

CODE OF CONDUCT

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Purpose

The Code of Conduct will set out the expectations required of staff to conduct themselves in an appropriate and professional manner at all times, and particularly while in contact with consumers.

Policy Statement

This Code of Conduct is intended to guide staff, volunteers and students in their association with Wintringham. It is designed as a guide for dealing with consumers, colleagues and the wider community, including suppliers and contractors. It is expected that all members will understand and adhere to the policies of Wintringham.

It is important that all staff of Wintringham recognise not only their own rights and responsibilities, but also the rights and responsibilities of others.

Any breach of Wintringham's Code of Conduct may lead to disciplinary action. Refer to [Disciplinary Process](#) (HRM 21) and [Termination of Services](#) (HRM 24)

Background and Context

Elements of both the NDIS and Aged Care Code of Conduct have been aligned and included within Wintringham's Code of Conduct.

Aged Care

The Aged Care Quality and Safety Commissioner are now able to take enforcement action for breaches of the Code of Conduct. Enforcement actions can include banning or restricting individuals from working in aged care.

NDIS

The NDIS Quality and Safeguards Commission is empowered to take a range of sanctions and remedial action if NDIS providers or workers breach the Code. This includes training and education, warnings and directions, and for the most serious breaches, the NDIS Commission may choose a different response. For example, going to court to have civil penalties imposed, deregistering NDIS providers, or banning NDIS providers or workers from providing services and supports in the NDIS sector.

Commitment

Wintringham is committed to:

- Ensuring all staff have read, understood and signed a copy of the Code of Conduct upon commencement
- Taking appropriate action when a breach of the Code has occurred.

Scope

All Wintringham staff are required to be familiar with the Code of Conduct and ensure adherence to the Code. Any breach in the provisions of this Code of Conduct may result in disciplinary action.

Definitions

| | |
|------------------------|--|
| Code of Conduct | Outlines standards of behaviour expected of volunteers, students and staff employed by Wintringham. |
| Consumer | Includes clients, residents, participants, service users at all Wintringham or Wintringham Housing services. |
| Staff | For the purposes of this policy, staff will be defined as both paid employees, unpaid volunteers and students. |

Responsibilities

| | |
|--------------------|---|
| Staff | Responsible for reading and understanding the Code of Conduct. |
| Program Managers | Responsible for ensuring staff have access to and sign a copy of the Code of Conduct upon commencement. |
| People and Culture | Will ensure any changes to the Code of Conduct is updated and communicated back to staff. |

Principles

General Guiding Principles

1. All staff shall follow the Occupational Health and Safety (OHS) requirements, relevant government regulations and legislation, and appropriate professional standards. Staff will not undertake duties they are not qualified or trained to deliver.
2. Staff will respect individual rights to freedom of expression, self-determination and decision making in accordance with applicable laws and conventions.
3. All interactions should consider the individuals values and beliefs relating to culture, faith, ethnicity, gender, gender identity, sexuality, age and disability.
4. Staff will provide care, supports and services in a safe and competent manner, with care and skill, and promptly take steps to raise and act on concerns about matters that may impact the quality and safety of care, supports and services.
5. Staff will provide care, supports and services free from all forms of violence, discrimination, exploitation, neglect, abuse and sexual misconduct, and will take all reasonable steps to prevent and respond to all forms of violence, discrimination, exploitation, neglect and abuse of consumers.
6. Behaviour that is a significant departure from professional standards will result in mandatory notifications to appropriate regulatory bodies, such as Apha, or the Disability Worker Regulation Scheme.

7. Privacy and Dignity

The privacy of consumers, staff, visitors and other service users is to be respected at all times. Each consumer's room or homes is their own personal space. Staff must ask permission and explain procedures that involve physical touch or invading personal space.

A consumer's belongings including clothing, furniture or decoration is not to be interfered with at any time without the consumer's permission. Staff are to be discrete in both their verbal and written comments to respect and protect the privacy and dignity of consumers and fellow employees.

Under no circumstances are photos, being still photos or video footage of fellow employees, visitors, and/or consumers to be taken or made public without the written consent of the person and the Program Manager.

Staff should not discuss personal problems or personal details of themselves or others with consumers. Staff should not give consumers their personal phone numbers or "friend" them on social network sites.

8. Confidentiality

All information about consumers, visitors and/or employees, whether it is personal experiences, medical, financial details, and/or photos is to be treated with the utmost confidentiality and is not to be disclosed outside Wintringham.

Consumers' private affairs are not to be disclosed to any other person without the written consent of the consumer or their representative.

The issue of confidentiality also applies to any information concerning Wintringham that is gained during the course of employment.

9. Ethical Behaviour

All members shall be committed to the core values of Wintringham, act with integrity, honesty and transparency, and shall comply with all lawful and reasonable directions given. Complaints arising out of such directions shall be reported, and attempted to be resolved, with the Program Manager. Staff dissatisfied with the outcome can lodge a personal grievance to have the matter resolved. Staff must continue to carry out any lawful and reasonable directions that may be given until the matter is resolved.

Staff members are encouraged to report to a Program Manager any behaviour by another employee they consider to be unethical. This may include behaviour or communicating in a way that you believe violates any law, rule or regulation or represents corrupt conduct, substantial mismanagement of public resources, or is a danger to public health or safety or to the environment.

Staff should also refer to [Appendix 1 Relationship Scale](#) for guidance and discuss any concerns with their line manager.

10. Conflict of Interest

Wintringham requires staff to disclose potential conflicts of interest (actual or perceived) as they arise. It is the responsibility of all Wintringham staff to ensure that the decisions they make are not biased (or could be perceived as being biased). If a staff member's role involves a decision where there is a potential conflict of interest, this should be declared to his/her supervisor as early as possible. This will enable a timely discussion and decision regarding his/her involvement in that decision. Staff who are uncertain as to whether or not they have a conflict of interest should seek advice from their Program Manager.

When there is the risk of a conflict of interest between multiple services provided by Wintringham (e.g. when an NDIS participant requests both Wintringham Support Coordination and Wintringham Specialist Support Services) please refer to [Conflict of Interest Policy](#) (L_M 3.14).

Staff are not permitted to take other people into consumer homes. Personal recommendations of a visitor, service provider or external service (e.g. tradesman, doctor etc.) must be discussed with the Program Manager before talking with consumers.

11. Quality and Safe Care

If the safety or the quality of support for consumers is at risk, staff will take immediate action. Staff will liaise with their supervisor to ensure the consumer is safe.

Staff will utilise Riskware to lodge Incident Reports, Safety Hazard Reports and Feedback including Compliments, Complaints, and Suggested Improvements.

Consumers will have various ways they can lodge feedback, including paper-base, web-base and verbally to the site/program.

Related Documents

| | |
|-----------|---|
| PAC 6 | Learning and Development |
| HRM 21 | Disciplinary Process |
| HRM 24 | Termination of Services |
| HRM 31 | Standard of Dress |
| HRM 64 | Whistleblower |
| L_M 2.16 | Feedback Policy |
| L_M 3.14 | Conflict of Interest Policy |
| L_M 3.15 | Privacy Policy |
| L_M 3.15A | Privacy Procedures |
| L_M 3.20 | Complaints Policy |
| L_M 5.3 | Documentation and Accountability |
| L_M 56 | Sexual Expression and Sexual Misconduct |
| L_M 58 | Social Media |
| FIN 16 | Purchasing and Payment of Goods and Services |
| INT 13 | Code of Conduct – For Computer Usage by Residents |

Authorisation

This policy has been authorised by General Manager People, Culture and Engagement on November / 2022.

Review Date

November / 2025

Appendix 1: Relationship Scale

| Wintringham Relationship Scale (Professional Boundaries) | | | | | |
|--|---|--|--|--|--|
| Behaviours | Intensity / Effectiveness | | | | |
| | Ineffective | Partially Effective | Highly Effective | Risky | Unacceptable |
| Supportive Behaviour (The amount of encouragement, understanding, and assistance required to support customer) | <ul style="list-style-type: none"> - Indifference - Uncaring - Punitive - Judgemental | <ul style="list-style-type: none"> - Duty of care only - Impersonal - Punitive - Aloof - Apprehensive/Uncertain - Judgemental (not focused) | <ul style="list-style-type: none"> - Genuine interest in well being - Empathetic - Professional interest - Takes time with all – no favourites - Non judgemental - Follows up on requests | <ul style="list-style-type: none"> - Too involved - Protective - Sympathetic/rescuer - Invests too much time in some only | <ul style="list-style-type: none"> - Emotional investment - Over protection - Involvement outside of work hours |
| Role Model (The way you manage yourself when interacting with a customer) | <ul style="list-style-type: none"> - Promotes a mutually destructive relationship - Disrespectful but expects respect - Poor presentation - Tardiness - Inconsistent - Plays favourites | <ul style="list-style-type: none"> - Inconsistent - Sets rules - Directive - Clients TOLD what to do - Assumes all behaviours are manipulative - Unclear boundaries | <ul style="list-style-type: none"> - Challenges unacceptable behaviour - Interested in development - Attentive - Reinforces boundaries - Unconcerned about "approval" - Maintains "rules" and controls - Recognizes and addresses manipulative behaviour - Well presented (appropriate clothing) - Effort to understand "condition"/behaviour and works on support plan to modify challenging behaviour | <ul style="list-style-type: none"> - Accepts or does not address unacceptable behaviours - Does not address manipulative behaviours - Engages in emotional game playing - Wants to please - Avoids conflict - Gives all the solutions - Always knows what is best | <ul style="list-style-type: none"> - Excuses unacceptable behaviour - Encourages emotional dependence - Ignores manipulative behaviour - Accepts responsibility of customer's behaviour - Wants to please - Avoids conflict - Likes to be the "nice guy" - Does favours for favourites |
| Openness (The amount of collaboration needed to communicate effectively with customers) | <ul style="list-style-type: none"> - Remains distant - Closed - Unapproachable - Does not listen to - Overreacts - Does not explore issue | <ul style="list-style-type: none"> - Distant - Has difficulty communicating - Unapproachable - Reserved - Tightly controls own reaction - Vulnerable - Fears mutual communication | <ul style="list-style-type: none"> - Actively questions or listens - Clarifies client's understanding - Encourages client to be open - Displays empathy - Works with consumer to agreed Set Rules and boundaries | <ul style="list-style-type: none"> - Suggestible - Seeks approval - Gossips - Blurs boundaries - Discloses personal information - Discusses other staff issues with client | <ul style="list-style-type: none"> - Highly susceptible - Has no interpersonal rules - Crosses the line - Gossips - Discusses other staff/client's personal issues - Seeks advice and support from client - Sexual joking |
| Physical Contact | <ul style="list-style-type: none"> - Procedural emergency only with reluctance | <ul style="list-style-type: none"> - Procedural emergency only | <ul style="list-style-type: none"> - Procedural emergency - Appropriate gestures of acknowledgement support | <ul style="list-style-type: none"> - Procedural/emergency - Intruding on personal space - Non-mutual gestures of sympathy and reassurance - Comfort "hug" if mutual | <ul style="list-style-type: none"> - Flirting - Revealing clothing - Sexual intimacy |
| | Under-involvement | | Constructive | Over-involvement | |

Code of Conduct

1. Alcohol and Drugs

Alcoholic beverages shall not be consumed on any Wintringham site, except in special circumstances approved by the Chief Executive Officer (CEO) or delegate.

Staff shall not allow the consumption of alcohol or drugs to adversely affect their work performance or official conduct.

Staff must not attend duty under the influence of alcohol or be drug affected and in no circumstances can any staff member drive any vehicle, whether it be private or Wintringham owned, whilst under the influence. Failure to observe this will result in disciplinary action, up to and including termination of employment. Mandatory notifications exist for staff who are intoxicated while working.

In the event that a staff member is taking prescribed medication, they should check with their pharmacist or doctor about possible adverse side effects and if advised that these effects may affect their ability to perform work duties, they must inform their Program Manager.

2. Interaction with Colleagues

Staff shall work cooperatively with colleagues, support and learn from each other, and accept differences in personal style and ways of communicating.

Members shall respect, and seek when necessary, the professional opinions of colleagues in their area of competence, and acknowledge their contribution.

3. Computers/Internet Use

Wintringham reserves the right to access and monitor emails, web sites, server logs and electronic files for any reason.

Refer to:

- [Privacy Policy](#) (L_M 3.15)
- [Privacy Procedure](#) (L_M 3.15A)
- [Social Media](#) (L_M 58)
- [Code of Conduct – For Computer Usage by Residents](#) (INT 13)

4. Criminal Offences

Staff shall immediately inform their Program Manager if charged with a criminal offence punishable by imprisonment or, if found guilty, would significantly affect their ability to perform normal duties. Staff shall inform their Program Manager of any criminal offence of which they have been found guilty before or during their public employment, except where the offence is covered by a prescribed spent convictions scheme.

5. Documentation and Reporting

Staff should complete tasks as outlined in Care Plans and Work Guidelines. If the consumer is requesting any changes, staff should notify their Supervisor. Staff should complete documentation during each shift.

Staff should immediately report to their line Manager or Supervisor, any concerns the consumer might discuss with them. This includes documenting the same in consumers' notes as well as Wintringham's continuous improvement system. For example, staff should report to line Manager/Supervisor if a consumer is not at home when a planned visit occurs.

Refer to [Documentation and Accountability Policy](#) (L_M 5.3)

6. **Equal Employment Opportunity (EEO)**

Staff shall ensure they observe the EEO principles, exhibit appropriate behaviours and provide a work environment free from harassment (including sexual), bullying and discrimination.

7. **Employment after Leaving Wintringham**

Confidential information obtained in the course of duty shall not be relayed to anyone else.

Once staff have left Wintringham, confidential information obtained during employment shall not be used to advantage the prospective employer or disadvantage Wintringham.

8. **Financial Affairs**

Staff are not permitted to undertake any banking or financial transaction on behalf of consumers unless permission has been given by the Program Manager.

In instances where permission has been given for a staff member to do banking with a consumer, the consumer must be present with the staff member when making any transactions. However if the consumer is not able to visit the bank then two staff members must be present while any transactions are made.

If staff consider that a consumer may not be capable of dealing with their financial affairs, they should advise the Program Manager.

9. **Food**

Staff are not to consume food items that have been purchased for consumer's consumption.

Leftovers from meals should be disposed of or placed in the fridge for consumer's snacks, according to Food Safety Program requirements.

From time to time, consumers may prepare food especially for staff, and this may be accepted subject to informing the Program Manager.

10. **Gifts and Benefits**

Staff shall not accept favours or gifts from consumers and/or their family for services performed in connection with official duties. Staff and/or staff's family members shall not use their position to encourage or obtain a private benefit (e.g. FlyBuys, store program benefits etc.)

Small gifts such as sweets, biscuits, flowers or other inexpensive items may be accepted, but should be limited to seasonal festivities (i.e. Christmas).

Gifts given to individual staff by consumers should be always reported to the Program Manager. Small gifts are generally considered to be those gifts which are valued at around \$10.00.

Monetary gifts, large or small, personal belongings and moderate to valuable items, must not be accepted under any circumstances. All offers of such items must always be documented in the consumer's file and Program Manager informed.

Staff should also refer to Appendix 1 - Relationship Scale for guidance and discuss any concerns with their line manager.

11. ID Badges

Wintringham is committed to providing staff and consumers with a secure and safe environment. To facilitate this, staff are required to either wear or have an ID badge with them at all times whilst on duty.

12. Legal Affairs

No staff member is to witness a consumer's Will, sign any legal documents, or undertake formal responsibilities as executors of affairs of any consumer, with the exception of the witnessing Advanced Care Directives and Postal Votes.

If consumers ask for any advice etc. on legal or financial matters, this must be immediately referred to the Program Manager.

Staff should not provide consumers with any advice in these areas. If consumers wish to discuss any aspect of their financial affairs including beneficiaries, wills etc. this must be referred to the Program Manager, who can then raise the issues with the relevant Executive Management Team (EMT) member.

13. Mandatory Training

Staff are required to undertake mandatory training. Refer to [Learning and Development Policy](#) (PAC 6).

14. Mobile Phones / Personal Devices

The use of personal mobile phones or personal devices is prohibited for any reason in the workplace without the express consent of the Program Manager.

No personal calls are to be made during any shift unless it is an emergency, to which staff are to notify the line manager immediately. Photos and/or video footage are not to be taken of consumers and/or employees on any personal devices.

Staff that are provided with a mobile phone for work purposes are not to use the mobile phone for private purposes (including business hours and after hours) unless in an emergency. Staff are expected to reimburse Wintringham for any private calls.

15. Protection of Property

Staff are responsible for the safekeeping of all goods and property within Wintringham facilities.

Wintringham cannot assure complete safety of personal items, and therefore take no responsibility for any theft or damage to personal property during work hours. It is recommended that valuables are not brought to work.

Any pilfering or theft, no matter how small, will result in disciplinary action and possible dismissal.

Community staff are not permitted to have an unauthorised key to a consumer's home. Any request from a consumer/consumer's representative for Wintringham staff to hold a spare key must be directed to the Program Manager.

16. **Public Statements**

Under no circumstances are statements to be made by staff concerning consumers or the operations of Wintringham. Any requests for public statements or photographs are to be referred to the EMT.

Note: In the case of a missing person, Victoria/Tasmania Police may request authority to do a media release.

According to Victoria Police, authority for such a release can be given by the next of kin or the missing persons 'carer'. Wintringham Managers (or their delegate) can be considered the missing persons 'carer' and are permitted to authorise Victoria/Tasmania Police to do a media release under these circumstances.

When a Manager gives this authorisation, they will inform Wintringham's relevant EMT member and provide necessary details to answer media enquiries.

17. **Punctuality and Time Keeping**

It is essential that staff are punctual and reliable in their attendance at work. Late commencement of duty will result in deduction of pay.

Staff must notify their Supervisors if they will not be at work on time.

Community staff are to stay with the consumer for the allocated time unless otherwise advised by the Supervisor /Program Manager.

Staff are not to run personal errands or conduct personal shopping during work time or while out with consumers.

18. **Resources**

Staff shall ensure that all resources within their area of responsibility are used effectively and economically in the course of their duties.

19. **Sexual Misconduct**

Staff are expected to adhere to the highest standards of behaviour, by having professional boundaries with consumers.

Staff must not engage in any sexual behaviour or sexual acts with consumers. This includes physical, verbal, written and online communication. Refer to [Sexual Expression and Sexual Misconduct Policy](#) (L_M 56).

Sexual misconduct will result in mandatory notifications to the relevant regulatory bodies.

Staff should also refer to [Appendix 1 Relationship Scale](#) for guidance and discuss any concerns with their line manager.

20. **Smoking (including the inhaling/exhaling of smoke or vapour)**

Wintringham is committed to providing, as far as practicable, a smoke free environment for all staff.

If a consumer refuses to stop smoking in the presence of staff, the matter is to be reported to the Supervisor for appropriate strategies to be put in place.

Smoking for staff, however, is only permitted during breaks and in the designated outdoor smoking areas. No smoking is permitted in the staff or common rooms within Wintringham's sites, or during consumer contact in the community.

No smoking is permitted in either company vehicles or personal vehicles whilst transporting consumers.

21. **Standard of Dress**

The dress code is designed to be practical for delivering care, minimising potential cross infection and promoting safety for consumers and staff.

Refer to [Standard of Dress Policy](#) (HRM 31).

Staff should also refer to [Appendix 1 Relationship Scale](#) for guidance and discuss any concerns with their line manager.

22. **Unprofessional Conduct**

Each person with a professional qualification, employed within Wintringham, must abide by the relevant professional codes and boundaries. A person must not direct or incite another staff member to do anything, in the course of professional practice, that would constitute unprofessional conduct or professional misconduct.

Significant departure from accepted professional standards, and unprofessional conduct, will result in mandatory notifications to relevant regulatory bodies.

23. **Unreasonable Behaviour**

Staff are expected to conduct themselves in a reasonable manner at all times including all interactions with other staff, consumers, volunteers and contractors.

Reasonable behaviour will be determined by considering whether a reasonable person, having regard to all of the circumstances, would expect the behaviour to have a negative impact upon others or the organisation, including but not limited to victimising, humiliating, embarrassing, undermining, and/or threatening, and more indirect behaviours (which may be carried out behind the victims back) such as

spreading rumours, making nasty jokes, teasing, mimicking and/or encouraging others to socially exclude someone.

Staff should also refer to [Appendix 1 Relationship Scale](#) for guidance and discuss any concerns with their line manager.

24. Visits and contact with consumers outside of work and rostered hours.

In order to maintain professional roles and boundaries that protect both consumers and staff, no staff should have contact with consumers outside of their roster, workplace or unless at work. The EMT are the only staff to authorise any variation to this policy.

No staff should invite consumers to their place of residence.

No staff should socialise with consumers outside of work hours.

No staff should provide consumers with personal details about themselves e.g. personal address, phone numbers etc.

No staff should have contact via email or the internet e.g.: social media with consumers

Staff should also refer to [Appendix 1 Relationship Scale](#) for guidance and discuss any concerns with their line manager.

25. Visits to Wintringham Homes and Housing Sites

As our homes and housing sites are a home to its consumers, all visits from the public, including the family and friends of staff, are to be cleared with the Program Manager.

26. Whistleblowing

Certain breaches of the Code of Conduct may be considered to be 'Disclosable Matters' in accordance with the Wintringham Whistleblower policy. For further information regarding what constitutes a disclosable matter, who to report this to, how a disclosure can be reported, and what protections are available, please refer to [Whistleblower Policy](#) (PAC 5.18).

27. Procurement

The procurement of any goods by staff members at Wintringham must be completed in accordance with the [Purchasing and Payment of Goods and Services Policy](#) (FIN 16).

| | |
|---|--|
| I, (Name) | |
| have read and understood Wintringham's Code of Conduct that relates to all Wintringham employees, and agree that throughout my time at Wintringham, I will follow the Code of Conduct as set out. | |

Signature: _____
Date: _____

Signed copy emailed to P&C

