑ Respect the privacy of people with disability.
- ☑ Provide supports and services in a safe and competent manner, with care and skill.

***Obligation 2: You must report any form of abuse or suspected abuse.***

Zero tolerance of abuse of people with a disability requires all disability service workers to report any form of abuse, including neglect or family violence.

Reporting in this context means reporting to your supervisor or manager. Reporting to other authorities should occur in line with MASS reporting policy and procedures: HS12 Client Incident Reporting Policy and Procedure and HS14 Child Safe Policy and Procedures.

This includes reporting any abuse committed by colleagues, other workers, family members, carers, people with a disability or community members.

**To meet this obligation you must:**

- ☑ Take all allegations of abuse seriously.
- ☑ Report any abuse or suspected abuse to your supervisor or manager and, if necessary, other relevant authorities in line with your organisation's reporting policy and procedures. This includes reporting incidents that raise concerns about the support provided by another worker.
- ☑ If you think your employer has not acted on your first report and people with a disability are at risk, report the abuse or suspected abuse to other authorities such as the Disability Services Commissioner.
- ☑ Facilitate access to independent support, such as an advocacy service or the Office of the Public Advocate, where a person's rights are not being upheld.
- ☑ Participate in training, information sessions and supervision provided by your employer that assists you to understand what abuse is and its various forms, and the application of the code of conduct.
- ☑ Promptly take steps to raise and act on concerns about matters that may impact 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 against, and exploitation, neglect and abuse of people with disability.

***Obligation 3: You must not engage in sexual abuse or misconduct and must report any such conduct by other workers, people with a disability, family members, carers or community members.***

All forms of sexual misconduct and sexual abuse are unacceptable and are a violation of the code.

**To meet this obligation you must:**

- Always report sexual misconduct and abuse.
- Recognise the power imbalance between you and a person receiving your support and how this affects the kinds of behaviour that are appropriate.
- Never engage in any sexual conduct with a person who you support, including actions committed by force, intimidation, coercion or manipulation.
- Never engage in any form of sexual activity or behaviour with a person who you support. This includes sexual advances and sexual, personal or erotic comments.
- Take all reasonable steps to prevent and respond to sexual misconduct.

***Obligation 4: You must show respect for cultural differences when providing services.***

Cultural respect involves recognising and valuing the diversity of people and creating an inclusive environment where it is safe for people with a disability to express their cultural, religious and sexual identity.

**To meet this obligation you must:**

- Be aware of and actively listen to the expressed needs, values and beliefs of people from cultural, religious and ethnic groups that are different from yours, about culturally relevant needs that affect the delivery of support services. This includes people with a disability, their families, carers and advocates.
- Consult with families, carers, advocates and other supports to clarify cultural expectations when these are unclear or not currently being met.
- Respect religious or spiritual beliefs and practices that are different from your own.
- Ensure cultures that are different from your own are acknowledged and respected.

***Obligation 5: You must act ethically, with integrity, honesty and transparency.***

Acting ethically means upholding professional obligations while providing support services and avoiding situations that will violate community standards and the expectations of those receiving support.

Acting with integrity means doing the right thing even if no one is watching.

Acting with honesty and transparency means being open and clear about what you are doing and being careful to avoid situations that could be seen as a conflict of interest.

By demonstrating these values in all aspects of your work, you can provide high-quality support services.

**To meet this obligation you must:**

- Respect the privacy of people with a disability and their families, carers and advocates.

- Display professionalism while providing support services.
- Communicate in a language, form, manner and tone that enables people with a disability to understand the information provided and to make their preferences known.
- Maintain appropriate professional boundaries, and act at all times to protect the boundaries of the professional relationship.
- Always recommend and provide supports that serve the needs and interests of people with a disability.
- Never use the power you have over people with a disability you support for personal gain.

### Breaching this policy

Any breach of MASS policy may result in disciplinary action up to and including termination of employment. Disciplinary procedures that can be actioned by MASS will be in line with the MASS performance policy.

Independent contractors and other non-employees who are found to have breached this policy may result in the termination of their contract with MASS.

### Workplace Participant Acknowledgement – Disability Service Worker Code of Conduct

**As a MASS employee or volunteer I will:**

- provide services without engaging in abuse or suspected abuse.
- report any form of abuse or suspected abuse.
- not engage in sexual abuse or misconduct and will report any such conduct by other workers, people with a disability, family members, carers or community members.
- show respect for cultural differences when providing services.
- act ethically, with integrity, honesty and transparency.

<b>Full Name</b>	
<b>Signature</b>	
<b>Date</b>	
<b>Witness Name</b>	
<b>Witness Signature</b>	