

## Code of Conduct

THIS POLICY APPLIES TO: Employees of My Choice Supports

<b>Document Control</b>			
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<b>Policy Context</b>		
Applicable standards, legislation or other requirements	Community Services Standards Disability Services Standards Occupational Safety and Health Act	
Related My Choice Supports documents	Unsatisfactory Performance and Discipline Policy Leave Policy Conflict of Interest Policy Intellectual Property Policy Conflict Management Policy Employee Performance Review and Development Policy	Privacy Policy Notification of Date Breach Policy Information Management Policy Occupational Health and Safety Policy Complaints and Grievances Policy Training Policy
<b>Contact for enquiries and proposed changes</b>		

All queries and changes regarding this document should be directed to	
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## 1. CODE OF CONDUCT

My Choice Supports (MCS) have established this Code of Conduct (Code) to promote professional and ethical conduct and decision making and to ensure employees of MCS are provided with clear principles setting out the expectations of their behaviour. It underpins My Choice Supports' commitment to a culture of professionalism, honesty, responsibility, integrity and fair dealing in its business affairs and to a duty of care to all Personnel, Participants and stakeholders.

This Code of Conduct sets out the principles covering appropriate conduct in a variety of contexts and outlines the minimum standard of behaviour expected from all staff of MCS.

## 2. RESPONSIBILITY

### 3.1 Employees

The Employees of My Choice Supports, both individually and collectively, are responsible for:

- Undertaking their duties and behaving in a manner that is consistent with the provisions of the Code;
- Ensuring the effective implementation, promotion and support of this Code and the culture it espouses, across all areas of the company.
- Undertaking their duties and behaving in a manner that is consistent with the provisions of this Code;
- Ensuring they are aware of, understand and follow the provisions outlined in the Code; and
- Reporting on any material or systemic breaches of this Code.
- Reporting suspected corrupt conduct in accordance with any Whistle-blower Policy in place from time to time; and
- Reporting any departure from the Code by themselves or others.

## 3. PERSONAL AND PROFESSIONAL BEHAVIOUR

#### 4.1. General Behaviour

When carrying out duties in connection with their role with MCS, all employees:

- Behave honestly and with integrity;
- Act with care and diligence;
- Remain loyal to My Choice Supports and disclose all personal or professional matters that may lead to conflicts of interest;
  - Avoid any conduct that could bring My Choice Supports into disrepute, including when using social media;
  - Treat everyone with respect and courtesy;
  - Carry out work in a professional manner and to a high standard;
  - Protect and manage the intellectual property developed in or used by My Choice Supports;
  - Act in an appropriate business-like manner when representing My Choice Supports in public forums;
    - Not accept any unauthorised corporate hospitality, including but not limited to gifts or entertainment;
    - Use equipment, facilities and other resources for their intended purposes;
    - Dress in a way that is appropriate for the role;
    - Comply with all lawful and reasonable directions given by management;
    - Be in a fit and proper condition to carry out duties when commencing work and while at work;
    - Operate within the law at all times;
    - Follow the policies of My Choice Supports;
    - Report any unethical or inappropriate behaviour they become aware of at work
    - Responsible Care - Responsible care means protecting and managing with care and diligence, human, natural and financial resources. It means decisions and actions do not harm the short-term and long-term wellbeing of people and resources.

#### 4.2 To meet the minimum requirements of the Code, all employees must:

- Assume responsibility for the best deployment and use of human, natural and financial resources;
- Ensure all human resource practices, including recruitment and selection, are based on merit and equity, ensuring they are free from bias;
- Seek the efficient and effective use of assets and avoid waste;
- Minimise risk and harm;
- Be conscientious and scrupulous in the performance of duties;
- Co-operate to achieve what is best for the community;

- Be open and accountable for decisions and actions, and consult those affected, where possible;
- Maintain records sufficient to enable review by others; and
- Develop skills and competencies in accordance with their responsibilities and help others to do so.

## 5. SERVICE DELIVERY EXPECTATIONS

### 5.1 The Code requires that MCS service delivery must also follow the following:

- Employees are expected to behave in accordance with the service policies and procedures.
- They must not work outside of their areas of professional training and expertise, as designated by their registration body (eg: AHPRA or AASW) and other professional associations.
- The breadth and scope of supports to be offered to clients of My Choice Supports will be agreed with each worker at the time of employment and reviewed during their performance reviews (usually annually).
- The suite of interventions to be offered will be based on demonstrated evidence of training and competence in the area.

### 5.2 Education

- Employees must maintain (and increase) their competence in areas of practice by undertaking appropriate training and development throughout their employment.

## 6. ABSENTEEISM AND TARDINESS

Once an employee's work schedule has been determined, they are expected to be at work on time and to work the full number of hours scheduled. Everyone must assume this responsibility, in fairness to co-workers and to the Participants they support.

If an employee's level of attendance interferes with those responsibilities, then MCS will take the appropriate disciplinary action, including, but not limited to, written warnings and suspension of duties until the agreed level of attendance is adhered to.

If an employee knows they will be absent, they should immediately notify of their absence. An unreported absence of 3 or more consecutive working days will be considered a voluntary withdrawal of their interest in the work. MCS has established a Leave Policy and Unsatisfactory Performance and Discipline Policy to deal with these matters.

MCS requires all employees to be on time with the delivery of their role and to complete their assigned

duties with an expected level of quality.

## 7. SOCIAL FUNCTIONS

Employees have a responsibility to behave in an appropriate manner at any My Choice Supports' Participant, supplier and service provider functions. This is irrespective of whether the function is held at My Choice Supports hired premises, offsite, outside of work hours or while travelling on business reasons.

While attending a social function, employees are representing My Choice Supports and:

- Must not consume alcohol excessively, use illegal drugs, smoke or use inappropriate language, such as profanity, swearing, vulgarity or verbal abuse, or vilifying language;
- Must demonstrate appropriate behaviour as outlined in the Code;
- Must respect reasonable directions given by the designated Manager of the area in concern; and
- Must demonstrate reasonable care of facilities and equipment.

Employees have a responsibility to behave in a professional and appropriate manner in all circumstances where there is an association to their relationship with My Choice Supports. Inappropriate conduct in these circumstances may result in disciplinary action and can also be subject to civil or criminal proceedings.

## 8. COMMUNICATION

To encourage open communication which can stimulate creative ideas and suggestions, My Choice Supports places a great deal of importance on open and frank communication at all levels within the organisation. This will mean that there will occasionally be disagreement, and respectful discussion is encouraged in such situations. Abusive or threatening language and behaviour will not be tolerated. Regular meetings are conducted and all individuals are encouraged to actively participate in meetings. Rumours and gossip, whether malicious or otherwise, are not welcome in the My Choice Supports working environment.

A clear process has been established in the event that an Employee has a grievance with another Employee. MCS has adopted an Employee Complaints and Grievance Policy. Employees will undergo a performance review annually where performance is measured against KPIs set out the previous year. Directors are encouraged to contribute their ideas and make suggestions about their further development as well as to agree to performance indicators and, where applicable, budgets.

## 10. CONFLICT OF INTEREST

My Choice Supports regards loyalty to the Company as being of the utmost importance. Employees are expected to promote the interests of My Choice Supports at all times. Employees are under a fiduciary duty to avoid conflicts of interest. Potential for conflict of interest arises when it is likely that a person could be influenced, or it could be perceived that they are influenced by a personal interest when carrying out their duties. Conflicts of interest that lead to biased decision making may constitute corrupt conduct.

Some situations that may give rise to a conflict of interest include situations where personnel have:

- Financial interests in a matter the Company deals with or are aware that friends or relatives have a

financial interest in the matter;

- Directorships/management or ownership of outside organisations;
- Membership of boards of outside organisations;
- Personal relationships with people the Company is dealing with which go beyond the level of an arms' length professional working relationship;
- Secondary employment, business, commercial, or other activities outside of My Choice Supports which impacts on their duty and obligations to the Company;
- Interests or investments in competitors, customers or suppliers to My Choice Supports;
- Access to Company information that can be used for personal gain; and
- An offer of a gift, invitation or other inducement.

The individual personnel may often be the only person aware of the potential for conflict. It is their responsibility to avoid any conflict from arising that could compromise their ability to perform their duties to My Choice Supports impartially.

Any potential or actual conflicts of interest must be reported to the Management and dealt with under the Conflicts of Interest Policy.

If uncertain whether a conflict exists, a person should discuss that matter with the appropriate Manager.

Personnel must not accept any form of corporate hospitality, including but not limited to a gift or invitation to an entertainment or sporting event that has a real or perceived value over \$500.

Personnel must not submit or accept any bribe, or other improper inducement. Employees are to report any such attempted inducements to the appropriate Manager.

## **11. SECONDARY EMPLOYMENT**

Employees must obtain written consent from My Choice Supports before undertaking work with another employer or engaging in outside business activities. This is to ensure there is no conflict of interest and that the outside employment will not impact on the ability of the employee to successfully complete the duties associated with their job. Employees shall not, directly or indirectly, engage in any outside employment or financial interest, which may conflict with the best interests of My Choice Supports or interfere with the employee's ability to perform his / her assigned job functions.

Examples include but are not limited to outside employment which:

- Is conducted during the employees regular working hours;
- Utilises company telephones, computers, supplies or any other resources, facilities or equipment;
- Is with a competitor or company that has contracts with or does business with My Choice Supports;
- May for any other reason reasonably be perceived as a conflict of interest.

Secondary employment that constitutes a conflict of interest is prohibited. Employees may not receive any income or material gain from individuals outside the organisation for materials produced or services rendered while performing their job functions.

Any employee engaged in secondary employment which conflicts with the requirements of this section will be required to resign from such outside employment or be terminated upon refusal to resign.

## **12. PUBLIC AND MEDIA COMMENT**

Individuals have a right to give their opinions on political and social issues in their private capacity as members of the community. The MCS Directors are the only parties authorised to make official comment on matters relating to the Company. Any other employee must not make official comment on matters relating to the Company unless they are:

- Authorised to do so by the Directors;
- Giving evidence in court; or
- Otherwise authorised or required to by law.

Employees must not release unpublished or privileged information unless they have the authority to do so from agreement from Directors. All media communications must be in line with the Media Communications Policy.

## **13. USE OF COMPANY RESOURCES**

Company resources are not to be used for any private commercial purposes. Requests to use Company resources for personal purposes and/or outside core business hours should be referred to the appropriate Manager.

Any person authorised to use Company resources for personal purposes and/or outside core business hours must take responsibility for maintaining, replacing, and safeguarding the property and follow any special directions or conditions that apply. Any person using Company resources without obtaining prior approval could face disciplinary and/or criminal action.

## **14. CONFIDENTIALITY AND SECURITY OF INFORMATION**

Employees must ensure that confidential and sensitive information remains confidential and cannot be accessed by unauthorised persons. Sensitive material should be securely stored overnight or when unattended. Employees must ensure that confidential information is only disclosed or discussed with people who are authorised to have access to it. It is considered a serious act of misconduct to deliberately release confidential documents or information to unauthorised persons, and may incur disciplinary action.

My Choice Supports has established a Privacy Policy which includes Notification of Data Breach, and an Information Management Policy which provide further guidance on this matter.

## **15. INTELLECTUAL PROPERTY/COPYRIGHT**

The Company is the owner of intellectual property and copyright created by employees in the course of their employment unless a specific prior agreement has been made. Employees must obtain written permission to use any such intellectual property from the Directors before making any use of that property for purposes other than as required in their role. MCS management has established an Intellectual Property Policy that provides further guidance on this matter.

## **16. DIVERSITY**

The concept of diversity recognises the different characteristics and skills every individual brings to the

workplace. Workplace diversity is about ensuring effective outcomes for My Choice Supports and individuals by recognising and capitalising on the opportunities a diverse workplace brings.

As an equal opportunity employer, My Choice Supports:

- Recruits, retains, promotes, terminates and otherwise treats everyone on the basis of merit, qualifications and competence;
- Except where required by law, will not be influenced or affected by an individual's sex, race, colour, religion, national origin, pregnancy, age, marital status, physical disability, or any other characteristic protected by law; and
- Will not discriminate against any individual with a sensory, physical or mental impairment, unless the impairment cannot be reasonably accommodated and prevents proper performance of an essential element of the job.

To support My Choice Supports' commitment to workplace diversity in all interactions with stakeholders, My Choice Supports Employees must:

- Display a high standard of professionalism;
- Be courteous, honest and respectful at all times;
- Behave with tolerance and respect for diversity;
- Listen to, support and encourage others and cooperate actively as part of a team;
- Conduct their work free from discrimination and harassment;
- Seek to remove barriers that prevent fair and equitable treatment of individuals; and
- Observe and comply with all relevant legislation.

## **17. DISCRIMINATION AND HARASSMENT**

Employees must not harass, bully, discriminate, or support others who harass, bully or discriminate against colleagues or members of the public on the grounds of sex, pregnancy, marital status, age, race (including their colour, nationality, descent, ethnic or religious background), physical or intellectual impairment, homosexuality or transgender. Such harassment or discrimination may constitute an offence under legislation. The Directors will understand and apply the principles of Equal Employment Opportunity.

## **18. CORRUPT CONDUCT**

Corrupt conduct involves the dishonest or partial use of power or position which results in one person/group being advantaged over another. Corruption can take many forms including, but not limited to:

- Official misconduct;
- Bribery and blackmail;
- Unauthorised use of confidential information;
- Fraud; and
- Theft.

Corrupt conduct will not be tolerated by the Company. Disciplinary action up to and including dismissal and criminal and civil prosecution will be taken in the event of any employee participating in corrupt conduct.

## **19. OCCUPATIONAL HEALTH AND SAFETY**



It is the responsibility of all employees to act in accordance with occupational health and safety legislation, regulations and policies applicable to their respective work areas and to use any security and safety equipment provided.

### **19.1 Health and Safety**

All personnel are responsible for health and safety in their work area by:

- Ensuring they understand and follow MCS's health, safety and security policies and directives;
- Ensure an Ergonomic assessment is satisfied and upheld during the course of any working from home service delivery;
- Only undertaking work when trained, competent and medically fit;
- Advising of areas where there is a potential problem in health and safety matters and reporting suspicious occurrences; and minimising risks in the workplace.

My Choice Supports will work to preserve the health and safety of all employees and reserves the right to re-assign an individual, or take other action, where a substantial safety risk to other personnel or the public exists.

### **19.2 Stress Management**

My Choice Supports will provide and maintain, as far as is practicable, a working environment in which personnel are not exposed to physical or psychological hazards including but not limited to changes to the workplace, workload or work practices that may be reasonably expected to affect the health or safety of an individual, and violent or aggressive incidents.

Employees have an obligation under the Occupational Safety and Health Act 1984 to report to the appropriate Manager responsible for Workplace and Safety, any situation in the workplace that they believe could constitute, or has constituted a hazard by completing an Accident and Incident Report. The Directors will ensure the matter is investigated promptly.

### **19.3 Employee Assistance Program**

An employee assistance program is available to My Choice Supports Employees. This is a professional, confidential counselling service for employees and their immediate family members. It is free of charge for Employees and their immediate family members.

### **19.4 Alcohol and Drugs**

Employees must not be impaired by alcohol or drugs (whether prescription or otherwise) or use or possess illegal substances while engaged on My Choice Supports business.

## **20. LEGISLATION**

It is essential that all employees comply with all applicable laws and regulations in the industry in which we operate. Violations of such laws may have serious consequences for the company and any individuals concerned. Any known violation must be reported immediately to management.

## **21. FAIR DEALING**

The company aims to succeed through fair and honest competition and not through unethical or illegal business practices. Each employee should endeavor to deal fairly with the company's suppliers, and Participants.

## **22. RESPONSIBILITIES TO MEMBERS**

The company strives for full, fair and accurate disclosure of financial and other information to members on a timely basis.

## **23. BREACHES OF THE CODE**

Employees should note that breaches of this Code may lead to disciplinary action. Further, breach of certain sections of this Code may be punishable under the law.

## **24. REPORTING MATTERS OF CONCERN**

Employees are encouraged to raise any matters of concern in good faith with Managers without fear of retribution.