



## CODE OF CONDUCT

### 1. Overview

#### 1.1. Overview

YourPlace Housing (YourPlace) staff and workers are employed to provide quality services to the South Australian community. This community includes people with disabilities and vulnerable people. This places all workers and employees in a position of trust, requiring standards of ethical behaviour that reflect best practice and community expectations.

This Code of Conduct (the Code) sets out YourPlace's professional and ethical standards of conduct and behaviour, and the responsibilities required for all workers (as defined below).

#### *What you need to do*

In complying with this Code, you must:

- > Acknowledge you have read, understood, and agree to comply with the code by signing the acknowledgement at the end of this policy
- > Comply with policies and procedures as changed from time to time at YourPlace's discretion
- > Familiarise yourself with any additional law and guidelines relevant to your area of work or aligned to your professional qualifications
- > Ensure your familiarity with the above policies and requirements is up to date
- > Ensure you are familiar with the NDIS Code of Conduct (see 1.2 below).

#### *What you should expect from YourPlace*

Under this Code, the YourPlace Leadership commits to:

- > Providing you with information that will help you understand and comply with this code
- > Providing you with assistance managing difficult situations, and ensuring that your concerns are taken seriously and there are no fears of retaliation
- > Working to ensure that all workers adhere to the Code.

#### 1.2. The NDIS Code of Conduct

As a registered NDIS Provider, YourPlace must comply with the NDIS Code of Conduct (<https://www.ndiscommission.gov.au/providers/ndis-code-conduct>), which requires that you:

- > 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.

Further guidance is available here: <https://www.ndiscommission.gov.au/document/571>

This Code of conduct will be re-signed annually and accompanied by a session to discuss what the Code means in practice.

### 1.3. Who must follow this code?

This Code applies to all YourPlace workers. Within this Code of Conduct the term “Workers” is used as a collective term to refer to employees, consultants, Board Directors, volunteers, trainees, and students.

This Code applies regardless of:

- > The type of employment (e.g., Chief Executive Officer, Manager, staff member, volunteer, or student)
- > How you are employed (e.g., ongoing, temporary, or casual)

### 1.4. Values Framework

At YourPlace, our values are very important to us and guide our behaviour. They describe our style of leadership and the way our people behave. They set standards which we apply to the way we run our business, recruit our colleagues, manage our performance, and reward good work.

YourPlace’s core values are:

- > Integrity
- > Respect
- > Accountability

This Code outlines a series of protocols that you and other workers will be required to meet to ensure these values are effectively applied as we conduct all elements of our business.

## 2. Protocols

### 2.1. Integrity

#### *Conflicts of Interest and Nepotism*

A conflict of interest is where a worker's interests or those of an associate are, or may reasonably be seen to be, in opposition to their duties as a YourPlace worker. An associate is taken to be a spouse, parent, child, more distant relative, close friend, or business associate. If you are unsure whether the relationship would be considered an associate, please discuss this with your manager or the Chief Executive Officer.

A conflict of interest may come in many forms and must be managed at the earliest possible opportunity. For example, becoming involved in decision making where you, a family member or a friend has a financial or personal interest in the outcome, such as making a decision about eligibility for housing from YPH.

In this and other cases, you must disclose a conflict of interest or possible potential conflict of interest as soon as possible to the Chief Executive Officer or Board Chair and take whatever action is deemed necessary to avoid a conflict of interest.

It is unacceptable to favour your relatives (nepotism) or people you know (patronage) in your decision making and provision of service.

#### *Drugs, Alcohol and Medication*

Substance abuse and possession of illegal substances is incompatible with the health and safety of our employees and is not permitted at YourPlace.

Consumption of alcohol is not banned at appropriate and approved work events, but the expectation is good judgement is used and drinking in a way that leads to inappropriate behaviour, is against the law, endangers the safety of others, or impairs performance does not occur under any circumstances.

#### *Ethical Decision Making*

Ethical decision making involves critical reflection and objective evaluation to resolve ethical issues and dilemmas. Ethical dilemmas occur when there are two or more options to resolve an issue, with none of the options easily resolving the matter within moral or ethical guidelines. An example is where the interest of the customer conflicts with a position taken by a funding body or the organisation.

YourPlace expects that you will undertake to reflect on ethical problems in the context of our mission and vision, our regulatory and legislative environment, and if necessary, consult with management or key stakeholders openly to seek a resolution. Such decisions should be adequately documented.

#### *Gifts, benefits, or hospitality*

You should not accept gifts, benefits, hospitality, or favours where these may influence, or may reasonably be seen to influence, your decision making or create an obligation (perceived or real) to the donor. For example, accepting gifts from a contractor would generally be perceived as inappropriate regardless of the cost of the gift.

YourPlace understands that at certain times (for example Christmas) contractors and stakeholders may wish to provide gifts. All such gifts should be recorded in the YourPlace gift register and a plan put in place to donate these to charity or another similar purpose. Where possible, you should advise contractors that it is our plan to distribute the gifts to other charities and give them the option of instead making this contribution directly to a charity of their choice.

There are situations where accepting modest gifts or hospitality are acceptable. Examples include a token gift from a customer (like some flowers) to say thanks or being offered an invitation to a sector function or event.

YourPlace trusts you to assess the situation yourself. The key test in these instances is whether it could be seen that accepting a gift, benefit or hospitality could influence your business decisions. If you are unsure, please discuss this with your manager or the Chief Executive Officer.

### *Interactions*

YourPlace expects an ethical conduct and professional engagement culture. The service and advice you provide must be free from political influence, based on evidence or professional opinion and allow for objective decision making based on honest and impartial presentation of available options.

As a YourPlace worker you are required to act honestly and with integrity while undertaking your work at all times. It is expected that all interaction with stakeholders (past or present) is always professional and appropriate. This includes not intentionally engaging with stakeholders through social media or other channels outside of YourPlace's official networks.

### *Outside Engagement*

You can undertake outside engagement, assuming this has been approved by the Chief Executive Officer and does not impact on your work with YourPlace housing in any way. An impact would include absenteeism, fatigue, or any form of perceived or actual conflict.

## **2.2. Respect**

### *Bullying or harassment*

You must not bully or otherwise harass other workers, customers, or members of the public. This includes acts of physical violence, aggressive behaviour, harassment, bullying, verbal threats, or abuse directed at another worker or to/from a consumer or visitor. All forms of unlawful discrimination, harassment, sexual harassment, bullying, and occupational violence are in breach of the Code and will not be tolerated by YourPlace.

Behaviours that characterise bullying may include victimisation and unwelcome, offensive, abusive, belittling, or threatening behaviour directed at another person or group of people. Bullying may lead to the person or group of people subjected to the behaviour feeling victimised, offended, demeaned humiliated, intimidated, or suffering detriment or disadvantage.

Managers and employees must take action to address and prevent bullying and harassment.

Behaviour that amounts to bullying or harassment may be an offence under the *Work, Health and Safety Act 2012*, and in some circumstances, can also be the subject of criminal and/or disciplinary proceedings.



### *Diversity*

An important part of respecting others is valuing diversity. YourPlace respects and embraces people of all cultures, sexual orientation, gender identity, belief systems and circumstances. By valuing the differences that all employees bring to the workplace, we can better meet the needs of the community.

For example, an employee with a disability may bring insight and knowledge to the work environment that may assist in providing a more effective service to the tenant population.

### *Merit and Equity*

Equity is about being fair and just to all people but does not necessarily mean treating everyone in the same way. You may need to treat a person differently according to their circumstances and needs, to give them an equal chance in comparison with others.

The services that you are involved in delivering must be made inclusive and responsive to all groups. For example, a person with literacy issues must be given information in a format that is appropriate.

### *No discrimination*

Discrimination, directly or indirectly, in your treatment of individuals on the grounds of age, gender, race, disability, sexuality, marital status, pregnancy, or any other ground covered by equal opportunity or other anti-discrimination legislation is unlawful and unacceptable.

Discrimination includes treating a candidate in a job selection process less favourably because of a characteristic or circumstance that has no bearing on their capacity to perform the job for which they are competing.

### *Respectful Behaviour*

Members of the community and your work colleagues are entitled to receive personal respect and courtesy and to maintain their dignity in their interaction with you. Employees can reasonably expect to work in an environment that promotes their ability to work with one another and shows regard to the sensitivities of people within the workplace. YourPlace will not tolerate violent, threatening, or unsafe behaviour in the workplace.

There is an expectation that you will not act in a way that could harm the reputation or stakeholder relationships held by YourPlace. This includes not sharing information on social media that could be related to YourPlace's business without providing the disclaimer that these are your views and do not represent the views of YourPlace housing.

## **2.3. Accountability**

### *Confidentiality, use of information and public comment*

Be scrupulous in using information gained through your work, that is, for the purpose for which it was gathered. You should comply with any applicable directions and guidelines on the use of information.

The privacy of individuals must be maintained, and personal information must only be released in accordance with privacy requirements, the Privacy Act (Commonwealth) and the Information Sharing Guidelines (Ombudsman SA).

### *Lawful behaviour*

When working for YourPlace, you are bound by all the relevant Commonwealth and State laws and regulations. You must observe all legislative requirements and lawful and reasonable instructions from people with authority to give such instructions (including requirements under this Code). This includes regulations, procedures, guidelines, and policies directly relevant to your work and the organisation.

If you believe that an instruction is unlawful or unsafe, then you should raise your concern immediately with your manager, the CEO, or the Board Chair.

### *Workplace Health and Safety*

You must take reasonable care to protect the health and safety of yourself and others while working for YourPlace. This includes following all health and safety policies, procedures, and guidance, and reporting observed hazards and injuries to management where they arise.

You are required to use any equipment provided for health and safety purposes and obey any reasonable instruction the employer gives in relation to health and safety.

### *Use of Assets / Resources*

YourPlace provides a range of assets and resources for use by staff. Anything you do using YourPlace's corporate electronic facilities might be disclosed to people inside and outside the organisation in certain circumstances. This could include information requested due to legal proceedings or activities such as Royal Commissions.

Use of all resources must be sustainable and justifiable and you must not waste or misuse any resource. Misuse may include the inappropriate use of fleet vehicles or materials, and unreasonable or inappropriate use of internet, company provided software or devices.

### *Performance*

The community expects YourPlace to provide responsive, effective, and efficient services. Performance management for staff plays a key role in helping you to achieve these expectations and the requirements of this Code.

Performance management supports fair and equitable management of staff and aims to build a competent and high performing organisation that is continually improving its performance in delivering services.

## **3. Breaches of this Code and Consequences**

If you do not comply with this Code, this may be considered to be misconduct and subject to disciplinary action, which may include suspension of duties or termination. If a breach is alleged to be criminal in nature, this will be reported to the police or relevant authority.

In responding to a breach, you may be required to undergo additional training or development for you to adequately meet your obligations under this Code.

The process of handling suspected breaches will be handled as outlined below:

- > The manager, Chief Executive Officer or Board Chair will determine whether, on the balance of probabilities, a breach of the Code has occurred

- > After taking appropriate advice, decide what, if any, sanction(s) is appropriate in all the circumstances
- > Advise the worker of the decision and consequence, and provide the opportunity for them to respond, and if necessary, support you to make a grievance as per the relevant legislation or applicable industrial tool.

#### 4. Roles and Responsibilities

The YourPlace Board is responsible for approving this Code, any changes to it, and overseeing compliance.

The Chief Executive Officer is responsible for:

- > Ensuring that work practices undertaken to deliver YourPlace's services comply with this Code
- > Working with managers and staff to ensure that policies and procedures support compliance with the Code
- > Reporting at least annually to the Board regarding adherence to the Code, or otherwise if a serious breach is identified and requires escalation.

All YourPlace Leadership are responsible for:

- > Leading by example, and championing the importance of abiding by the Code
- > Support and promote a positive work environment where everyone feels included and empowered to do the right thing
- > Promptly reporting potential violations of the law or this Code to either the Chief Executive Officer or the Board as appropriate.

You are responsible for familiarising yourself with the Code and renewing your acceptance on an annual basis.

#### 5. Relevant Legislation and Other Documents

- > National Regulatory System for Community Housing Code, Regulatory Framework and Evidence Guidelines
- > NDIS Practice Standards and Quality Indicators, January 2020
- > NDIS Code of Conduct (NDIS Providers)
- > Community Housing Providers (National Law) (SA) Act 2013
- > YourPlace Housing policies and procedures, including the Whistleblowers policy and Privacy policy
- > Work Health and Safety Act 2012

## 6. Code of Conduct Acknowledgement

I acknowledge that:

- > I have read, understood, and will comply with the YourPlace Housing Code of Conduct
- > I have resolved any questions or concerns about the content of the Code with Chief Executive Officer or Board Chair prior to signing this document
- > I have a responsibility to immediately report any breach of this Code to the Chief Executive Officer or Board Chair
- > YourPlace reserves the right to vary this Code of Conduct at its discretion at any time. It may also be varied to consider any changes to the law
- > I have received the support I require to understand this document and its intent.

Signature	
Name	
Position	
Date	



## 7. Document Information

Policy Number	GPolicy13
Author	Chief Executive Officer
Confidentiality	External
Approved By	Board of Directors
Date Approved	20/09/2021
Periodic Review	This policy will be reviewed annually to check it is operating effectively and whether any changes are required.
Next Review Date	20/09/2022