

# NDIS CODE OF CONDUCT

A new NDIS Code of Conduct has been introduced for workers under the National Disability Insurance Scheme to ensure the safety and wellbeing of people with a disability.

The Code of Conduct applies to all workers and service providers delivering NDIS supports or services, including employees, contractors and volunteers.

This guide will help you, as a person who works with people with a disability, to become familiar with the appropriate and ethical conduct expected under the Code of Conduct.

If you are unsure about any service delivery issue, you should consult a Management Team member, or talk directly with your client.

Remember if you see something you think is a breach of protocol or the Code of Conduct, you should tell a Management Team member or someone in the organisation, or, let the NDIS Quality and Safeguards Commission know if you can't raise it internally. There are penalties for providers who take any adverse action against workers or other people who report a possible breach of the Code of Conduct

**This Code of Conduct is a compulsory module in the NDIS Worker Orientation Module, 'Quality, Safety and You'**

## THE SEVEN ELEMENTS OF THE NDIS CODE OF CONDUCT

### **1. Act with respect for individual rights to freedom of expression, self-determination and decision-making in accordance with applicable laws and conventions**

All people with a disability have full and equal human rights to make their own decisions, live how they choose and receive the support they need.

Not all adults with a disability need or want support in decision - making so you should consult them about who, if anyone, they want to involve in decisions about their service and support. You should involve young people and children in decisions that affect them in ways appropriate to their age, development and communication skills.

People with a disability have a right to question, seek extra information or refuse any part of their service delivery. The onus is on you to communicate in a way that ensures they understand the information and make their own preferences and concerns known to you.

The Code of Conduct requires you to consider their values and beliefs relating to culture, faith, ethnicity, gender, gender identity, sexuality, age and disability.

### **2. Respect the privacy of people with a disability**

People with a disability have the right not to have their personal information disclosed to others without their informed consent – unless mandatory reporting is required.

You should explain to people with a disability why and what information is kept about them, who has access to it, and what to do if they believe their privacy is breached.

Privacy goes beyond handling personal information to delivering services in a way that maintains personal dignity. This includes both asking permission to perform and/or explaining procedures that involve physical touch or invading personal space.

### **3. Provide supports and services in a safe and competent manner, with care and skill**

All workers under the NDIS are expected to have adequate expertise and competence necessary for safe and skilful service delivery. You must have and maintain the required qualifications and skills.

You should decline directions – from an NDIS provider, person with a disability or their family or carer -- to undertake duties that you are not qualified or trained to deliver. You can make a report to the NDIS Commissioner if such a direction is made.

You should also comply with your own professional Code of Conduct and relevant work, health and safety requirements. You should ensure that accurate and timely records are kept about an NDIS participant's service history, medication and support needs. You must never work under the influence of drugs or alcohol.

### **4. Act with integrity, honesty and transparency**

Integrity and honesty are crucial to developing trust between you and people with a disability, so you must be transparent about your qualification and any limits on your competencies. You must disclose to your NDIS provider if you have failed a worker screening clearance or been subject to a professional misconduct finding.

People with a disability have a right to get information about the comparative cost and effectiveness of treatments and the risks and benefits of service options.

You should declare and avoid any real or perceived conflict of interest in your work.

You should avoid giving, asking for or accepting inducements or gifts that may influence decision-making or service delivery under the NDIS. This includes to and from people with a disability, their family or carer, or other service providers. You must avoid unethical practices such as over-servicing and high-pressure sales.

### **5. Promptly take steps to raise and act on concerns about matters that may impact the quality and safety of supports and services provided to people with disability.**

If the safety or the quality of support for people with a disability is at risk you should take immediate action to address the reasons why. Ensure the person is safe and consult with them about how they would like to resolve the issue and take action.

It could be as simple as changing the timing of meals or moving a piece of furniture so it is easier to manoeuvre a wheelchair. Or the issue impacting quality or safety could be more complex and require raising at an organisational level.

It is your responsibility to be familiar with your NDIS provider's systems for complaints and incident management and to follow established procedures. This includes supporting your provider to meet its reportable incidents obligations.

**6. Take all reasonable steps to prevent and respond to all forms of violence against, and exploitation, neglect and abuse of, people with a disability.**

People with a disability are at a far greater risk of and are more likely to experience violence, abuse, neglect and exploitation than those without a disability.

You can play an important role in helping to prevent, intervene early and respond to violence, abuse, neglect and exploitation.

If an incident or criminal act does occur, after ensuring the safety of the person affected, you must report it to your supervisor and/or other authorities, including the police where appropriate.

You should work with your NDIS provider to reduce and eliminate restrictive practices. This includes behaviour involving seclusion, chemical, mechanical, physical or environmental restraint.

**7. Take all reasonable steps to prevent and respond to sexual misconduct.**

People with a disability have a right to sexual expression and to develop and maintain sexual relationships. However, they are at an increased risk of all forms of sexual violence and sexual misconduct.

You are expected to adhere to the highest standards of behaviour by having professional boundaries with people with a disability. This includes preventing and responding to any inappropriate behaviour by anyone to a person with a disability.

Your NDIS provider should have a guidance policy that distinguishes between inappropriate and appropriate touching, between sexual misconduct and appropriate conversations about sexual support and family planning needs.

You should report any sexual misconduct, unlawful sexual or physical conduct or inappropriate relationships to your NDIS provider, the NDIS Commission and other authorities. You should support people with a disability so they feel safe to make a complaint without fear of retribution or loss of services.

I have read and understand the NDIS Code of Conduct.

Name:.....

Signature:.....

Date:.....