



# CODE OF PRACTICE

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# 1. APPLICABILITY AND PURPOSE

## 1.1 Applicability

This Code of Practice shall apply to all members of the Golden Bay Workcentre Trust (GBWCT), its staff, paid and unpaid.

It should be read in conjunction with the Code of Ethics and other related policies.

## 1.2 Purpose

The purpose of a code of practice is:

- to gather together in one place policies and other documents that govern the way services are provided and the levels or standards that have been identified; and
- to provide clear guidelines that allows the safety of clients. Workers and the Trust.

# 2. CONFIDENTIALITY

## 2.1 Principles of Confidentiality

The GBWCT recognises the need to protect the information, understandings and circumstances relating to the Trust, their members and workers, students and other clients. It appreciates that confidentiality is important in the earning of the client's trust.

### 2.1.1 Principles

Confidentiality will bind all members of GBWCT and the following principles will apply:

- All personal information is confidential and shall be stored in keeping with the Privacy Act requirements.
- Where staff need to share information about a client (e.g. student) to discuss an issue, the circumstances will be generalised as much as possible.
- Where life or safety of a student tutor or other person is at risk confidentiality will be broken.
- That confidentiality is maintained in the storage and disposal of records. Confidential materials will be stored in a secure cabinet at the Trust's office.
- In terms of student and client confidentiality, see Students' Code of Practice.

## 2.2 Worker confidentiality

### 2.2.1 Who

Confidential information on workers paid and unpaid will be maintained and requirements of the Privacy Act 2020 will be met.

### 2.2.2 Personal information will:

- Be collected only where it is relevant to that position.
- Statutory declarations and other appropriate information will be stored in a secure cabinet.
- Individuals have the right to inspect their file at reasonable notice.
- Access of others to this information will be limited to the Chairperson or other properly delegated by the Trust. In special cases (e.g. Contract negotiation) information relating to that purpose only, may be shared with appropriate people.
- Volunteer. For the most part there should be little need to collect confidential information on volunteers. If it is necessary it should be done under the same principles identified above.

## 2.3 Organisational confidentiality

- 2.3.1 In the contracting process some business information may need to be kept confidential to the organisation. All those involved in GBWCT must respect this confidentiality.

## 3. STANDARDS OF DELIVERY

### 3.1 Accountability

#### 3.1.1 Scope

The GBWCT believes that it must be accountable for its actions (see Code of Ethics). In particular, the Trust should be accountable to:

- The students and other clients
- Members of the Trust
- Other professionals and groups who refer clients to us or to whom we refer clients
- Funders

- Community

### **3.1.2 Accountability will be achieved through:**

- client evaluation questionnaires
- In-service reviews of the organisation (e.g. NZQA, EER, MSD L3)
- Annual report and audited accounts
- Regular reports to funders on service outputs
- Regular liaison with community agencies/referrers
- Complaints procedures (see 4 below)

## **3.2 Boundaries**

### **3.2.1 Personal Boundaries**

- All members of GBWCT and staff will endeavour to maintain healthy personal boundaries (physical, emotional, sexual, intellectual) in their relationships to each other.
- GBWCT will acknowledge differing cultural views of boundaries within the organisation (i.e. all cultures)
- All workers will receive information and training / supervision regarding personal boundaries and maintaining clear boundaries in their relationships with clients.
- When working with clients the aim is to enable them to make their own decision. Workers are not decision makers for clients but should aim to help the client identify and understand the options open to them. Workers must not develop a relationship with their students and other clients that encourages an ongoing dependency.
- All staff will be aware of and respect the Students' Code of Practice.

### **3.2.2 Organisational Boundaries**

- All staff of GBWCT will receive a job description or a set of guidelines regarding their role and responsibilities in the organisation.
- Trustees will be aware of their rights and responsibilities.
- GBWCT will endeavour to maintain an open flow of communication and information within the organisation.

## 4. COMPLAINTS PROCESS

### 4.1 Types of Complaints

#### 4.1.1 Internal

- Complaints between paid workers and management
- Complaints between management and Trustees
- Complaints between Trustees and Trustees
- Complaints between staff.

#### 4.1.2 External

These include

- Complaints by students and other clients
- Complaints by referral agencies

### 4.2 Internal Complaints Procedure

- (a) Where the complaint applies to the workers employment agreement that provision will be applied
- (b) In other cases the following steps will apply:
  - (i) The parties concerned will meet and seek resolution. At this point it is an informal complaint.
  - (ii) **Mediation.** Where an informal complaint is not resolved a mediator (mutually agreed) will be appointed. The person complaining shall put the complaint in writing and the person to whom the complaint is about shall put their response in writing. NOTE. The act of submitting a complaint in writing makes it a formal complaint. The mediator shall endeavour to reach a negotiated solution and document the outcome.
  - (iii) If resolution is still not possible the complaint shall be forwarded to the Trust who shall appoint three people to make a ruling. This may be called arbitration.

- (iv) **Appeal.** If the arbitrated ruling in (iii) above is appealed by either party the Trust shall appoint three different people, at least one of which is external to the Trust. Either party to the dispute may veto 1 name each. The finding of the appeal is final, although either party obviously has the right to pursue civil action.

### **4.3 External Complaints Procedures**

#### **4.3.1 Openness and Accountability**

The GBWCT acknowledges that a client or community complaint may arise and that it must be dealt with openly, speedily and professionally.

#### **4.3.2 Process**

In the event of a complaint about the quality of service provided by GBWCT Staff, clients are asked to follow these steps:

- (a) Speak directly to the person concerned as soon as possible
- (b) If the matter is not resolved to the clients' or community's satisfaction or if the complainant is uncomfortable speaking directly to the person involved, client may contact the Trust directly.
- (c) The Trust will need to have all relevant details of the complaint(s) and may require a written statement.
- (d) The Trust will appoint a person(s) to investigate the complaint. A meeting will be arranged with the parties concerned to discuss the complaint. Both parties concerned would be expected to attend. Both may bring a support person. Where a meeting is not possible the Trust shall negotiate another resolution process.
- (e) If the complainant is still dissatisfied, an independent mediator acceptable to both parties will be invited to facilitate a joint meeting.
- (f) If resolution is still not possible steps 4.2.b(iii) Arbitration and (iv) will apply.

#### **4.4 Criminal Complaints**

These will be addressed through the legal process and the GBWCT will not be responsible for the actions of the offender.

#### **4.5 Knowledge of Complaint Procedures**

- A sign shall be posted in the office noting that a complaint process exists and those copies may be picked up from that office.
- As soon as a written or formal complaint is made the complainant shall be routinely given a copy of the complaints procedure. It may be difficult to know what is or is not an informal verbal complaint and some judgement may be needed as to when to advise the person of the complaint process.

#### **4.6 Processing a Complaint**

The GBWCT has a commitment to resolve any matter of concern to clients and community regarding the service provided and to do so as speedily as possible.

### **5. COMPLIANCE WITH THIS CODE**

#### **5.1 Value**

A Code of Practice will only have value if all members understand it, accept it and implement it.

A Code of Practice assumes that everyone in the organisation will put the ideas into practice. If events subsequently indicate that this is not so then the steps (see 5.2 below) of increasing severity might be enforced.

#### **5.2 Compliance**

The following sequence of actions may, at the Trust's discretion, apply:

##### **5.2.1 Education**

The person(s) concerned are shown where the lapse/shortfall has occurred and how steps may be taken to fix this.

### **5.2.2 Persuasion**

If education is unsuccessful then attempts are made to persuade that person(s). The Trust shall decide who does the persuading and how.

### **5.2.3 Warning**

If persuasion is not effective and the behaviour is serious enough then the “offending” person(s) shall be warned that continuation of the offending behaviours could lead to one of the following two measures.

### **5.2.4 Prevention**

The offending or unsafe member shall be prevented from doing further work until the offending behaviours have been addressed and acceptable responses assured.

### **5.2.5 Expulsion**

Should prevention not be successful the offending, unsafe person might be expelled from the organisation following procedures laid down in the GBWCT’s constitution and/or employment contracts.