



*Centacare*

*Catholic Diocese of Ballarat Inc.*  
A0024082K

# **CODE OF ETHICS**



## Foreword

# Code of Ethics for Centacare, Catholic Diocese of Ballarat Inc

*This is what Yahweh asks of you:  
Only this, to act justly  
to love tenderly  
and to walk humbly with your God!*  
Micah: 6:8

Centacare, Catholic Diocese of Ballarat Inc (Centacare) is the official welfare organisation of the Catholic Diocese of Ballarat. It is governed by a board consisting of representatives appointed by the Bishop of Ballarat.

Welfare services, auspiced by the Church, are a part of the long tradition of Catholic communities across Australia, where witness to the gospel is carried out by meeting the emotional and physical needs of people within their local area.

This *Code of Ethics* is a valuable reference for all who share in Centacare's mission. It articulates the ethical framework for behaviour and decision making of the Centacare Board, and all Centacare management, staff and volunteers. The code incorporates Centacare's mission, vision, values and ethical principles, and is the recommended basis for practice by all Centacare staff.

The Centacare Board, in approving this code, recognises the extensive work of Catholic Social Services Australia, Centacare Catholic Community Services Sydney, Centacare Catholic Family Services Broken Bay, and Centacare Catholic Family Welfare Services Wollongong. These organisations were instrumental in shaping this document. The *Catholic Health Australia Code of Ethical Standards for Catholic Health and Aged Care Services in Australia* was also a valuable reference tool in forming this document.

This code is a living document which will be regularly reviewed, debated and updated as required.

It is recognised staff are responsible for their own actions; however, supervisors and managers have an added responsibility to assist staff to resolve ethical dilemmas and issues. This code is to be used as a reference for this purpose and to empower staff to act ethically at all times.

I commend the principles in this booklet to you and hope you will find it useful.

David Beaver  
Chief Executive Officer

1<sup>st</sup> January 2007

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# Code of Ethics for Centacare

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## 1.0 Context and purpose

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- 1.1 Centacare, Catholic Diocese of Ballarat Inc (Centacare) is a multi-level, diverse and complex entity. For the sake of brevity in this document, the term 'Centacare' is intended to refer inclusively to the organisation as a whole or part thereof. The term 'staff' should be understood to refer inclusively to all Centacare employees, board members and volunteers.
- 1.2 This document describes the ethical principles, values and practices that underpin Centacare's mission. It supersedes any code of Ethics previously issued by Centacare.
- 1.3 The purpose of this *Code of Ethics* is to provide staff with an ethical framework for behaviour and decision making. Because it is not possible to cover every situation staff may be confronted with during their employment, the *Code of Ethics* must be read in conjunction with:
  - Centacare's policies and procedures, which further define and clarify the principles expressed in this document
  - relevant legislation.
- 1.4 Obligations to the community, to clients, to colleagues, to the Catholic Church and to Centacare require the highest professional standards of conduct and behaviour at all times. This *Code of Ethics* embodies the standards expected in employment and provides a framework for professional decisions, conduct and care, especially concerning services provided to clients.
- 1.5 Staff have a duty to read and familiarise themselves with this code and with any variations that may, from time to time, be made to the code.
- 1.6 As part of their role and responsibility, managers and directors of Centacare will assist in maintaining an awareness of standards of conduct and resolving ethical dilemmas. This does not, however, remove or lessen individual accountability for actions and decisions.
- 1.7 This *Code of Ethics* is approved by, and may be varied from time to time by, the Centacare Board. Variations to this *Code of Ethics* will be publicised to all staff of Centacare.
- 1.8 This code has two parts. Part one identifies the basic principles that define Centacare's activity. Part two deals with specific issues relating to the operations of an organisation.

# Part one

## Catholic social services: basic principles

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### 1.0 Social services as integral to the mission of the Church

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#### 1.1 Introduction

Centacare is the body that represents the social welfare apostolate of the Catholic Church throughout the Diocese of Ballarat.

Centacare strives to promote and advance the ministry of Catholic social welfare as integral to the mission of the Catholic Church in Ballarat Diocese.

It carries out this mission by interacting with Catholic organisations, governments, other churches and all people of good will, to develop social welfare policies, programs and other strategic responses that enhance the human dignity of every person and work towards the economic, social and spiritual wellbeing of the Australian community.

By placing itself firmly within the social mission of the Church, Centacare expects that all staff will identify themselves with the essential aspects of the social mission.

Centacare's vision is for a society in which there is full recognition of individual rights and responsibilities; a society that promotes the dignity, equality and participation of all persons

#### 1.2 Mission and Vision

Our Mission:

To provide services which support people to live with choice and opportunity free from discrimination

Our Vision:

A Just Society

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#### 1.3 Values

Catholic social principles will be evident in staff life and work by:

- adherence to catholic social teaching
- respecting the dignity of each person
- protecting human dignity in the community
- actively seeking conditions that enhance the common good
- enabling clients and fellow workers to participate in the community
- providing preferential access for the most vulnerable clients
- demonstrating responsible stewardship in the quality and professionalism of our individual and collective work
- collaboration

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<sup>1</sup> Pastoral constitution on the church in the modern world, p. 26

- accountability and acting with integrity and fairness
- innovation and excellence.

## 1.4 Beliefs

Centacare supports:

- the sanctity and dignity of human life from the moment of its conception until death<sup>2</sup>
- the sanctity of marriage<sup>3</sup>
- the fundamental and central role of the family in society.<sup>4</sup>

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## 2.0 Respect for human dignity

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2.1 Centacare supports the individual's right to:

- live a full life without undue social control and unwarranted interference
- participate in decision making processes affecting personal and community life.<sup>5</sup>

2.2 Centacare services will:

- respect the intrinsic value and human dignity of all persons
- affirm that all people are equal
- be sensitive to the potential power imbalances of worker and client in the delivery of services, especially when dealing with children.

2.3 Staff have the right to be treated with dignity, respect and fairness in the workplace. Decisions taken regarding an employee's conditions of employment will be consistent with the principles of natural justice. The staff will be consulted on policies and procedures affecting their employment. Business will be conducted according to the agreed policies and procedures.

2.4 Centacare promotes decision making that is empowering of those involved and affected in the process.

2.4.1 Subsidiarity requires those responsible for making decisions ensure a process whereby decisions are either made by, or at least made in consultation with, those who will be most affected by them.

2.4.2 It is expected that those responsible for decision making will:

- follow due diligence in their deliberations prior to making decisions
- clearly communicate decisions to relevant people once they have been taken
- declare conflict of interest prior to, or exclude themselves from, any decision making in which they hold a vested interest
- be vigilant to avoid oppression of one group by another. Therefore, all possible and potential decision outcomes must be assessed to identify their potential impact on other groups and areas.

<sup>2</sup> *Catechism of the Catholic Church*, p. 2332

<sup>3</sup> *Catechism of the Catholic Church*, p. 1660

<sup>4</sup> *Catechism of the Catholic Church*, pp. 2207, 2209

<sup>5</sup> *Catechism of the Catholic Church*, p. 1894

**2.4.3** Centacare services will aim at promoting the highest possible degree of autonomy and self-determination for individuals, families and communities.

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## **3.0 Justice in social service provision**

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**3.1** Centacare should be dedicated to working for justice in social service settings. Therefore, in evaluating public and social policy, Centacare will also support those policies which:

- ensure all people are treated fairly and have access to all essential goods and services, such as food, clothing, shelter, health care, education and transport
- give preferential treatment for those who are disadvantaged, devalued or distressed
- protect and uphold every person's right to live with dignity.

**3.2** Centacare will acknowledge and comply with state and federal laws.

**3.2.1** Where laws or proposed laws are considered to be unjust, Centacare will embark on a considered course of action to demonstrate the injustices and attempt to effect reform.

**3.3** Confidentiality is a core principle and Centacare will establish policies and procedures within the framework of relevant legislation that assure the privacy of the relationship established with its clients and other relevant bodies.

**3.4** Resource allocation and service delivery will be fair and just.

**3.4.1** When deciding on the allocation of its own limited resources, Centacare will, as far as practicable, ensure such allocations result in maximum access to those resources for the disadvantaged, devalued and distressed members of society.

**3.4.2** Race, religion, intellect, sexuality, ethnic background, beliefs or disability will not preclude people from available services.

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## **4.0 Collegiality, collaboration and partnership**

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**4.1** Centacare will seek to act in collaboration or partnership with organisations and groups within the Catholic Church.

**4.1.1** Relationships will be shaped in line with the principles of Catholic social teaching and in the interests of the common good.

**4.2** Centacare will work with individuals, groups and social agencies outside the Church on issues, policies and programs that are compatible with Centacare's mission and vision.<sup>6</sup>

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<sup>6</sup> *Pastoral constitution on the church in the modern world*, p. 1

- 4.3 Centacare will respect an individual's informed conscience.<sup>7</sup>
- 4.4 Centacare will respect the diversity and the differing opinions of colleagues, with the assurance that critical comment will be made on the issues raised, not on the individual(s) raising them.
- 4.5 Centacare will seek to be caring and just in its relationships with staff, network colleagues, stakeholders, other groups or organisations, and people in the wider community.
- 4.6 Centacare expects that the spirit of collegiality will prevail, with:
- resources being shared, where practicable
  - mentoring opportunities being encouraged and supported
  - agreed actions being carried through
  - genuine effort being made to meet deadlines established by prior agreement
  - positive and concerted effort being made to find common ground by participating in open and transparent processes
  - decisions made being honoured
  - support being provided to those experiencing crisis or catastrophe
  - equal respect and consideration being given to all Centacare individuals and organisations.
- 4.7 Centacare rejects all forms of intimidation, illegal or unethical behaviour, bullying, discrimination, and harassment.

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## 5.0 Integrity of reputation

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- 5.1 In the face of competing demands, Centacare strives to accompany those in need. Centacare should be known by a spiritual and material solidarity with all people, especially those who are marginalised, vulnerable or distressed. Priority is given to those in greatest need.
- 5.2 Centacare aspires to provide excellence in service and honesty in advocacy.
- 5.3 In a media-dominated society, identification with Centacare confers an apolitical reputation of charity and compassion which is to be protected. Therefore, it is important that:
- actions and voice not only conform to the *Code of Ethics* but are perceived by others as conforming
  - when scandal or transgressions occur, those in leadership roles take steps to transparently handle the situation according to processes of natural justice for all involved.

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<sup>7</sup> *Catechism of the Catholic Church*, p. 1782. 'Man has the right to act in conscience and in freedom so as personally to make moral decisions. He must not be forced to act contrary to his conscience. Nor must he be prevented from acting according to his conscience, especially in religious matters.'

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## **6.0 Transparent accountability**

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### **6.1 General**

Centacare will hold itself fully, consistently and publicly accountable for its programs and fiscal operations. Centacare will seek objective certification that it meets the standards of quality in performance, which have been established in the field of social welfare, through relevant accreditation and licensing.

### **6.2 Policies and procedures**

In formulating policies, establishing programs and implementing procedures, Centacare will:

- be faithful to gospel values and to the social teaching of the Church
- recognise that the dignity of each individual human person is inviolable and brings with it natural rights and duties.

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## **7.0 Governance and leadership**

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### **7.1 General**

Those in governance roles will demonstrate leadership by:

- upholding the vision of the organisation and supporting its primary purpose
- being custodians of the organisation's values
- focusing on the external changing context within which the organisation operates
- enabling outcome-driven organising systems
- practicing forward thinking
- encouraging productivity
- facilitating unity and diversity
- balancing control
- defining the board's role and relationships.

### **7.2 Conflict of interest**

**7.2.1** Real or perceived clashes of interests may occur from time to time. It is essential that all conflicts of interest are always declared and minuted at the appropriate meeting. Directors declaring the conflicts of interest will demonstrate fairness by absenting themselves from board meetings when relevant discussions or votes are held.

### **7.3 Leadership**

**7.3.1** The task of leadership is entrusted to selected staff. These leaders are expected to fulfill their leadership duties by:

- adhering to the principles of Catholic social teaching
- creating opportunities for staff to express their opinions and be heard
- identifying the talents of staff and inviting them to use and extend these gifts
- putting great effort into ensuring best practice

- openly recognising and appreciating the contribution of others
- having mechanisms available to resolve dilemmas when conflict arises
- encouraging prudent use of resources
- trusting in others' ability, demonstrated by appropriate delegations of roles and responsibilities
- identifying ethical dilemmas and debating them in appropriate forums
- ensuring accountability by allocating the appropriate authority and power to make decisions to those charged with completing a task
- affirming excellence
- encouraging and organising practices that use individual and collective talents and promote empowerment, self-determination, and healthy relationships and levels of reliance.

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## **8.0 Member of Catholic Social Services Australia (CSSA)**

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As a consequence of being a member of CSSA Centacare adheres to the following:

### **8.1 General**

**8.1.1 All member organisations of CSSA are required to have policies and procedures that are consistent with part one and part two of this document.**

**8.1.2** Member organisations are diverse communities, each with their own identity, mission and conscience.

**8.1.3** At times, a member organisation, as a Catholic institution, may be faced with difficult dilemmas when Catholic beliefs differ from those of other stakeholders. This code and Catholic social teachings give guidance to solutions.

**8.1.4** CSSA requires all member organisations to adopt a quality framework that ensures consistency and high standards of service delivery in all organisational operations.

**8.1.4.1** Member organisations are required to provide users of their services with a copy of documented rights and responsibilities, which should include the procedure for handling complaints.

### **8.2 Governance in member organisations**

**8.2.1** Those in senior leadership positions and board members should exemplify Catholic social teaching and diligently meet the obligations of their positions.

**8.2.2** As Catholic organisations, CSSA expects that ethical consideration will be given to all matters pertaining to the organisation's operations.

**8.2.3** As employers, member organisations will act with fairness, justice and respect in all dealings with staff and ensure the provision of a safe working environment.

**8.2.4** CSSA recognises that staff may be drawn from many religious traditions. It is the responsibility of leadership to ensure Catholic values are understood, applied and demonstrated, while at the same time respecting and valuing other faith traditions.

### **8.3 Financial administration**

**8.3.1.** Member organisations in receipt of public funding are required to administer these funds prudently, responsibly, effectively, accountably and transparently.

**8.3.2** All business dealings should be conducted justly and should be consistent with the mission and values of CSSA and with the organisation's documented business plan.

### **8.4 Research**

#### **8.4.1 General**

**8.4.1.1** CSSA encourages quality practice and evidence-driven public policy. Therefore, it encourages and promotes research that will assist in achieving these goals.

**8.4.1.2** CSSA expects that research undertaken in its name will meet rigorous academic, scientific, ethical and legal standards and requirements.

#### **8.4.2 Consent**

**8.4.2.1** Researchers must take particular care to obtain consent from all participants and participating organisations. In the case of minors, researchers must meet policy requirements of seeking parental consent.

**8.4.4.2** It is an obligation on researchers to adequately inform all participants of the purpose, process, design and use of results of any project in which they are involved.

#### **8.4.3 Research design and outcomes**

**8.4.3.1** At no time should research design endanger participants.

**8.4.3.2** CSSA expects that research design will meet ethical standards and the principles of Catholic social teaching.

**8.4.3.3** Consistent with the principle of common good, knowledge gained through research should be available and accessible.

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## **9.0 Breaches of the *Code of Ethics***

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### **9.1 Non-compliance**

**9.1.1** Staff have a responsibility to immediately report to a manager any suspected breaches of the *Code of Ethics*.

**9.1.2** Where non-compliance is reported and proven, appropriate remedial action will be taken. Action taken will be appropriate to the seriousness of intentional or unintentional breaches of the code. Action may range from counselling or retraining, mediation or disciplinary action through to dismissal and/or notification to an external agency, including registration boards, government agencies, and the police (where applicable).

### **9.2 Responsibility for dealing with breaches**

Responsibility for dealing with breaches of the *Code of Ethics* rests with senior management in the first instance. All allegations of breaches must be investigated. Where a manager considers a matter to be serious, they must immediately report the matter to the most senior officer available. The director will report serious breaches of the code, including actions taken, to the appropriate board.

## Part two

### Specific issues

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#### 1.0 Conduct and behaviour of staff

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##### 1.1 General conduct and behaviour

1.1.1 All staff are required to adhere to this *Code of Ethics* and, if applicable, to any code of Ethics for the professional association relevant to their clinical or professional discipline.

1.1.2 All Staff have the following Ethical Obligations:

- To be aware of the potential for exploitation and power imbalance in dealing with vulnerable clients
- to be inclusive in relation to people who, for whatever reason, are subject to prejudice or discrimination
- To uphold the rights of people to evaluate, complain and/or question any service they may receive from Centacare or any other agency, institution or instrumentality and assist them in making complaints through the appropriate channels
- To respect the rights of Indigenous people and all people from a culturally and linguistically diverse background
- To use and maintain property and resources responsibly and accept accountability for the use of the resources
- To work collaboratively with individuals, groups and social agencies on issues, policies and programs that are compatible with the Centacare mission
- To evaluate professional behaviour and decision making practices in the light of gospel values and not merely economic terms
- To ensure professional relationships are not exploited for personal, material or financial advantage
- To avoid any form of physical contact with clients or other persons that may violate professional boundaries, result in intentional or unintentional emotional or psychological harm, or damage the professional relationship
- To refrain from engaging in any form of inappropriate interaction or conduct with children, young people or vulnerable adults that may lead to physical, emotional or other harm or damage
- To disclose to a manager any real or apparent conflict between personal or family interest and official duty that has arisen or has the potential to arise
- To not give out their home telephone number, private mobile telephone number or personal contact details to clients or their families, unless approved in writing by their manager
- To ensure all staff understand the principles of informed consent and the circumstances in which informed consent may be required
- To actively consult clients in the development, delivery and evaluation of services
- To know and carry out all obligations relating to mandatory reporting

- To ensure their own physical and mental readiness for carrying out the duties consistent with their role
- To carry out reasonable directions given by a manager or director<sup>8</sup> and follow the organisational policies and procedures at all times.

## **1.2 Appropriate use and security of information**

**1.2.1** Centacare is covered by the *Privacy and Personal Information Protection Act 1998* (Cwth). Staff are obliged to comply with the terms of the Act when handling information.

**1.2.2** Staff will:

- maintain the integrity and security of all official information and/or documents for which they are responsible or to which they have access
- ensure premises are secure and suitable arrangements are in place to maintain security of confidential and sensitive documents
- only collect and disclose information they are authorised to collect and disclose in the course of their duties.

**1.2.3** Access to, or disclosure of, internal Centacare 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 a director must be obtained.

## **1.3 External activities and public comment**

**1.3.1** Staff are free to engage in political, professional, charitable and interest groups provided the participation does not give rise to a conflict of Centacare's values or impede the performance of a staff member's duties.

**1.3.2** Although staff have a right to express personal views through public comment or the media, they are not to give the impression they are speaking on behalf of or representing the views of Centacare unless they have prior authorisation from their director. Public comment includes public speaking engagements, media comments, and letters to newspapers or online services.

**1.3.3** Public comment related to Centacare is the responsibility of the Centacare Executive Director or someone expressly appointed by the Executive Director.

## **1.4 Receipt of gifts or benefits**

**1.4.1** Centacare staff must not accept from clients, suppliers, donors, sponsors or other external persons with whom they come in to contact in the course of their employment with Centacare, any private fees, gratuities or any other remuneration unless the relevant director has provided written authorisation to do so.

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<sup>8</sup> For the sake of brevity, the term 'director' is used to refer to chief executive officers, directors and/or the organisation's equivalent.

**1.4.2** Centacare staff must ensure they and members of their families are not, through their employment with Centacare, the recipients of benefits or gifts that could be seen to have directly influenced staff in the course of their employment with Centacare.

**1.4.3** From time to time, clients and sponsors may wish to express their gratitude to Centacare for the excellent work or services provided by Centacare staff. Examples of acceptable gifts are:

- a gift of token value at Christmas to a staff member from the family of a client
- normal hospitality when visiting families or communities
- a bunch of flowers as thanks for speaking at a seminar.

Any gifts or benefits of significant financial value must be recorded in the organisation's gifts register.

## **1.5 Alcohol and prohibited substances**

**1.5.1** To maintain the highest standards of safety and health, all people who carry out work for Centacare must have zero blood alcohol content and, be free from the influence of illicit drugs while at work.

**1.5.2** No employee, volunteer, or visitor may possess, consume, use, sell or distribute illicit drugs in any workplace. Contravention of this clause will result in dismissal.

**1.5.3** People who are taking medication (either prescribed or over-the-counter), must notify their manager if their work performance is likely to be affected, or if there may be a risk to themselves or others. Confidentiality will be observed at all times. If there is a risk of injury, alternate duties will be assigned to the employee.

**1.5.4** Medical testing may be required if Centacare management has reasonable suspicion that an employee is unable to perform duties due to alcohol or controlled substances or prescription drugs.

**1.5.5** In the event testing is required, the procedure as outlined in Centacare's Drugs and Alcohol Policy will be followed.

## **1.6 Secondary employment**

**1.6.1** Staff who undertake paid outside work have a commitment to the duties of their appointment and position at Centacare. Centacare expects that any outside work, paid or unpaid, shall not conflict with the values of Centacare.

- 1.6.2 Staff who work in a secondary capacity outside Centacare, ought inform their manager or director if there is any possibility of a conflict of interest which could adversely impact on Centacare's financial position, services, clients or standing in the community.
- 1.6.3 Where there is any doubt regarding a possible conflict of interest, staff members must immediately inform their manager and seek approval to proceed.
- 1.6.4 Any use of Centacare facilities in connection with outside work may only occur where prior approval has been obtained and Centacare must be recompensed for the full cost of such use.
- 1.6.5 Any outside employment is to be performed in the staff member's private time.

## **1.7 Out of work activities**

- 1.7.1 Social interactions between staff and clients outside of work or work-related activities can be problematic and may lead to allegations against staff.

Staff must always treat clients in a consistent manner without inappropriate familiarity. Examples of inappropriate familiarity include:

- staff visiting clients in their home when it is not a normal part of their role
- staff inviting clients to visit their home
- staff making telephone calls of an inappropriate nature to clients
- staff sending emails of an inappropriate nature to clients
- staff sending mobile telephone text messages of an inappropriate nature to clients.

- 1.7.2 Staff should endeavour not to drive a client in their car unless they have specific permission and do so in accordance with the organisation's policy. In the event of an emergency, staff should exercise discretion.
- 1.7.3 When it is necessary, or when staff are requested to drive children and/or adolescents, attempts to obtain parental or guardian consent must always be made and the matter also reported to the manager (where possible) prior to the journey commencing.

## **1.8 Use of computers, email, Internet and other communications equipment**

- 1.8.1 Centacare's communications equipment is to be used only in an appropriate manner and for work-related purposes.
- 1.8.2 Unacceptable use of Centacare communication devices includes using the devices 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, racist or other offensive nature.

**1.8.3** The use of Centacare facilities and equipment by staff is subject to the following.

Staff will:

- safeguard all resources (materials, funds, personnel information systems, plant, facilities and so on) and use them in an efficient, careful and honest manner
- not tamper or interfere with organisational information and/or communication systems
- use each item of Centacare equipment only for the purpose(s) for which it was designed
- adhere to all financial procedures and systems to ensure Centacare can discharge its accountabilities for expenditure of monies entrusted to it. Fraud or theft by a staff member may result in dismissal and, where appropriate, legal action being taken.

## **1.9 Bullying and harassment**

**1.9.1** Bullying implies an imbalance of power and is often demonstrated by the repeated less favourable treatment of a person by another person in the workplace. Examples of bullying are verbal abuse, sarcasm, criticism in front of peers, and creating work overload or underload. Proven situations will result in disciplinary action against the perpetrator, including possible dismissal.

**1.9.2** Centacare does not condone any form of bullying; harassment; discrimination; any form of unfair or improper treatment of colleagues or clients; or any improper behaviour as set out in anti-discrimination legislation or in the other relevant statutes.

**1.9.3** The use of offensive language or the display of offensive material of a sexual or racist nature in the workplace will not be tolerated and may result in disciplinary action being taken against the perpetrator.

**1.9.4** Staff should not have to deal with bullying, harassing or stalking behaviour. Should an employee find them self the focus of such attention, it is essential that supervisors and management are informed as soon as possible. The situation will be managed clinically through supervision and administratively by management.

## **1.10 Discrimination**

Staff are expected to treat all persons equally, irrespective of gender, race, sexual orientation, disability, medical condition, marital status, cultural background, socioeconomic status, religion, age or political conviction.

## **1.11 Appropriate language and communications**

**1.11.1** Staff must not swear or use inappropriate words that could, in the opinion of a reasonable person, offend or unsettle a colleague, child or client. This includes words said in respect to a person's race, gender, sexual preference, age, and physical or intellectual disability.

**1.11.2** It is necessary, and respectful to clients, to use age-appropriate language. This includes talking to the elderly in an adult and respectful way and taking care when speaking with children to use language they can understand.

**1.11.3** Staff must not use inappropriate gestures or actions that could, in the opinion of a reasonable person, offend or distress. Such actions include intimidation, spitting, and sexually explicit body language.

## **1.12 Duty of care**

Staff are to exercise due care in undertaking their activities, particularly where others rely on advice or information offered. Staff have a duty to take reasonable care to avoid causing harm (including physical harm) to anyone. Staff are to promote safe working practices and environments for everyone using Centacare services and facilities.

## **1.13 Appropriate relationships**

**1.13.1** Staff are discouraged from entering into relationships with clients that go beyond the requirements of carrying out the duties of the position with the agency. A personal relationship with clients compromises the position of trust the worker has in the client/worker relationship.

**1.13.2** Staff are also encouraged to be aware of professional boundaries in their dealings with other staff members while on duty.

## **1.14 Reporting of improper conduct**

**1.14.1** Staff have a responsibility to immediately report to a relevant senior staff person any suspected cases of fraud; misuse of organisational resources; inadequate administration or accountability; and corrupt or improper conduct. In doing so, staff are entitled to seek support and protection when making such disclosures and to be notified of the action taken or proposed in relation to the disclosure.

**1.14.2** Staff are not entitled to protection for disclosures which, on investigation, are found to be vexatious or malicious allegations, and may be liable for disciplinary action as a result of making such disclosures.

## **1.15 Respect for the law and organisational systems**

**1.15.1** Staff, along with all citizens, have an obligation to respect and abide by the law. Staff are also to abide by the policies and procedures of the organisation and always act in accordance with their legal duty of care to clients. This includes, but is not limited to, legislation relating to industrial relations, child protection, privacy, discrimination, and occupational health and safety.

**1.15.2** Staff are supported and entitled to challenge policy and procedures by using the appropriate systems outlined in organisation's policy manuals.

## 1.16 Respect for all persons

**1.16.1** Recognising that good workplace relationships are often very significant in the personal lives of people, staff will encourage an organisational culture that is open, supportive, caring and sensitive to the needs of all.

**1.16.2** Staff will respect the rights, dignity and views of others by:

- treating clients, members of the public and colleagues with dignity and respect
- being tolerant of views held by others which are different from their own
- making efforts to develop and maintain cross-cultural awareness and skills, especially in relation to Indigenous culture.

**1.16.3** In working with clients, staff will:

- ensure relationships with clients are professional and respectful of the clients' rights and dignity
- make every effort to ensure all clients have fair, reasonable and equitable access to available services and information provided by the organisation
- ensure clients are informed of, and have access to, advocacy and grievance mechanisms
- advise the relevant manager when they believe a policy or administrative decision will offend, or significantly disadvantage, particular individuals or groups in the community.

**1.16.4** In working with colleagues, staff will:

- be honest and sensitive when dealing with co-workers
- promote policies and working conditions that are non-discriminatory and that foster competence, wellbeing and positive self-esteem
- comply with the *Occupational Health and Safety Act 2000* (Cwth), the Occupational Health and Safety Regulations 2001, and agency policy and procedures on workplace health and safety
- be aware of their obligation not to wilfully place at risk or injure themselves and others in the workplace.

## 1.17 Reporting and recording

**1.17.1** Centacare will ensure there are appropriate mechanisms and procedures for reporting and recording. These include:

- disciplinary process
- notification process
- investigation process for reportable conduct
- investigation process for non-reportable conduct.

**1.17.2** There is a statutory obligation to keep a record of all workplace incidents (work injuries, work-caused illnesses and dangerous events) that arise from work-related activities.

In addition, there is an expectation that staff will faithfully document and carry out any decisions made in respect to all clients in their care. Omissions and distortions may result in disciplinary or other serious consequences.

Staff must immediately notify their manager should they suspect a situation involving any form of reportable conduct or concern of risk of harm to a client. Staff must also be aware of individual mandatory reporting requirements under their relevant state legislation<sup>9</sup> It is not the responsibility of staff to investigate allegations or suspicions of a child protection nature.

The use of the correct procedures will be regularly monitored.

## **1.18 Standards of performance**

Staff will make every effort to:

- maintain and develop their knowledge of the organisation, its purpose and strategic plan
- improve their own performance and service delivery to clients of the organisation
- maintain and improve the skills, knowledge and competencies required for their position
- keep up to date with advances and changes in the body of knowledge and the professional and ethical standards relevant to their area of expertise
- exercise care, responsibility and sound judgement when carrying out their duties and conform to the principles of natural justice
- ensure procedural fairness is followed in all processes
- follow organisational procedures and protocols.

## **1.19 Carrying out official policies and decisions**

**1.19.1** Staff have an obligation to carry out decisions and policies faithfully and impartially.

**1.19.2** Staff are expected to use the defined channels to seek changes to policies and procedures when they detect an inadequacy.

**1.19.3** Managers should be open to positive and constructive questions about their instructions and prompt to respond.

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## **2.0 Working with special needs groups**

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### **2.1 Working with children**

Centacare requires staff working with children to, at all times, demonstrate the utmost respect for the child and not do anything that would directly or indirectly harm or otherwise injure the child.

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<sup>9</sup> For example in NSW this is the *Children and Young Persons (Care and Protection) Act 1998* (NSW).

### **2.1.1 Creating a safe environment**

Staff will demonstrate a commitment to creating a safe environment by:

- acknowledging the uniqueness and potential of each child
- recognising young children are vulnerable
- using their influence and power in the best interests of children
- creating and maintaining safe, healthy settings which enhance children's autonomy, initiative and self-worth and respect their dignity
- working to ensure young children are not discriminated against on the basis of gender, age, race, religion, language, ability, culture or national origin
- engaging only in practices that are respectful of, and provide security for, children and in no way degrade, endanger, exploit, intimidate or harm them psychologically or physically
- caring for children who have been abused in a way that prevents any further harm and rebuilds the child's trust, confidence and sense of security.

Centacare will take disciplinary action against any staff member found to have acted inappropriately towards a child who is currently, or was previously, in receipt of services from Centacare. Proven inappropriate behaviour by a staff member towards a child will result in appropriate discipline or dismissal of the staff member concerned.

### **2.1.2 Alcohol and drug usage**

Staff must not give children, or make available to children, alcohol, tobacco or prohibited substances, or encourage or condone the use of alcohol, tobacco or prohibited substances by children. Staff must not use or possess illegal drugs while on duty and caring for children. This directive applies irrespective of where the care is being provided and includes overnight camps. Staff on duty while under the influence of illegal drugs will face dismissal.

### **2.1.3 Behaviour management practices**

**2.1.3.1** Staff will contribute to the safety, welfare and wellbeing of children by adopting work practices that respect the right to safety and demonstrate responsible and respectful adult behaviour.

**2.1.3.2** Staff working with children should conduct themselves in a manner that is reasonable for the purpose of discipline, management or care of the child, having regard to the age, maturity, health and other characteristics of the child.

**2.1.3.3** Strategies should include a clear, consistent and graded method of dealing with inappropriate behaviours.

#### **2.1.4 Gifts**

Staff must not give gifts to, or accept gifts from, children for whom they currently provide care or services, children to whom they have previously provided care or services, or children who have received care or services from another Centacare staff member, except where giving or receiving the gift is consistent with the role of the staff person and/or has been approved by their manager.

#### **2.1.5 Medication**

Staff must ensure children in receipt of services provided by Centacare do not have access to, or receive, medications that are not prescribed for the child during the period in which the child is in the physical care of the organisation. They may, however, administer or supervise the administration of prescribed medications according to the child's treatment plan.

#### **2.1.6 Neglect**

Staff must not neglect children while in the process of actually providing care or services for these children. 'Neglect' in this context means failing to properly supervise or attend to the needs of the child, to omit to do something through indifference or carelessness, or to fail to properly carry out or perform one's duties in relation to the child.

Staff should be aware of the signs and symptoms that should alert them to the possibility of the abuse of a child.

#### **2.1.7 Out of hours work/activities**

Staff must not engage in paid or unpaid work out of hours that involves contact with a child in receipt of, or previously in receipt of, Centacare services, unless the organisation understands such contact to be of an appropriate nature. Staff must not contact a child in receipt of, or previously in receipt of, care or services provided by Centacare, except in the course of their duties for Centacare, unless the organisation understands such contact to be of an appropriate nature.

#### **2.1.8 Physical contact with children**

Physical contact with children must be appropriate to the situation, context and needs of the child. Inappropriate contact of a physical or sexual nature will result in disciplinary action and dismissal.

#### **2.1.9 Psychological harm to child**

**2.1.9.1** Any conduct by a staff member that could cause psychological harm to a child will lead to disciplinary action being taken against the staff member concerned.

Psychologically harmful behaviour is behaviour that results in significant emotional harm or trauma to a child. Types of behaviour include:

- acts that degrade or belittle a child (verbal or non-verbal)
- exposing a child to domestic violence
- setting unrealistic expectations with threats of harm or loss if these expectations are not met
- 'isolating' a child by comments, denying the child opportunities to engage in social activities, or unreasonably restricting the child's freedom of movement within the environment
- 'exploiting/corrupting' a child by promoting or exposing the child to self-destructive, antisocial, criminal behaviours, such as violence or drug use
- persistent failure to care for and support the child, withholding emotional interactions, being detached from the child and interacting only when absolutely necessary.

**2.1.9.2A** child's response to inappropriate behaviour towards them depends on their age, physical ability or developmental level. This means, for example, that certain behaviours may be considered psychologically harmful to some children and not to others.

When deciding whether or not an employee's alleged conduct is notifiable as an allegation of psychological harm, relevant state legislation must be consulted.

### **2.1.10 Restraint**

Staff must not unnecessarily cause a child within their care to be restrained or to be restrained with undue or inappropriate force. Physical force or restraint should only be used when it is believed to be the only means to prevent a child or young person from causing injury to themselves or another person. When used, it should be of a level sufficient to restrain without causing injury.

### **2.1.11 Sexual or other personal relations with children**

**2.1.11.1** Any proven conduct relating to inappropriate contact, including sexual conduct, with a child in receipt of, or previously in receipt of, Centacare services will result in disciplinary action being taken against the staff member. Such disciplinary action may include dismissal. Examples of such inappropriate behaviour include, but are not limited to:

- unwanted and inappropriate touching
- inappropriate conversations of a sexual nature
- suggestive remarks or actions, including showing the child publications, electronic media or illustrations that are sexually suggestive or of a sexual nature
- jokes of a sexual nature
- sexual exhibitionism
- personal correspondence, including emails and telephone text messages, with a child in respect of the employee's feelings (including sexual feelings) for the child
- deliberate exposure of children to sexual behaviour of others, other than in the case of approved teaching material.

**2.1.11.2** Where a child demonstrates a 'crush' (that is, a strong liking for the staff member), the staff member or another Centacare staff member with knowledge of the matter must immediately report the matter to the staff member's manager or director who will advise on the action to be taken.

### **2.1.12 Managing allegations of inappropriate staff behaviour**

In the event of allegations of inappropriate staff behaviour, Centacare will have policies and procedures in place that are consistent with the appropriate Victorian legislation which will guide how these matters are to be handled. In addition Centacare will adhere to the policies and procedures as outlined in *Towards Healing*<sup>10</sup>

## **2.2 Working with people with a disability**

Centacare recognises that people with a disability may need appropriate assistance to meet their needs and this will at times require additional application of resources. All staff are expected to show tolerance, respect and understanding.

## **2.3 Working with Indigenous people**

The strong cultural tradition of Indigenous Australians must be valued and respected in all engagements with these people. Centacare, recognising the mistakes of the past and the impact of the imposition of non-Indigenous culture on these traditions, aspires, in the spirit of reconciliation, to ensure all interactions are inclusive, positive, respectful and culturally appropriate.

## **2.4 Working with culturally and linguistically diverse groups**

Respecting and remaining in solidarity with people of diverse cultural and linguistic backgrounds means every attempt is made to understand these cultures and to develop appropriate frameworks that care for the dignity and wellbeing of each person involved.

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## **3.0 Service provision**

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### **3.1 Professionalism**

**3.1.1** High quality services, consistent with the principles of Catholic social teaching, should be provided by suitably qualified and competent staff.

**3.1.2** Staff are required to fully meet the obligations of their positions and always act in a professional and dignified manner during all work-related activities.

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<sup>10</sup> *Towards Healing*, ACBC & ACLRI June 2003

## 3.2 Confidentiality

Centacare staff recognise confidentiality as a living principle; therefore, organisations must establish policy, practices and relationships that ensure privacy and confidentiality within the framework of federal and state legislation.

- 3.2.1 Staff must adhere to the principles of confidentiality outlined in their organisation's privacy policy and have a duty to maintain the confidentiality and security of any personal information for which they are responsible, including computerised data.
- 3.2.2 No staff shall have access to information about any individual without that individual's consent, unless the relevant manager is satisfied that the staff member is acting in the course of his or her duties and that the information is relevant to the purpose for which it is sought.
- 3.2.3 No computerised data about any individual should be accessed for reason other than work purposes without the full written authority of that person. Access to client or staff records without a specific job-related purpose constitutes a breach of the privacy policy.
- 3.2.4 Personal information about staff or clients will generally not be released to a third party, unless the subject is informed of the reason for its collection and the named person provides full written approval.
  - 3.2.4.1 The exception is special circumstances where the disclosure may prevent a serious and imminent threat to the life or health of the individual concerned or of another person.
  - 3.2.4.2 Centacare is legally obliged to respond to any request for information in the form of a police warrant, subpoena, summons or other court order, according to organisational policy.
- 3.2.5 Staff must not divulge, either during employment with or after leaving Centacare, any confidential information gained during employment that could adversely affect Centacare services, business operations, clients, or standing in the community. *The Privacy and Personal Information Act 1989* (Cwth) provides for the protection of personal information and for the protection of the privacy of individuals generally.

## 3.3 Criminal and life-threatening disclosure

### 3.3.1 General

- 3.3.1.1 During the course of delivering services, admissions of crime or the intention to commit a crime or self-harm may be revealed. It is imperative that such disclosures are always treated as a matter of urgency and importance, and that counsel with most senior management is immediately sought. It is not expected that staff should have to handle such situations alone and should always be supported.

**3.3.1.2** Staff are encouraged to follow best practice procedures in assessments to ensure the likelihood of cooperating with wrongdoing through omissions is minimalised.

### **3.3.2 Material cooperation<sup>11</sup>**

**3.3.2.1** Centacare staff must be vigilant in their conduct so they neither assist nor appear to assist behaviour that is contrary to Christian values. Centacare expects that staff will make efforts to persuade the parties engaged in the wrongful act to take a position of harm prevention or harm minimisation.

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## **4.0 Conclusion**

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Centacare strives to promote and advance the ministry of Catholic social welfare as integral to the mission of the Catholic Church in Australia. This *Code of Ethics* has been developed to guide workplace practice in meeting this mission and to assist those who strive to develop social welfare policies, programs and other strategic responses that enhance the human dignity of every person and work towards the economic, social and spiritual wellbeing of the Australian community.

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<sup>11</sup> Material cooperation in wrongdoing is where an act, word or deed facilitates somebody else's wrongful conduct.

