



# Stepping Stones

THERAPY SERVICES

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## CODE OF CONDUCT

### **Preamble and Purpose**

Stepping Stones Therapy Services' purpose is to provide a range of therapy and support services to help in all areas of child development. The purpose of the Code is to provide direction to employees regarding expected conduct and to assist employees in dealing with issues in ways that reflect organisational values. Employees are required to act and work in a manner consistent with organisational values at all times. Where employee conduct does not meet the standards set out in this policy and associated procedures, appropriate action may be taken.

### **Policy Statement**

Employees are responsible for their own behaviour and obliged to conduct themselves in keeping with all relevant laws, the provisions of this policy and associated policies and procedures. This policy and procedure is a lawful direction regarding the organisation's business and how employees should behave. It should be noted that the Code of Conduct is relevant to breaches of conduct and not employee performance issues.

### **To who and when does the Code of Conduct apply?**

The Code of Conduct (hereby referred to as 'the Code') provides direction to employees regarding expected conduct and to assist employees in dealing with issues in ways that reflect organisational values.

This policy applies to anyone who is employed by or works at Stepping Stones Therapy Services including both permanent, fixed term and casual employees (hereby referred to as 'employees').

Such examples where the Code is applicable are (but not limited to):

- Day-to-day business;

- Social functions facilitated by the organisation;
- Online interaction between employees and/or reference to the organisation through social media.

***Please note: The NDIS Commission has developed their own Code of Conduct, which all staff must also follow. Please see separate 'NDIS Code of Conduct' document for further details.***

## **Organisational Values and Ethics**

Stepping Stones Therapy Service's values underpin all of our work and are fundamental to achieving our purposes and our strategic objectives.

Our vision is to improve the access, inclusion and communication potential for all individuals living in the South West of Western Australia.

Our mission is to provide comprehensive and evidence-based Allied Health services in a fun, engaging and innovative way, working collaboratively with families.

We value Best Practice in intervention, following the National Guidelines as outlined by Early Childhood Intervention Australia. This means attending to four key areas;

- **Family:** Working with the family unit, seeing their strengths and respecting cultural differences.
- **Inclusion:** Working towards improving a client's inclusion into their natural environment.
- **Team Work:** Both within the Stepping Stones Therapy Services' team, and also within the support system of clients.
- **Universal principles:** Always expanding our knowledge, holding ourselves accountable, and maintaining high standards for strong outcomes.

## **Responsibilities of Employees**

Employees are required to read, understand and abide by the terms of the Code. Should an employee require clarity as to what behaviour or action is expected of them in the workplace they should refer to their Manager. Employees are responsible for their own behaviour and are obliged to conduct themselves in the following manner when undertaking organisational business:

- Behave with honesty, integrity, competence, care, diligence, respect and in an ethical manner with clients, employees, colleagues, Management and the public;
- Treat everyone with respect, dignity and courtesy and without harassment;
- Use organisational property and money efficiently, carefully and honestly with due authorisation and without misappropriation;
- Comply with all applicable laws;
- Comply with any lawful or reasonable direction given by a person with the authority to give direction;
- Maintain appropriate confidentiality about clients and any other organisational business;
- Provide an honest, competent and accountable service;
- Behave in a way that upholds the values, integrity and reputation of the organisation;
- Disclose, and take reasonable steps to avoid any conflict of interest (real or apparent) in connection with employment at Stepping Stones Therapy Services;
- Must not make improper use of inside information or the employee's duties, status, power or authority in order to gain, or seek to gain, a benefit or advantage for the employee or for any other person; and
- Employees should strive constantly to improve their knowledge and skills.

Should an employee have the need to act in a manner inconsistent with the above they should discuss the issue with their Manager. Any arrangements made for an employee to act inconsistently with the above responsibilities should be confirmed in writing, signed by the Manager and employee and placed on the employee's personal file.

### **Responsibilities of Managers**

Managers are responsible for ensuring employees have access to the Code and, when appropriate, advising employees on expectations on appropriate and ethical behaviour. Managers have the primary responsibility to make judgements about what kind of action may be necessary where behaviour occurs that may be a breach of the Code. Managers are responsible for

investigating incidents when the Code may have been breached or the behaviour of employees may be in question. Managers are required to lead by example by demonstrating ethical, fair and professional behaviour.

## **Responsibilities of the Organisation**

Stepping Stones Therapy Services is committed to providing a positive working environment where employees and management work together to support individuals, families and carers. The organisation will ensure appropriate policies and procedures, including the Code, are in place to ensure that employees are informed of expected conduct. All policies and procedures will be made available for viewing and employees will be informed where these policies can be accessed.

## **What constitutes a breach of the Code?**

This Code requires employees to behave at all times in a way that upholds Stepping Stones Therapy Services values, ethics and the integrity and good reputation of the organisation. An employee whose conduct, both in the course of and in connection with employment, does not comply with an element of the Code can be found to have breached the Code. Should this be deemed to have occurred, formal disciplinary action may be taken.

## **What is the difference between unsatisfactory work performance and misconduct?**

Unsatisfactory work performance usually results from an employee's lack of capacity or competence to perform the job properly, such as failing to meet targets or deadlines or not performing required tasks to an acceptable standard.

Unsatisfactory performance should be handled in a different manner to that of misconduct.

There are various degrees of behaviour which fall under the general description of 'misconduct', ranging from employee behaviour justifying counselling or formal warnings, through to behaviour justifying summary dismissal.

The Courts have determined that 'misconduct' involves something more than mere negligence, error of judgement or innocent mistake. Both in law and in ordinary speech the term 'misconduct' usually implies an act done wilfully with a wrong intention, and conveys the idea of wrongful intention. It can also mean: wrongful, improper or unlawful conduct motivated by premeditated or intentional purpose or by obstinate indifference to the consequences of one's acts.

## **Definition of 'serious misconduct' - Fair Work Act**

The term is defined in Reg 1.07 under Fair Work Regulations 2009 to mean:

- wilful or deliberate behaviour by an employee that is inconsistent with the continuation of the contract of employment;
- conduct that causes serious and imminent risk to the health and safety of a person, or the reputation, viability or profitability of the employer's business;
- theft;
- fraud;
- assault;
- the employee being intoxicated (alcohol or drugs, other than prescribed drugs) at work;
- the employee refusing to carry out a lawful and reasonable instruction that is consistent with the employee's contract of employment.

### **Summary Dismissal**

For an employer to believe on reasonable grounds that the employee's conduct is sufficiently serious to warrant summary dismissal, it is first necessary for the employer to establish as a matter of fact that:

- the conduct was by the employee;
- the conduct was serious; and
- the conduct justified immediate dismissal.

The common law has long recognised that where an employee is guilty of a serious act of misconduct the employer does not have to provide the employee with the period of notice of termination and certain entitlements normally due on termination of employment may be forfeited (i.e. forfeiture of accrued pro rata long service leave).

### **Reporting suspected misconduct**

Employees have an obligation to report suspected misconduct. If suspected misconduct has been reported to a Manager by an employee, the employee should be advised how the report will be handled and their rights to protection from any victimisation, harassment or recrimination. All employees who hold concerns about serious wrongdoing or misconduct within the organisation will be encouraged, supported and protected to come forward and report such information.

Should the alleged misconduct take the form of criminal activity, the matter will be referred to the police and subsequent legal action may be taken against the employee.

### **Probationary Employees**

When suspected misconduct arises during the probationary period, the matter should be handled as per the principles of natural justice and in accordance with the provisions of the *Fair Work Act 2009*.

### **Relevant legislation**

The following documents (or their successor) underpin this policy:

- *Fair Work Act 2009*
- *Human Rights and Equal Opportunity Commission Act 1986*
- *Racial Discrimination Act 1975*
- *Disability Discrimination Act 1992*
- *Equal Opportunity Act 1984*

### **Implementation**

Managers are to ensure all employees are informed of this Policy and associated procedures which will be available in hard copy within the Bunbury office and on the SSTS Shared Drive (SSTS-Admin-SSTS Policies and Procedures-SSTS Code of Conduct).5

Signed:



Ashton Horsley  
Owner/Principal Speech Pathologist

Date Signed: 27.11.2020

<b>Record of policy development</b>		
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