

RSH Inclusive Safeguarding

Code of Conduct: Question and Answer

Q1. What Is a Code of Conduct?

A Code of Conduct (Code) is a written collection of the rules, principles, values, and behaviours an organisation expects from everyone who works for or is associated with it. The Code of Conduct should underpin all other organisational policies and guidelines.

Q2. What does a Code of Conduct do?

The Code of Conduct ensures a collective understanding of what kind of behaviour is expected of staff and associates. It enables staff and service users to recognise unacceptable behaviours and call them out appropriately.

Q3. Why should organisations have a Code of Conduct?

Having a written set of principles, values and behaviours creates a common sense of purpose and way of being. It enhances organisational credibility, trust and accountability.

Q4. Who is the Code of Conduct for?

The Code of Conduct is for everyone associated with the organisation. It should be known and understood at all levels from service users and caregivers to senior management and Board members so that staff members and associates can be held accountable to it.

Q5. What should be included in a Code of Conduct?

The Code of Conduct should suggest standards for ethical behaviour including (but not limited to) the following requirements:

- Acting in a manner that is safe, ethical, and consistent with applicable laws and regulations, values, and behaviours.
- Raising questions and concerns if you become aware of possible violations of the Code of Conduct, laws or regulations.
- Co-operating fully when responding to an investigation or audit.



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Q6. Should the Code of Conduct be different for Organisations of Persons with Disabilities (OPDs)?

The short answer is 'No', all organisations should have a Code of Conduct which is inclusive of all abilities. However, we know that children and at-risk adults with disabilities can face stigma and discrimination and that they are at a higher risk of abuse and harm, therefore OPDs should be especially mindful of their programming practices and the conduct of their staff and associates. Furthermore, OPDs should also be aware that a standard Code of Conduct may not be appropriate for some children and at-risk adults with disabilities who may, for example, need to spend time alone with a staff member in order to meet their care needs with dignity. Therefore, OPDs should recognise and reflect the needs of their service users in the development of their organisational Code of Conduct. The Code of Conduct should be underpinned by the Convention on the Rights of People with Disabilities' (CRPD) general principles.

Q7. What are the CRPD general principles?

The eight guiding principles that underlie the Convention and each of its articles are:

1. Respect for inherent dignity, individual autonomy including the freedom to make one's own choices, and independence of persons
2. Non-discrimination
3. Full and effective participation and inclusion in society
4. Respect for difference and acceptance of persons with disabilities as part of human diversity and humanity
5. Equality of opportunity
6. Accessibility
7. Equality between men and women
8. Respect for the evolving capacities of children with disabilities and respect for the right of children with disabilities to preserve their identities

Q8. How should the Code of Conduct be developed?

The Code of Conduct should reflect organisational culture, values and behaviours and therefore must be owned and understood at all levels from service users to Board members. Ordinarily, the Code will be developed by safeguarding and human resources staff with input from relevant teams and service users and approved by the Board of Trustees.

Q9. How do we ensure a participatory and inclusive approach to developing the Code of Conduct?

Wherever possible, a draft of the Code should be shared with the individuals the organisation aims to serve for review and input. This could be done through a series of focus group discussion for example. A participatory approach for developing the Code of Conduct will ensure its accessibility, encourage ownership, and increase service users' awareness of their rights and what they can expect from the organisation. It will empower them to speak up when something does not feel right. The participatory approach should be detailed in an action plan with a realistic timescale.

Q10. How do we implement the Code of Conduct?

Adherence to organisational policies including the Code of Conduct should be written into employment contracts. Every person who works for the organisation, whatever their role, should be required to read and sign the Code. There must be a system in place to ensure all staff understand requirements of the Code of Conduct including mandatory safeguarding training as part of the induction process for new starters, regular refresher training (at least once a year), and at the start of every new programme.

Q11. How do we ensure the Code of Conduct is valued and understood?

The Code should be written in accessible language that is easy to translate into local languages, braille or into a set of pictures or images depending on the audience of the organisation. The Code should be displayed prominently in areas where service users gather. The Code should be discussed openly in all training sessions and in workshops with service users. Copies of the Code of Conduct should be given to all programme service users and caregivers so they know what behaviour they should expect from staff.

Q12. What are 'reasonable adjustments'?

Reasonable adjustments are adjustments made to ensure workers or service users with disabilities, or physical or mental health conditions, are not disadvantaged. These include but are not limited to, adjustments for physical or intellectual needs or to accommodate religious needs.

Q13. What is the 'two-adult rule'?

The two-adult rule means that when interacting with at-risk adults and/or children in a work context, staff members should ensure that another adult is always present or within easy reach. For example, if a staff member needs to take a child or at-risk adult to a quiet room after a seizure s/he should leave the door ajar and be regularly checked by another staff member or volunteer.

Q14. How can we implement the two-adult rule when working with people who have personal care needs?

The principle of the two-adult rule should always apply including when working with at-risk adults and children wherever possible. A proportionate approach to this rule should be taken when working with individuals with personal care needs, such as, support when changing or going to the toilet to ensure the safety and dignity of the child or at-risk adult remains paramount. Staff and volunteers should work with service users and care givers to agree clear processes around the two-adult rule based on what is necessary and appropriate to safeguard them and uphold their dignity, this process should be documented, and consent gained and stored prior to commencing any programme.

Q15. What should I do if I think someone has breached the Code of Conduct?

It is a mandatory requirement that any complaint or concern relating to a breach of the Code of Conduct is reported.

Q16. How should breaches of the Code of Conduct be reported?

In the first instance, you should report to your line manager. If you do not feel comfortable reporting to your line manager (for example, if you feel that the report will not be taken seriously, or if your line manager is implicated in the concern), you should report to another appropriate staff member. This could be, a senior manager, safeguarding focal point or a member of the HR Team.

Q17. What other policies should we have to help protect our service users?

To manage safeguarding risks effectively, organisations need to have appropriate policies and procedures in place, including (but not limited to):

- A code of conduct.
- A whistleblowing policy.
- A safeguarding policy.
- Safety and security procedures.

Some organisations choose to integrate the Code of Conduct into their Safeguarding Policy or include it as an annex to the policy. This can help ensure visibility however, the Code of Conduct must also work as a stand-alone printable document.

TEMPLATE: [Name of OPD] Code of Conduct

This Code of Conduct applies to all staff, volunteers, and associates, international and local, employed or contracted by [OPD].

The purpose of this Code of Conduct is to set out the conduct expected of [OPD] staff, volunteers and associates, whilst under contract to the organisation, and forms part of all contracts of employment. The Code of Conduct is applicable at all times. Breaches of the Code of Conduct are grounds for disciplinary action, up to and including dismissal.

By signing this document, I agree:

- To read and comply with [OPD's] Safeguarding Policy and this Code.
- To report any concerns or incidents in line with procedures set out in the policy.
- To raise awareness of the policy and Code of Conduct in my work environment.

Working with children and at-risk adults

I will

- Be sensitive to different cultures, beliefs, and points of view, and treat differences of physical or intellectual ability, race, gender, sexuality, and social background with respect and dignity.
- Ensure physical contact is always appropriate and not an invasion of the individual's privacy, where physical contact is necessary in order to provide care for some individuals with disabilities, I will ensure there is agreement and consent from individuals themselves.
- Use positive, non-violent methods to manage behaviour.
- Ensure the use of the 'Two-Adult Rule'. This means, when interacting with at-risk adults and/or children in a work context, I will ensure that another adult is always present or within reach. If the two-adult rule is not possible for example when working with individuals with personal care needs, e.g., support when changing or going to the toilet the safety and dignity of the child or at-risk adult will remain paramount. I will work with other staff and the service user and care giver to agree clear processes around the two-adult rule based on what is necessary and appropriate to safeguard them and uphold their dignity, this process will be documented, and consent gained and stored.
- Always respect an individual's dignity and their need to be safeguarded when taking photographs, filming, or writing reports.
- Be mindful and proactively seek to challenge discrimination and stigma some children and at-risk adults with disabilities may face.
- Ensure that when photographing, filming or interviewing children and at-risk adults, that informed consent has been obtained, individuals are properly dressed and are not depicted in a way that is abusive, sexually provocative, demeaning or culturally inappropriate or that characterises them as being reliant on the viewer.
- Ensure that any media protects the privacy of the individual and that no personally identifiable information (PII) is shared, this includes PII related to children and at-risk adults impairment type.



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- Bring to the attention of the relevant manager any potential incident, abuse or concern that I witness, are made aware of, or suspect which appears to breach the standards contained in this Code of Conduct.
- Respond to safeguarding concerns according to [OPD's] reporting protocol.
- Comply with any investigation led by official bodies (including interviews) and make available any information necessary.
- Ensure my conduct is underpinned by the guiding principles of the Convention on the Rights of Persons with Disabilities (CRPD).

I will never

- Engage in sexual activity with children (persons under the age of 18). Mistaken belief in the age of a child is not a defence.
- Exchange of money, employment, goods, or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour.
- Condone or in any way force an at-risk adult, or a child, to participate in any form of sexual activity, real or simulated, on the internet or in any other medium.
- Engage in sexual relationships with service users since they are based on inherently unequal power dynamics.
- Engage in any commercially exploitative activities with children or at-risk adults including child labour (e.g. domestic servitude¹, street begging) or any form of trafficking.
- Make sexually suggestive comments or actions to a child or at-risk adult.
- Physically assault a child or at-risk adult nor use any form of corporal punishment as a disciplinary measure regardless of social norms.
- Condone, or participate in behaviour with adults or children that is illegal, unsafe or abusive, including being part of harmful traditional practices, spiritual, ritualistic or substance abuse.
- Never emotionally or psychologically abuse a child or at-risk adult including acting in ways intended to shame, humiliate, belittle, or degrade others.
- Help at-risk adults or children with acts of an intimate or private nature, which they can do for themselves.
- Spend excessive time alone with an at-risk adult, or a child, away from others, behind closed doors or in a secluded area (in line with the 'Two Adult Rule')
- Take an at-risk adult, or a child, who has been involved in our programmes, to my home, or visit them in their home where I may be alone with them.
- Sleep in the same bed or the same room as an at-risk adult or a child met through work or allow them to stay overnight at my home.
- Take an at-risk adult or a child met through work alone in a vehicle unless it is absolutely necessary, and only with parental/guardian and managerial consent.

¹ 'Child Domestic servitude' does not include occasional house help, babysitting, kitchen gardening during school holidays or general domestic tasks out of school time.

Upholding the integrity and reputation of [OPD], ensuring that my professional and personal conduct is consistent with [OPD]'s values and standards

- I will treat all people fairly with respect and dignity.
- I will be honest, fair, ethical, and accountable in everything I do.
- I will be committed to playing my part in creating a culture of openness and mutual accountability in the workplace, where people are listened to and respected as individuals.
- I will help create and/or uphold an environment that is inclusive, making reasonable adjustments for individual's needs; (including but not limited to; adjustments for physical or intellectual needs and for religious needs).
- I will ensure that my conduct does not bring [OPD] into disrepute and does not impact on or undermine my ability to undertake the role for which I am employed.
- When working in an international context or travelling internationally or nationally on behalf of [OPD], I will be observant of all local laws and be sensitive to local customs
- I will not work under the influence of alcohol or use, or be in possession of, illegal substances on [OPD] premises or accommodation.

Ensure the safety, health and welfare of all [OPD] staff members and associated personnel (volunteers, partners, suppliers and contractors)

- I will adhere to all legal and organisational health and safety requirements in force at my location of work.
- I will comply with any local security guidelines and be pro-active in informing management of any necessary changes to such guidelines.
- I will behave in a manner such as to avoid any unnecessary risk to the safety, health and welfare of myself and others, including partner organisations and communities with whom we work.

Be responsible for the use of information, assets and resources to which I have access by reason of my employment with [OPD]

- I will ensure that I use [OPD] assets and resources entrusted to me in a responsible manner and will account for all money and property.
- I will not use [OPD] IT equipment, software or e-mail and social media platforms to engage in activity that is illegal under local or international law or that encourages conduct that would constitute a criminal offence. This includes any material that intimidates or harasses any group based on protected characteristics or encourages extremism.
- I will not use [OPD] IT equipment to view, download, create, distribute or save in any format inappropriate or abusive material including but not limited to pornography or depictions of child abuse.



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Perform my duties and conduct my private life in a manner that avoids conflicts of interest

- I will declare any financial, personal, or family (or close intimate relationship) interest in matters of official business which may impact on the work of [OPD].
- I will not be involved in awarding benefits, contracts for goods or services, employment, or promotion within [OPD], to any person with whom I have a financial, personal, family (or close intimate relationship) interests.
- I will seek permission before agreeing to being nominated as a prospective candidate or another official role for any political party.
- I will not accept significant gifts or any remuneration from governments, communities with whom we work, donors, suppliers and other persons which have been offered to me as a result of my employment with [OPD].
- I will ensure that my use of social media does not discredit or bring [OPD] into disrepute.
- I will notify [OPD] if I am found guilty of any criminal charges during my employment.

Uphold confidentiality

- I will exercise due care in all matters of official business, and not divulge any confidential information relating to service users², colleagues, work-related matters or any sensitive information unless legally required to do so.

Duty to Report

I understand that it is a mandatory requirement to report any complaint or concern relating to a breach of this Code to my line manager. If I do not feel comfortable reporting to my line manager (for example if I feel that the report will not be taken seriously, or if my line manager is implicated in the concern) I understand that I should report to another appropriate staff member. For example, a senior manager, safeguarding focal point or a member of the HR Team. [OPD] is committed to ensuring that all complaints or concerns are handled confidentially with no fear of reprisal to the complainant.

My Agreement

I have read, understood and agree to abide by [OPD's] Code of Conduct and I understand that I may face disciplinary action and possible criminal prosecution in the case of some of the above if I do not follow it.

Name:

Date:

Signature:

² Information that needs to be shared to support a safeguarding investigation will be shared on a 'need to know' basis.