



**Samaritans**

*Compassion Integrity Justice*

# CODE OF CONDUCT

ORG – POL / 01108

Version Two

**Issued: August 2010**  
**Review date: August 2013**

**Authorised by: *Senior Management Team***

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## 1. Policy

This Code of Conduct attempts to clarify the standards of behaviour that are expected of Samaritans staff in the performance of their duties. It gives guidance in areas where staff members need to make personal and ethical decisions.

This Code of Conduct draws from Samaritans Mission Statement (Appendix One) and its defined Mission, Vision, Values, Aims and Agency Ethos as determined by Samaritans Board.

## 2. Purpose and Scope

This Code of Conduct is intended to assist staff members (including both employees and volunteers) to define their responsibilities and the standards of behaviour expected in the performance of their duties.

Many Samaritans staff members belong to professional organisations and as such, will be expected to also comply with such codes of conduct and ethics that may apply for those professions.

The Code of Conduct cannot address all ethical challenges and situations that may face staff members in the course of their work with Samaritans. Where staff members are unsure of the applicability of this Code, believe there may be a conflict of interest with another code of conduct or ethics, or are unsure of the appropriate course of action, they should discuss the matter with their immediate supervisor.

Contractors and consultants working with or for Samaritans must act in accordance with the conduct described in this Code of Conduct. While contractors or consultants are not subject to disciplinary action, conduct that would be assessed as being a serious breach of the Code may result in their contract being terminated.

## 3. Definitions

**Activities of an inappropriate sexual nature** – activities which may be deemed inappropriate when engaging with clients. For example, activities including, but not limited to showing publications, electronic media or illustrations of a pornographic or sexually suggestive or explicit nature, jokes of a sexual nature, using obscene language or gestures, sexual exhibitionism or deliberate exposure to sexual behaviour of others would be considered inappropriate. What can be considered inappropriate will depend on the age, experience, emotional and intellectual capacity of the client.

**Child** – for the purposes of this document (and consistent with the Children and Young Persons (Care & Protection) Act 1998, the term “child” means a person who is under the age of 16.

**Client** – any person for whom Samaritans provide a service. In the context of this Code of Conduct, the word client may be used interchangeably with the words “service user”.

**Confidential** – refers to information which is of a private, personal or intimate nature and which should not be disclosed to others;

- Unless required to support or effectively provide service(s) to that person
- If it was not the purpose for which that information was provided
- Unless required for legal reasons, or is subpoenaed in a court proceeding

- Unless there is an overriding public interest (e.g. sexual assault of other people using the service).
- Unless required to ensure appropriate professional supervision and debriefing.

**Conflict of Interest** – a situation where a staff member has competing professional or personal interests (either financial and non-financial) and which may make it difficult for them to fulfil their duties impartially or which could improperly influence the performance of their official duties and responsibilities.

**Consultant** – A party engaged to give professional advice or services for a fee, but not as an employee of Samaritans.

**Contractor** – One who enters into a binding agreement with Samaritans to perform a certain service or provide a certain product in exchange for valuable consideration.

**Family** - person closely related by blood, as parents, children, uncles, aunts, and cousins or by marriage, partnership or other consensual relationship.

**Manager** – any manager as defined by Samaritans official organisational chart.

**Romantic** – displaying or expressing love or strong affection or emotional attachment.

**Sexual** – includes any form of physical contact, whether initiated by the client or service user or staff member and regardless of whether there is consent, which has as its purpose some form of sexual gratification, or which might be reasonably interpreted by the client or service user as having that purpose.

**Samaritans** – The Samaritans Foundation - Diocese of Newcastle; Samaritans Community Services Hunter Mid North Coast Pty Limited; Samaritans Enhanced Living, Options Central Coast Pty Limited; Samaritans Enhanced Living Options Hunter Mid North Coast Pty Limited; Samaritans Enhanced Living Options Newcastle/Lake Macquarie Pty Limited or any other organisation operating as part of Samaritans.

**Staff** – For the purposes of this document, the term staff refers to all paid employees and volunteers engaged by Samaritans including employees who perform work under a contract of employment, e.g. foster carers; those people who undertake practical training, placements or work experience as part of an educational or vocational course or clergy or ministers of religion.

**Supervisor** – a person who directly manages or oversees the activities and performance of other employees.

**Young person** - for the purposes of this policy, (and consistent with the Children and Young Persons (Care & Protection) Act 1998), the term young person means a person who is 16 years or above, but is under the age of 18.

## 4. Personal Actions

All Samaritans staff members, within the context of their duties and interactions with colleagues, clients and service users and their carers/family members and other Samaritans stakeholders, shall:

- Comply with all laws and regulations and reasonable and lawful requests and directions from Samaritans supervisors.
- Actively support and implement the principles and ethos espoused in Samaritans Mission Statement.
- Be aware of and comply with Samaritans policies and procedures, standards of practice and frameworks including this Code of Conduct.

- Act in a manner that ensures the rights of all to safety, dignity, respect, courtesy, privacy and protection from gossip, harassment, discrimination, abuse or physical or psychological harm.
- Perform their duties to the best of their abilities and with professionalism, objectivity and integrity and with due regard to both a duty of care and the appropriate and respectful use of authority.
- Communicate respectfully, openly and honestly.
- Be inclusive and non-judgemental in attitudes and behaviours, aware of and accepting difference and diversity.
- Maintain confidentiality of information obtained during the course of their duties and only discuss such information in an appropriate professional context.
- Acknowledge and celebrate the personal strengths, knowledge, diversity and experience brought to the situation by each and every individual.
- Encourage personal growth and positive change in an inclusive manner.
- Conduct themselves personally and professionally in a way that maintains trust and confidence and upholds the reputation of Samaritans, its work, staff members and clients.
- Maintain appropriate and professional boundaries. Personal relationships should not negatively affect decisions regarding service delivery and client or staff wellbeing.
- Demonstrate compassion, integrity, justice, courtesy and equity when making and implementing decisions.
- Actively support and implement Samaritans Community Development Principles.
- Not accept or give gifts or favours, particularly those which could be construed as bribes or payments to secure personal advantage. It is important that the acceptance of any gift does not influence or is not seen to influence decision-making. Small, simple gestures of thanks or celebration may be accepted, particularly if rejection may cause hurt or offence. The gift must be disclosed as soon as practicable to the staff member's supervisor.
- Accept and deal with complaints in accordance with Samaritans policies.
- Use the property, resources, communications systems, funds and equipment of Samaritans, its clients and staff members safely, lawfully, effectively, responsibly and avoiding loss, waste, extravagance or carelessness.
- Use Samaritans equipment, facilities or resources for business or client related purposes only unless prior permission has been granted by their supervisor.
- Consider the impacts of actions and decisions on the environment and where viable and sensible, choose the more sustainable alternative.
- Inform their supervisor immediately they become aware of an actual, perceived or potential conflict of interest.
- Be mindful of and accountable for the potential consequences of their actions.

## 5. Working with Colleagues

Samaritans staff members shall:

- Seek and respect the professional opinions of colleagues in their area of competence and acknowledge their contribution.
- Work collaboratively with colleagues to achieve common goals and a congenial, supportive and harmonious workplace.
- Support and uphold any team agreements in place.
- Report any behaviour by another staff member which breaches any laws and regulations, Samaritans policies or procedures, this Code of Conduct or other relevant professional code(s) of ethics to their supervisor, Manager, Director, Chief Executive or a member of the Human Resources team or, if applicable, through the Integrity Assurance Policy.

## 6. Working with Clients

It is essential that the individuals and their carers and family members who connect with Samaritans be treated with respect and dignity. When working with clients and their carers and family members, Samaritans staff members shall:

- Actively promote opportunities for clients to express their views and participate in appropriate decision making processes, value and affirm their opinions, choices and decisions.
- Encourage and, where possible, empower clients to meet their own needs, plan their own services and participate fully in society.
- Not request, commence or participate in relationships with current or previous clients that result in sexual or romantic relationships or any form of exploitation, obligation or sexual gratification whether or not the client consents.
- Comply with specific procedures and professional practice standards as determined by Samaritans relevant to their area of work – i.e. disability standards, child protection etc.
- Be mindful of the potential for power imbalance between service providers and service user and ensure that this does not negatively affect the dignity of clients or equity of service delivery.
- Seek written approval from their Manager prior to providing a service to any member of their family. Approval will be subject to considerations of the nature of the service and the potential for a conflict of interest to arise. Care given in such circumstances must always be conducted with the primary intent of benefit for the person receiving a service.
- With regard to client contact, particularly with children and young people, staff members must not offer out of hours mentoring, tutoring or visits at the client's or staff member's home without prior written approval from their Manager.
- Ensure that clients are not provided with or use illegal drugs or those not prescribed for them whilst in the direct care of Samaritans staff members.
- Ensure that children and young people are not provided with or use alcohol whilst in the direct care of Samaritans staff members.
- Not provide children or young people in the direct care of Samaritans staff members with cigarettes or other tobacco products.

- Not use force on clients. In rare instances, restraint may be required in order to protect clients from the risk of harm to themselves or others. The use of force or restrictive practices can only be used with appropriate authorisation.
- Not conduct activities of an inappropriate sexual nature with clients. Staff members should discuss this matter with their supervisor if they are at all unclear about what is considered inappropriate. The use of force or restrictive practices can only be used with appropriate authorisation.

## 7. Non-Compliance

Samaritans will follow the Managing Unsatisfactory Performance Policy (HR – POL / 00112) when managing breaches of this Code of Conduct or other relevant professional codes of conduct or ethics.

In the first instance, Samaritans philosophy is to act in a positive and educative way if such breaches are deemed to be minor.

In minor cases, the supervisor will assist staff members by giving them clear and direct information about how their behaviour varies from expectations and negotiate improvement plans such that the staff member can be reasonably expected to meet the required standards of conduct.

Where there are repeated breaches or the misconduct is regarded as serious by the supervisor a formal disciplinary process will be entered into.

In cases of serious misconduct suspension or dismissal may be warranted. In cases where it appears that staff members have broken the law then police involvement would normally be sought.

## 8. References and Supporting Material

- Australian Association of Social Workers (AASW) Code of Ethics
- Child and Young Persons (Care and Protection) Act 1998
- Child Protection Legislation Amendment Act 2003
- Child Protection Policy (ORG – POL / 01106 )
- Code of Ethics for Youth Work as endorsed by Youth Action and Policy Association (YAPA)
- Commission for Children and Young People Act 1998
- Community Development Principles
- Complaints Policy (HR – POL / 00104)
- Diversity in the Workplace Policy (ORG – POL 01111)
- Drug and Alcohol Policy (OH&S – POL / 0012)
- Early Childhood Australia's Code of Ethics ([www.earlychildhoodaustralia.org.au](http://www.earlychildhoodaustralia.org.au))
- Family Day Care Policies – Standard One
- Grievance Policy (HR – POL / 00109)
- Harassment Policy (HR – POL / 00110)
- Integrity Assurance Policy (ORG – POL / 01113)
- Internet and Email Policy (ORG - POL / 01101)

- Managing Unsatisfactory Performance (HR – POL / 00112)
- NSW Ombudsman – Child protection in the workplace – Pt 8F
- Ombudsman Act 1974
- Samaritans Disability Services Standards, Policies and Procedures
- Samaritans Mission Statement (June 2009) (attached)

### 9. Person Responsible

**All staff** are responsible for

- complying with the Code of Conduct,
- reporting any alleged breach of this Code to their supervisor or, if this is inappropriate, their Manager, Director, Chief Executive or Manager Human Resources or, if these avenues are inappropriate or have been exhausted, through Samaritans Integrity Assurance Policy (ORG-POL 01113).

**Supervisors, Managers and Directors** are responsible for

- Building an organisational culture supporting compliance with this policy.
- Ensuring that staff members, external consultants and contractors are aware of and comply with the requirements of the Code of Conduct
- Dealing with any observed or reported breach of conduct according to the Managing Unsatisfactory Performance (HR – POL/00112)

**The Human Resources Manager** is responsible for

- ensuring that all staff are provided with access to the Code of Conduct
- providing appropriate educative processes and systems
- regular review of this policy

### 10. Appendices

Appendix One - Samaritans Mission Statement (June 2010)

## Appendix One

# **Samaritans Foundation – Diocese of Newcastle Mission Statement**

## **Identity**

The Samaritans Foundation was established in 1984 as the social welfare organisation of the Anglican Diocese of Newcastle which covers the Hunter, the Manning and the Central Coast regions of New South Wales. We seek to express God's care for all people, particularly those who are vulnerable and marginalised in our community.

## **Vision**

For communities where there is love, peace, justice, reconciliation and dignity for all people, where there is care for the vulnerable and their environment and where each individual has the opportunity to contribute and participate fully in community life.

## **Mission**

We seek to provide unconditional support to people in their needs and to promote social and economic policies which alleviate human suffering.

## **Aims**

We aim to:

- Provide effective and professional social welfare services within a community development framework, with particular regard to those marginalised through disability, injustice, intolerance and lack of opportunity
- Promote social caring activity in partnership with parishes through volunteer and self-help groups
- Promote with courage the development and implementation of social policy which is consistent with Christian teaching; evaluate and comment on social and economic change openly, positively and with integrity
- Actively pursue opportunities for growth that give expression to the mission of Samaritans.

## **Core Values**

Compassion, Integrity, Justice

## **Agency Ethos**

### **Samaritans services...**

- develop workable pathways to achieve the agency vision
- promote and demonstrate human rights, inclusive practices, social justice and equal opportunity
- respond to contemporary social issues in innovative and creative ways, engaging with the wider community to reflect local priorities and aspirations
- are open to all people regardless of age, race, religion, culture, disability, sexual preference or political allegiance
- are encouraged to develop in co-operation with the local Anglican parish and other community groups
- are developed in partnership with Aboriginal agencies where appropriate
- support people to achieve their potential, to take control of their lives and to live with dignity and integrity

- ensure that service users have the opportunity to participate in decision affecting them and their families
- are regularly reviewed and evaluated.

### **Samaritans employees and volunteers can expect...**

- safe working environments which promote and celebrate staff well-being
- their commitment, creativity and achievements to be recognised, affirmed and valued
- to be treated with dignity and respect at all times
- to be involved in decision-making where appropriate
- competent and sound management practices
- a work environment that respects and recognises the significance of cultural diversity and tolerance
- ongoing training and encouragement to achieve their potential in their work
- sound policies and procedures
- time to reflect on best practice, justice and spirituality.

### **We expect that our employees and volunteers will...**

- demonstrate the values of compassion, integrity and justice in the way in which we work with each other and within communities
- celebrate and respect diversity
- provide quality service to the community and the service users
- contribute to teamwork with a common purpose and enthusiasm
- demonstrate open and honest communication
- uphold Samaritans policies, standards and values
- participate in appropriate decision-making
- be willing to learn and further develop their professional skills
- be accountable for their actions.

### **Samaritans clients can expect...**

- to be treated with dignity and respect
- to be the key decision maker in case planning and to be involved in decision-making where appropriate
- their spirituality, integrity and well-being to be upheld and affirmed
- confidentiality
- competent and caring staff members
- sound practices, policies and procedures
- respect for their strengths, experiences, skills and cultural differences
- open communication with staff
- access to their own file.
- access to their own file.

**DECLARATION**

I \_\_\_\_\_ acknowledge receipt of the Samaritans Foundation Code of Conduct issued by Samaritans on \_\_\_\_ / \_\_\_\_ / \_\_\_\_.

I have read the Code of Conduct, have clarified any questions, and understand its content and agree to work within the Code of Conduct and the Mission, Vision and Values of the Agency.

\_\_\_\_\_

\_\_\_\_\_

**Signature**

**Date**

This Declaration must be returned to Samaritans Central Office within seven (7) days of issue by faxing to 4960 7160 or posting to Samaritans Foundation PO Box 366, Hunter Region Mail Centre, 2301.