



Code of Ethics and Conduct



Family Spirit



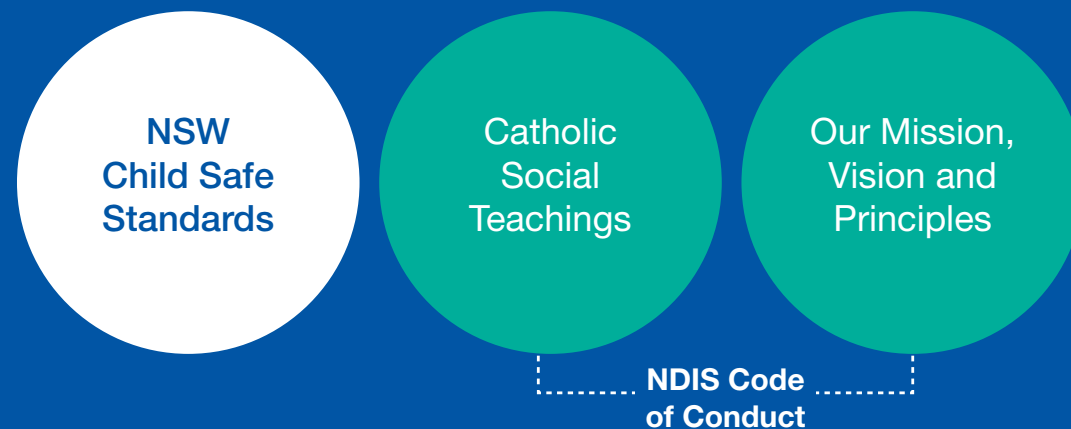
Table of Contents

Introduction	4
Mission, Vision and Values	5
Conduct and Behaviour	6
Working with Children Check	12
Use of Information	15
Acceptance and/or giving of gifts or benefits	15
Conflicts of interest (including outside employment)	16
Use of computers, email, internet and other communications equipment	17
Production of publications and Family Spirit materials	18
Breaches of the Code of Conduct	18

Introduction:

The Family Spirit Code of Conduct outlines how the agency is to support its employees and how employees are expected to behave to uphold and encourage a safe, supportive, productive and harmonious workplace and one which is focused on providing quality care and support to clients and carers.

In all our work, we are guided by the following:



Scope:

This Code applies to Family Spirit's Board members, paid employees, volunteers, contractors, sub-contractors, students and trainees (collectively referred to as "employees" in this document).

The Code applies to behaviour and decision making when employees are engaged in official Family Spirit business. It also applies at social activities related to Family Spirit and on social media, during and outside of working hours.

Employees are to make themselves familiar with the requirements of this document and ensure they uphold the values and principles of Family Spirit and comply with the behaviours and obligations outlined within The Code.

Failure to comply with the responsibilities and obligations outlined in this document may result in disciplinary action being taken, including termination of employment, notification to external agencies and/or criminal charges.

Mission, Vision and Principles:

Mission

Our mission is to support children, young people and adults in statutory care, at risk of entering care, or who have exited care.

Vision

Our vision is to be the leading provider of trauma-informed, child-led and family focused services to clients in statutory care, at risk of entering care, or who have exited care.

Principles

We follow in the footsteps of Christ and come together as a Catholic community, in partnership with our valued stakeholders, to promote the following principles:

- *The Family Spirit* — We undertake to build community, belonging, and promote the family spirit for all. We believe in the innate goodness of everyone and foster acceptance and unconditional care of families, children and young people in need. We aim to support those in need and their cultural, religious or other beliefs and needs with respect and dignity.
- *Human Dignity* — We believe everyone is created in the image of God, and we treat everyone with love, respect, compassion, and the upmost care and safety.
- *Participation* — We aim to ensure the child's voice and view is taken into consideration by putting the best interests of the child at the core of all decision making and practice. We value the views and needs of our families and carers and aim to ensure that these are heard and understood in the work that we do.
- *Solidarity* — We walk alongside children and families, helping them through their challenges.
- *Common Good* — We encourage networks of support for each and every child, building and strengthening the families and communities that support these children and promoting them to grow into active participants of the community as adults.

1. Conduct and Behaviour

Family Spirit means acceptance, belonging and care for everyone. It means to capture the importance of every person and every child to have and experience “the family spirit” - a place where you are accepted, belong and receive unconditional care and support.

1.1. General Conduct and Behaviour

Our mission is to enable permanency and well-being for children and young people by supporting families and carers to provide safe, stable and nurturing environments for them up to the age of 25.

1.1.1. Family Spirit will:

- Treat employees with dignity and respect.
- Provide a safe workplace.
- Ensure that its employees have access to all current manuals, procedures, guidelines and practice frameworks.
- Uphold the rights of employees to make complaints through the appropriate channels.
- Commit to protecting the rights and welfare of all workers as defined in the Work Health and Safety Act 2011 and the Fair Work Act 2009.

1.1.1. All Family Spirit employees will:

- Adhere to this Code of Ethics and Conduct and, if applicable, Department of Community and Justice and/or Office of Children’s Guardian requirements, and Code of Conduct or standards for any relevant Professional Association.
- Respect the dignity, rights and views of others, by treating them with courtesy and sensitivity.
- Act honestly and with integrity at all times.
- Treat others fairly and with respect, including respecting cultural, ethnic and religious differences.
- Not engage in a manner that could be perceived as bullying and harassment of other employees, volunteers or clients, carers and children and young people as defined in the Fair Work Act 2009.
- Actively assist in managing workplace conflict that personally affects them or staff members under their supervision to create positive and constructive outcomes.
- Be aware of the potential for exploitation and power imbalance in dealing with vulnerable clients, carers and children and young people.
- Respect the rights of all children and young people under the United Nations Convention of the Rights of the Child.
- Know and carry out all obligations relating to mandatory reporting.



- Immediately report any situation or behaviour that they suspect to be a breach of this Code, or a criminal offence. Contribute to the health and safety of self and others in the workplace.
- Take reasonable care of their safety and health and be physically and mentally ready for carrying out their duties consistent with their role.
- Take reasonable steps that their acts/omissions do not adversely affect the health and safety of others.
- Ensure that professional relationships are not exploited for personal or material advantage.
- Under no circumstances develop personal relationships with clients, carers and children and young people, including outside of working hours.
- Avoid any form of physical contact with clients, carers and children and young people or other persons that may violate professional boundaries, result in intentional or unintentional emotional or psychological harm, or damage the professional relationship.
- Refrain from providing alcohol, tobacco or tobacco products to those who are receiving services or previously in receipt of services from Family Spirit (unless approval has been given).
- Not consume or use alcohol, tobacco or tobacco products in the presence of those who are receiving services or previously in receipt of services from Family Spirit (unless approval has been given).
- Not give out home phone number, private mobile phone number or personal contact details to service users or their families unless approved in writing by their supervisor.

- Not engage in any contact with service users via electronic or social media other than that sponsored by Family Spirit itself.
- Disclose to an Executive Manager (EM) any real or apparent conflict between personal or family interest and official duty that has arisen or has the potential to arise.
- Carry out reasonable directions given by managers, Executive Managers or the Chief Executive Officer (CEO) and follow Family Spirit policies and procedures at all times.
- Actively consult clients, carers and children and young people in the delivery of services.
- Use and maintain Family Spirit property and resources responsibly and accept accountability for the use of these resources.
- Adopt a standard of dress that is appropriate for service delivery.
- Not engage in misconduct or serious misconduct as defined in Family Spirit policies and procedures.

1.2. Our Commitment to Safeguarding Children and Young People in accordance with Child Safe Standards.

Family Spirit is committed to safeguarding children and young people and we have zero tolerance for child abuse. We actively work to promote the safety, welfare and wellbeing of children and young people so they can reach their full potential. We respect all children and young people – we listen to them, we proactively seek to understand their perspectives and include them in the work we do. We have a duty to children and young people to ensure the staff who work with them are safe and skilled. In accordance with legislation, our staff are screened and checked for their suitability before employment.

Family Spirit has a child safe commitment statement which sets clear day-to-day expectations for our staff, and we provide ongoing training to equip them with the most current knowledge and skills to work with children and young people, and to uphold the Child Safe Standards Child Safe Commitment Statement.

Family Spirit is committed to the safeguarding of children and young people. We acknowledge everyone who suffered abuse or neglect as children and young people and acknowledge the hurt and pain this has caused and continues to cause for you and your loved ones. Family Spirit is committed to safeguarding children and young people and we have zero tolerance for child abuse. We actively work to promote the safety, welfare and wellbeing of children and young people so they can reach their full potential. We respect all children and young people – we listen to them, we proactively seek to understand their perspectives and include them in the work we do. We have a duty to children and young people to ensure the staff who work with them are safe and skilled. In accordance with legislation, our staff are screened and checked for their suitability before employment.

Our Code of Ethics and Conduct sets clear day-to-day expectations for our staff, and we provide ongoing training to equip them with the most current knowledge and skills to work with children and young people, and to uphold the Child Safe Standards. We have detailed policies and procedures to guide how we listen to, take seriously and respond to complaints and allegations of abuse. We have regular checks to ensure that we comply with the Child Safe Standards, and we hold each other accountable and continue to look for ways we can improve. All of us at Family Spirit – our Board, Executive Leadership Team, staff, and carers – share this commitment. Our commitment is underscored by our core Family Spirit values and our Guiding Principles

This Code sets out the expectations for how all staff members should behave around children and young people. This is important to help prevent children and young people from being harmed. Harm to a child or young person can take many forms and can include physical, sexual and psychological abuse, ill-treatment and neglect, and exposure to family violence. These categories of harm are briefly outlined:

Physical Abuse:

Physical abuse involves the intentional or reckless use of physical force against a child or young person that results (or has a high likelihood of resulting) in harm to their health, development or dignity.

Sexual Abuse:

Sexual abuse is when someone uses their power or authority to involve a child in a sexual activity. Sexual abuse can include a range of sexual behaviours that can be physical, verbal, or emotional. For example, sexual abuse can include sexual misconduct – conduct with, towards or in the presence of a child that is sexual in nature but is not a sexual offence, such as: making sexual comments or having sexual conversations in the presence of children or young people.

Grooming behaviour is a pattern of behaviour by an adult aimed at engaging a child or young person as a precursor to sexual activity. This may involve building trust with the child and/or their family and favouring some children over others to isolate and manipulate them. Some examples of grooming behaviour include: testing boundaries, inappropriately extending a relationship outside of work, inappropriate personal communication, and providing child/young person with drugs or alcohol.

Psychological Abuse:

Psychological abuse involves behaviour towards a child or young person that is likely to damage their self-esteem or social competence.

Neglect

Neglect is the behaviour by a person responsible for the care of a child or young person (such as a parent, carer or staff member if the child/young person is in their care) that constitutes a failure to provide for the development and wellbeing of the child. This may be in one or more of the following areas: health, education, emotional development, nutrition, shelter and safe living conditions.

1.2.1. All Family Spirit employees will:

- Respect the rights of all children and young people, including those who are: Aboriginal and Torres Strait Islander, from culturally and linguistically diverse backgrounds, or with a disability.
- Listen to children and young people and respond to them appropriately.
- Welcome all children and their families and carers by being inclusive.
- Work with children and young people in an open and transparent way; and ensure that other adults (eg. manager, parent or carer of the child or young person) know what work I am doing with a child or young person.
- Know and carry out all obligations relating to mandatory reporting, including taking all reasonable steps to protect children and young people from abuse.
- Immediately report any suspected cases of improper conduct to my supervisor or other manager.
- Raise my concerns with management if risks to child safety are identified anywhere in the agency.
- Dress in appropriate clothing and follow the Dress Code (including avoiding clothing that is revealing or that includes offensive language or pictures).
- Disclose any conflicts of interest (real or apparent, such as an outside relationship with a child, babysitting arrangements or any other formal or informal relationships with a child that exist outside the work setting) to a manager.

1.2.2. Family Spirit employees will not:

- Have any form of physical contact with a child or young person that may violate professional boundaries and/or result in intentional or unintentional physical, emotional or psychological harm.
- Use hurtful, discriminatory or offensive behaviour or language with children or young people.
- Provide alcohol and/or other drugs to children and young people, except medication that has been prescribed or authorised for use by the child or young person.
- Develop a personal relationship with a child or young person. Examples of unacceptable behaviours include but are not limited to:
- Visiting a child or young person and/or their family at their home for no professional reason.
- Providing gifts or favours to a child or young person, or their family.
- Providing personal contact details to a child or young person, or their family.



- Create situations to be alone with a child or young person.
- Use sexual language or gestures in the presence of children or young people.
- Share details of sexual experiences or show pornographic material to a child or young person.
- Use personal social media or other messaging services to contact a child or young person, or their family.
- Use personal electronic device/s (eg. personal mobile phone, tablet, or laptop) with a child or young person, or their family.
- Family Spirit expects all staff members to uphold our commitment. Disciplinary action will be taken against any staff members found to have acted in breach of this Code and/or any applicable laws, regulations, or professional standards.
- All staff members are required to report any concerns, breaches or suspected breaches of this Code to their manager; or to the Risk and Assurance Office. Where required by law, reports will be made to an external authority such as the NSW Office of the Children's Guardian (OCG) or Police.
- Individuals who make complaints or reports in good faith or with reasonable grounds will be protected in accordance with the Agency's Whistleblower Protection Policy. Staff members who are Mandatory Reporters are also protected under the provisions of the Children and Young Persons (Care and Protection) Act 1998 (NSW).



1.2.3. Working With Children Checks

The Office of the Children's Guardian requires employees in child-related employment to have a current Working With Children Check which has been validated by Family Spirit. It is an essential condition of employment with Family Spirit that employees required to do so by the nature of their employment must hold a valid Working With Children Check at all times. Family Spirit reserves the right to terminate the employment of employees who do not hold this Check. In this context a reference to "employee" is also a reference to a Family Spirit volunteer or carer.

1.3. Our Commitment to Safeguarding Children and Young People in accordance with the NDIS Code of Conduct

Family Spirit requires employees working with people with disability and older people to at all times demonstrate the utmost respect for them and to not do anything that would directly harm or abuse them. Family Spirit will take disciplinary action against any employee found to have acted inappropriately towards a person with disability or older person who is currently, or was previously, in receipt of services from Family Spirit. Family Spirit is committed to the safety, welfare and wellbeing of any persons with a disability. We require staff members working with the people that we support to always demonstrate the utmost respect for them, maintaining their dignity and autonomy, and to ensure that no harm is caused either directly or indirectly.

Code of Conduct for NDIS

The Code of Conduct requires workers and providers who deliver NDIS supports to:

- act with respect for individual rights to freedom of expression, self-determination, and decision-making in accordance with relevant laws and conventions
- respect the privacy of people with disability
- provide supports and services in a safe and competent manner with care and skill
- act with integrity, honesty, and transparency
- promptly take steps to raise and act on concerns about matters that might have an impact on the quality and safety of supports provided to people with disability
- take all reasonable steps to prevent and respond to all forms of violence, exploitation, neglect, and abuse of people with disability
- take all reasonable steps to prevent and respond to sexual misconduct.

I will:

- Respect the rights of people with a disability, value them as individuals, and support them to express their views and exercise choice.
- Support participants with disability to exercise "choice and control" and enable them to make decisions on lifestyle choices, even if these choices may incur a degree of risk.
- Provide care that preserves dignity and respects the diversity of the person, including those who are: Aboriginal and Torres Strait Islander, from culturally and linguistically diverse backgrounds, or with a disability.
- Listen to participants and respond to them appropriately and professionally.
- Be inclusive of any nominated person responsible, families and/or support people.
- Treat personal information about a participant confidentially and only disclose information if there is a valid reason to do so, in accordance with privacy policies and legislation.
- Provide timely care that meets the participant's personal privacy needs.
- Maintain the relevant skills and knowledge to provide the required individualised care.
- Seek out information and support from my manager to ensure that I possess what I need to provide safe and competent care, in accordance with the needs and preferences of the older person.
- Treat participants fairly and not take advantage of them.
- Be honest and act with integrity.
- Take action to support a participant that might be affected by violence, discrimination, exploitation, neglect, abuse, or sexual misconduct.
- Notify my manager if I suspect a participant might be affected by violence, discrimination, exploitation, neglect, abuse, or sexual misconduct.

- Immediately report any suspected cases of improper conduct to my manager or to Risk and Assurance Office.
- Be aware of risks to my safety or to the safety of a participant, and act appropriately to safeguard and notify my manager.
- Support participants and/or their person responsible to feel safe to give feedback and make complaints.
- Disclose any conflicts of interest (real or apparent) to my manager.
- Follow the Dress Code.
- Adhere to the internal code of ethics and conduct.

I will not:

- Use hurtful, discriminatory or offensive behaviour or language with or around an person with disability.
- Commit or threaten an act of violence against a participant including using unreasonable force, hitting or punching, slapping.
- Provide alcohol and/or other drugs to participant, except medication that has been prescribed or authorised for the person's use.
- Develop a personal relationship with a participant and/or their family. Examples of unacceptable behaviours include but are not limited to:
 - Visiting the participant and/or their family at their home for no professional reason.
 - Providing gifts or favours to the participant, or their family.
 - Providing personal contact details to the participant, or their family.
- Neglect participant, including leaving them unattended in an unsafe space, withholding care, failing to attend, or being reckless and not following their care plan.
- Act in a sexual way toward a participant.
- Use or recommend restrictive practices that have not been authorised.

2. Use of information

- 2.1.** Family Spirit employees must not divulge, either during employment or after leaving Family Spirit, any confidential information gained as a Family Spirit employee that could adversely affect Family Spirit's standing in the community.
- 2.2.** Access to, or disclosure of, internal Family Spirit documents can only be granted when legitimately required in the course of professional duties, or by law or order of a court or tribunal. Before disclosure of information to a court or tribunal, approval of an Executive Manager or the CEO must be obtained.
- 2.3.** Although Family Spirit employees have a right to express personal views through public comment to the media, they are not to give the impression that they are speaking on behalf of or representing the view of Family Spirit unless they have prior authorisation from the CEO.

3. Acceptance and/or giving of gifts or benefits

- 3.1.** Family Spirit employees must not accept any private fees, gratuities or any other form of remuneration from clients, carers and children and young people, suppliers, donors, sponsors, or other persons with whom they come into contact in the course of their employment. This prohibition applies unless authorisation to do so has been provided in writing by the relevant EM, or the CEO.
- 3.2.** Family Spirit employees must ensure that members of their families are not the recipients of benefits or gifts that could be seen to have directly influenced employees in the course of their employment with Family Spirit.
- 3.3.** From time to time, clients, carers and children and young people and sponsors wish to express their appreciation to Family Spirit for the excellent work or services provided by Family Spirit employees. All items of appreciation must be recorded in the Gifts Register held by Family Spirit.



4. Conflicts of interest (including outside employment)

- 4.1.** Family Spirit Board members, employees and volunteers should avoid any undertaking – financial or otherwise – that could directly or indirectly compromise the performance of their duties. Employees should notify their manager if a potential or actual conflict of interest arises.
- 4.2.** Full-time employees must have approval in writing from the appropriate EM or the CEO prior to engaging in any secondary employment or business activity, including a family company.
- 4.3.** Part-time employees are entitled to work in a secondary capacity outside of Family Spirit, provided an EM or the CEO is informed. If there is a possibility of a conflict of interest permission may be declined.

5. Use of computers, email, internet, and other communications equipment

- 5.1.** Family Spirit communications equipment, including mobile phones, is to be used in an appropriate manner and any usage other than for work-related purposes is not permitted.
- 5.2.** Unacceptable use of Family Spirit communication equipment includes using it to breach intellectual property laws, for commercial gain, for illegal activity or for the storage or transmission of unacceptable material including material of a sexual, defamatory, or discriminatory nature.



6. Production of publications and Family Spirit materials

- 6.1.** The CatholicCare Communications and Engagement Team coordinates the production of all publications and materials (print, online, audio- visual) in line with the Family Spirit brand guidelines. Employees must not produce any materials without the involvement of the Communications and Engagement Team and the approval of the relevant, EM or the CEO.

7. Breaches of the Code of Ethics and Conduct

- 7.1.** Where a breach is reported appropriate action will be taken. This may involve an investigation and/or report to a relevant external agency.
- 7.2.** Where a breach is proven appropriate action will be taken. This may involve disciplinary action through to dismissal.

I have read this Code of Conduct and Ethics and agree to abide by it and its terms.

Employee's name

Signature

Date



Family Spirit

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