

- organisations have some form of dealings with Hope Healthcare;
- personal beliefs or attitudes that influence the impartiality of advice given, personal relationships with the people Hope Healthcare is dealing with or investigating which go beyond the level of a professional working relationship;
- secondary employment, business, commercial or other activities outside of the workplace, which impact on patient/clients and or employees and visiting service providers of Hope Healthcare;
- involvement in party political activities;
- involvement in personal relationships with another employee either in a supervisory or non supervisory position where they are co-depending upon each other;
- access to information that can be used for personal gain;
- subsidised or free travel, accommodation, conference attendance or the like being provided by companies which do or could supply goods or services.

Employees may often be the only person aware of the potential for conflict. It is the employee's responsibility to avoid any situation that could compromise their ability to perform duties impartially. It is the employee's responsibility to report any potential or actual conflict of interest to their manager. Where an employee is uncertain whether a conflict exists they should seek guidance initially from their direct manager or from the CEO where the manager is unable to provide the employee with clear direction.

To resolve any conflicts of interest that occur, or should occur, a range of options are available depending on the significance of the conflict. These options include:

- declaring the conflict (or possible conflict) and continuing involvement;
- declaring the conflict (or possible conflict) and not participating in any decision making or discussion of the matter;
- giving up or ending the personal interest;
- transferring from the area of work or particular task where the conflict arises.

WITNESSING OF DOCUMENTS

Employees are not permitted to witness on behalf of a patient or any other person representing the patient, documents of any kind. If an employee is asked to witness a document they should immediately refer the person requesting the document to be witnessed to management.

BRIBES, GIFTS OR BENEFITS

Employees or visiting service providers must not accept any gifts or benefits, the receipt or expectation of which might in any way tend to influence, or appear to influence, their official capacity or lead to a conflict of interest. Any advances of this nature are to be reported to the manager. If employees and visiting service providers are dealing with, or have been given access to sensitive investigations or sensitive information, they need to ensure that they identify inappropriate attempts to influence decisions arising from the use of that information and report these incidents to their Manager.

It should be considered that gifts or benefits are rarely offered where the giver would not expect to receive or have received some advantage or reward. Employees and visiting service providers need to be wary of accepting any such offer and the inherent obligation that can result.

There may be occasion when refusing a gift would offend or upset the giver. In these circumstances, gifts of a minor nature (to a value of less than \$30) may be accepted on behalf of the unit and the gift should be reported to the manager, who will determine how the gift is to be used. All cash must be declared to the

Manager. Where possible gifts should be shared throughout the facility.

OUTSIDE EMPLOYMENT/OTHER EXTERNAL BUSINESS ACTIVITIES

Employees who wish to engage in paid employment / other business activities (including participation in a family company) outside the official duties are required to seek approval of their immediate Manager. Approval will not be unreasonably withheld. Employees on a part-time or casual basis are required to advise their immediate Manager of any real or potential conflict of interest between their employment and any other external employment. Hope Healthcare can request the details of any other employment in the event of allegations of conflict of interest.

SECURITY OF OFFICIAL RESOURCES

Employees and visiting service providers are individually responsible for maintaining the privacy, integrity and security of information they hold and they are to report any suspected breaches of confidentiality. This information includes confidential and sensitive information in any form or information held in their departments (eg documents, personal employee or patient information, clinical information, computer files and information held electronically). All employees and visiting service providers are to ensure the official information cannot be accessed by unauthorised persons.

In the course of their work, employees and visiting service providers may have access to personal information collected for the purposes of client/patient care or for administrative, statistical or other purposes. In signing this Code of Conduct and Ethics employees, visiting service providers and contractors agree to:

- abide by the NSW Privacy Legislation, NSW Health Department and Hope Healthcare policies and procedures relating to confidentiality and privacy of official information including personal information;
- not knowingly access personal information unless such information is required for the employee, visiting practitioner or contractor to perform their duties;
- ensure that such information, whether in the form of paper documents, computerised data or in any other form, cannot be viewed by unauthorised persons and that the information is stored in a secure manner which prevents unauthorised access when the location or the information is unattended;
- not disclose any identifying, personal or health information regarding individual persons except as authorised by Hope Healthcare policy or in compliance with relevant legislation. It is understood that it is a serious offence to deliberately release confidential documents or information to unauthorised persons;
- inform your manager immediately if you become aware of any breach of privacy or security relating to the information held by Hope Healthcare.

Information about employees and visiting service providers of Hope Healthcare should not be released to external bodies (Freedom of Information and Health Care Complaints Commission) without appropriate legal authority and the authorisation of the CEO or delegate. There are some instances when authorisation in writing is required (insurance matters). In some instances information regarding employment will be provided to external bodies (eg Superannuation Board and the Taxation Department).

Hope Healthcare may confirm details held by financial institutions if an employee or visiting service provider is applying for financial assistance. Hope Healthcare will validate the bona fides of the caller as a representative of the financial

institution (usually with a call back). Hope Healthcare will not provide information but confirm the details already held by the financial institution. In all instances employee permission will be sought prior to confirming the information held.

The CEO and senior managers are responsible for seeing that premises are secure and that suitable arrangements are in place to maintain security of confidential and sensitive documents. This includes transferring documents by hand when necessary.

USE OF OFFICIAL RESOURCES

Requests to use official resources for non-official purposes must be referred to the employee's Divisional Head for approval.

BREACHES OF CODE OF CONDUCT AND ETHICS

All employees are required to co-operate with this policy.

A breach of confidentiality may result in disciplinary action, including termination of employment and/or possible fines and/or imprisonment under NSW legislation.

Employees should note that breaches of certain sections of the Code of Conduct and Ethics may be punishable under law and may result in criminal charges being laid against the offending person or persons. Other breaches of this Code of Conduct and Ethics will lead to disciplinary action or even dismissal in the event that the breach is of such a serious nature that this action is warranted.

PROTECTED DISCLOSURES

Protection is available under the Protected Disclosures Act 1994 to public officials who voluntarily disclose information relating to corruption, maladministration or serious and substantial waste of public money in a NSW public authority. To be protected, information must be made by a public official, be voluntary and involve legitimate suspicion. A public official includes any person working part-time casual or full-time. Disclosures are not protected if they are frivolous, question the merits of Government policy or are made to attempt to avoid dismissal or disciplinary action.

It is an offence to wilfully make a false or misleading statement when making a disclosure and defamation action may be taken. Because a statutory duty is being performed, reports made in good faith are protected from defamation action even if the suspicion on which it is based turns out to be groundless.

Hope Healthcare will take all possible measures to protect the identity of the public official making the report and against detrimental action. Detrimental action taken as a reprisal for making a protected disclosure is a punishable offence. The rights of person/s who are the subject of disclosures will be protected to the extent that Section 22 of the Protected Disclosures Act 1994 allows. Managers must ensure that all employees and visiting service providers are aware of the relevant legislation and policies and have information about Hope Healthcare's reporting systems for making disclosures.



**HOPE
HEALTHCARE**
PO Box 5084
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CODE OF CONDUCT & ETHICS

STATEMENT OF INTENT

The purpose of the Code of Conduct and Ethics is to provide a framework for the decisions and actions in relation to the behaviour of employees, volunteers, contractors and visiting service providers. It underpins the commitment to a duty of care for all employees, clients and stakeholders. The Code of Conduct and Ethics explains the principles covering appropriate conduct in a variety of contexts and outlines the standard of behaviour expected. Further, this document also outlines Hope Healthcare's expectations in relation to conflicts of interest, corrupt conduct and confidentiality.

HOPE HEALTHCARE VALUES

Our Values guide our behaviour towards each other, clients, services and other agencies and form the basis of all business relationships, decisions and actions.

The Core Values of Hope Healthcare are:

<i>Compassion</i>	kind and supportive care
<i>Respect</i>	preserving individual dignity
<i>Excellence</i>	striving for optimal quality
<i>Justice</i>	honesty and fairness
<i>Unity</i>	working together
<i>Accountability</i>	responsible for our actions

POLICY GUIDELINES

Hope Healthcare is an equal opportunity employer and is committed to promoting an environment that is free from discrimination, bullying and harassment on the basis of sex, marital status, pregnancy, family responsibility, sexual preference, race, disability, political or religious belief and age.

It is our expectation that all individuals are to be treated with dignity, courtesy and respect. Therefore, Hope Healthcare will not condone any behaviour or actions that may offend, insult, humiliate, or result in the risk of violence to another person or group of people.

Employees are expected to behave in a professional manner and not allow themselves to be placed in situations where they are exposed to potential conflicts of interest, breach confidentiality or conduct themselves in a way where their action could be viewed as being corrupt to a reasonable person.

DEFINITIONS

Overriding Principle

In relation to bullying, harassment and discrimination, this includes a wide range of unwelcome and/or unsolicited behaviours that are largely defined by the **OFFENDED** person.

Discrimination

Defined as a means of treating someone unfairly because they happen to belong to a particular 'group' of people.

Harassment

Uninvited, unwelcome behaviour involving a written, verbal, visual or physical affront against another person including sexual or other unwarranted advances.

Bullying

Repeated, less favourable treatment of a person by another in the workplace, which may be regarded as unreasonable or inappropriate workplace behaviour. It may include but is broader than discrimination and sexual harassment. It does not include an argument or one-off act of violent outburst, although each of these acts may be inappropriate.

Bullying may constitute any behaviour that:

- belittles the opinions of others;
- provides unconstructive and unjustified criticism of others;
- isolates an employee from the workplace;
- undermines an employee's work performance including the deliberate withholding of work-related information and/or resources;
- involves teasing or regularly making an individual the brunt of practical jokes and pranks;
- involves the displaying of written or pictorial material or sending emails which degrade or offend;
- involves yelling, screaming, abuse, offensive language, insults, using language designed to degrade and or offend, inappropriate comments about a person's appearance, lifestyle, slandering an employees family;
- puts down, scares or offends someone;
- could put their health, safety or welfare at risk; or
- represents a series of ongoing events (not usually an isolated incident) using inappropriate language designed to degrade others.

Vilification

Generally an act:

that happens publicly as opposed to privately;

that could incite others to hate, have serious contempt for, or severely ridicule the person, or a group of people, because of race, nationality, descent, ethnic or ethno-religious background, homosexuality, transgender status, having HIV or AIDS, whether actual or presumed.

Violent Acts

Includes:

- verbal abuse either personally or by telephone;
- threats of a sexual nature;
- threats of violence; or
- ganging up by a group over an individual.

Corrupt Conduct

The key notion is the misuse of public office. Commonly involves the dishonest or partial use of power or position which results in one person being advantaged over another. Corruption can take many forms including (but not limited to) official misconduct, bribery and blackmail, unauthorised use of confidential information, fraud and theft.

Fraud

Fraud is dishonest and usually takes the form of giving a false impression through a statement or conduct in order to gain a material advantage.

Maladministration

Conduct that involves action or inaction of a serious nature that is contrary to law; unreasonable, unjust, oppressive or based wholly or partly on improper motives.

Maladministration can include conduct considered 'corrupt' under the Independent Commission Against Corruption Act 1988 if it involves criminal or disciplinary offences.

Serious and Substantial Waste

As defined by the Protected Disclosures Act, refers to uneconomical, inefficient or ineffective use of resources authorised or unauthorised, which results in significant loss/wastage of organisation funds or resources.

PROTOCOL

- Management will promote and uphold this Code of Conduct and Ethics.
- Management will also promote and uphold equal opportunity policies and practices and will instigate or participate in relevant training.
- Education and training will be provided for all employees to raise awareness of their rights and responsibilities in relation to the Code of Conduct and Ethics. Employees will be informed of their rights and responsibilities in relation to discrimination through a staff handbook, staff meetings and display of the Code of Conduct and Ethics on staff noticeboards.
- Employees will be reminded of their rights and responsibilities in relation to this Code of Conduct and Ethics at their Annual Performance Review and will be required to sign off each year an acknowledgement in this regard. Performance selection, career advancement and education/training opportunities for employees will be based on individual merit and the requirements of the organisation. All documents prepared in-house will be developed using non-sexist language.
- Employees will refrain from:
 - offensive jokes, taunting or name calling;
 - teasing or regularly playing practical jokes or pranks;
 - displaying or sending by email or written mail racist/sexist posters and pictures that degrades or offends;
 - distributing racist or sexual material;
 - physical contact such as kissing, patting or touching in a sexual way;
 - requesting sexual favours;
 - foul or offensive language;
 - sexually explicit conversation;
 - inappropriate and/or suggestions/comments about a person's appearance, lifestyle, or family;
 - belittling opinions or unconstructive criticism;
 - isolation from normal work interactions, training and development or career opportunities;
 - undermining work performance by deliberately withholding work related

work resources;

- undermining work performance by deliberately countermanding or contradicting an employees decisions or actions without consultation with that employee in order to belittle or degrade the employees contribution to the organisation;
- In addition employees operating in a supervisory capacity will refrain from:
 - the application of unnecessary work pressure or unrealistic deadlines;
 - unexplained job changes, assignment of meaningless tasks or requirement to undertake tasks beyond an individual's skill level.
- Employees who are concerned about possible instances of discrimination, harassment or bullying should follow the procedures outlined in the Hope Healthcare Equal Employment Opportunity Policy.
- Instances of corrupt conduct, maladministration or serious and substantial waste of organisation resources should be reported to the immediate manager in the first instance, then to the relevant Directors, and if the matter remains unresolved to the CEO. Employees who may have reason to believe that the CEO is involved in corrupt conduct, maladministration or serious and substantial waste, should take their complaint to:

Independent Commission Against Corruption

GPO Box 500, Sydney NSW 2001 Ph: (02) 8281 5999

- Employees who do not believe that issues raised are resolved to their satisfaction are entitled to take their concerns to:

Anti Discrimination Board, Level 4,

181 Lawson St, Redfern NSW 2016 Ph: (02) 9268 5544

Human rights and Equal Opportunity Commission

133 Castlereagh St, Sydney NSW 2000 Ph: (02) 9284 9600

The Ombudsman, NSW Ombudsman. Level 24

580 George Street, Sydney NSW 2000 Ph: (02) 9286 9600

Auditor General, Level 15,

1 Margaret St, Sydney NSW 2000 Ph: (02) 9275 7100

DRESS CODE

All employees of Hope Healthcare are required to present themselves in a way that ensures that the public view Hope Healthcare as being a professional healthcare organisation. Employees who are provided with a uniform should ensure that the uniform is maintained and worn appropriately. Employees who are not required to wear a uniform should ensure that their dress is both appropriate and professional for the role they perform (refer to Hope Healthcare's Dress Code Policy).

PERSONAL AND PROFESSIONAL BEHAVIOUR

Employees and visiting service providers should not behave in a way which has the intent of offending or embarrassing other employees and visiting service providers or the public.

When carrying out duties, employees and visiting service providers will:

- behave honestly and with integrity. This includes a duty to report other employees and visiting service providers who are behaving dishonestly;

- make sure that work is performed as efficiently, economically and effectively as possible and that the standard of work reflects favourably on Hope Healthcare;
- follow the policies of Hope Healthcare, whether or not employees and visiting service providers agree with these policies. Should a situation arise where a policy presents a real personal conflict for an employee or visiting service provider, because of personal views or beliefs, then the employee or visiting service provider should discuss the matter with their manager or the CEO to have the matter resolved;
- obey any lawful direction from a person who has the authority to give the direction. If there is a dispute about carrying out a direction employees and visiting service providers may appeal through their manager or to the CEO unless compliance is considered to be detrimental to the well being of a patient or client or an occupational health and safety risk in which case the issue needs to be resolved immediately through discussion with the manager or another senior officer in the location.

Employees should be aware of the power imbalance and unconscious processes within any patient or client relationship. Employees must remain aware of the particular vulnerability of many patients or clients who may for example have experienced abuse or exploitation in the past.

Personal relationships with patients or clients as referred to in this section may be social, sexual or other types such as financial. Any of these kinds of relationships may result in some form of exploitation or involve some form of obligation.

STAFF RELATIONSHIPS

A potential conflict of interest may arise when an employee or service provider of Hope Healthcare is in a personal relationship and in a position to advance or hinder the interests of an employee on the basis of their personal relationship; or act to the detriment of Hope Healthcare's interests because of their personal relationship. Personal relationships include family relationships, close friendships, sexual relationships or relationships where there have been previous instances of serious conflict between the parties. Examples of situations where a conflict of interest may arise due to a relationship between employees are recruitment and selection, conditions of employment, promotion, reclassification, termination, provision of opportunities and resource allocation, employees training and development, referee reports, performance appraisals and annual development reviews. Any instances where a personal relationship exists between employees and/or service providers should be reported to your Manager.

CONFLICTS OF INTEREST

Conflicts of interest exist when it is likely that employees and visiting service providers could be influenced, or it could be perceived that they are influenced, by a personal interest when carrying out a public duty. Conflicts of interest that lead to biased decision making may constitute corrupt conduct which will not be tolerated by Hope Healthcare.

Some situations that may give rise to a conflict of interest include the following:

- financial interests in a matter Hope Healthcare deals with or employees and visiting service providers are aware that friends or relatives have a financial interest in the matter;
- directorships/management of outside organisations, membership of Boards of outside organisations, such as non-government organisations where those