

NDIS Code of Conduct

Discussion paper

We want to know what you think

Easy Read version



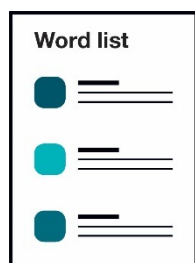
How to use this document



This information is written in an easy to read way. We use pictures to explain some ideas.



This document has been written by the Department of Social Services (DSS). When you see the word 'we', it means DSS.



Some words are written in **bold**. We explain what these words mean. There is a list of these words on page 35.



This Easy Read document is a summary of another document.



You can find the other document on our website at www.engage.dss.gov.au



You can ask for help to read this document. A friend, family member or support person may be able to help you.



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The NDIS Quality and Safeguarding Framework



The National Disability Insurance Scheme (NDIS) is an important change to how people with disability in Australia receive supports and services.



It gives people with disability more choice and control over the supports and services they use to achieve their goals.

We want to make sure people with disability get supports and services that are:



- high quality



- safe.



The NDIS Quality and Safeguarding Framework (the Framework) will start at the same time the NDIS does in different parts of Australia.



The Framework aims to:



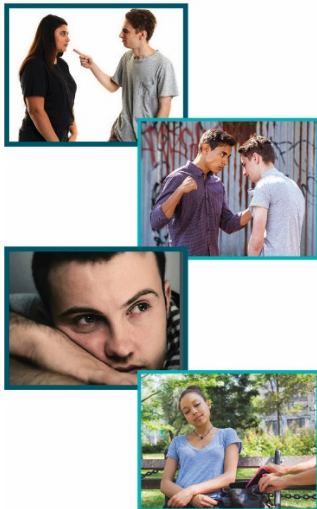
- protect the rights of people with disability



- help make sure things are done the same way all over Australia



- make sure providers are safe and do a good job



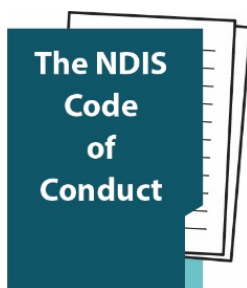
- help people in the NDIS live free from:
 - abuse
 - violence
 - neglect
 - **exploitation** – being taken advantage of



- support people with disability to make complaints if they are unhappy with their supports or services.



About the NDIS Code of Conduct



The NDIS Code of Conduct is part of the Framework.

It is a list of things providers and workers must do to make sure NDIS supports and services are:



- **ethical** – they do the right thing and have strong values



- **safe.**



The Code of Conduct will make sure people with disability:



- have choice and control



- are not at risk of being hurt



- get high quality supports and services.



The Code of Conduct applies to all providers and workers funded under the NDIS.



The new NDIS Quality and Safeguards Commission (the Commission) will look after the Code of Conduct.



They can take action when providers or workers **breach** the Code of Conduct – do the wrong thing.



About this paper



We want to hear from people who might be affected by the Code of Conduct, such as:

- people with disability
- family members
- carers
- service providers
- workers
- the wider community.



We want to know what you think about the Code of Conduct.

We explain how you can tell us what you think on page 33.



Why do we need a Code of Conduct?

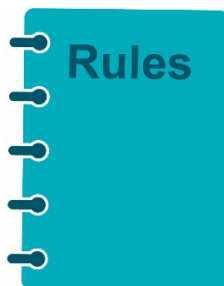
A Code of Conduct will:



- encourage services to be:
 - ethical
 - safe



- set out the expectations we have for:
 - providers
 - workers



- make sure providers and workers follow the rules



- protect the rights of people with disability





- help people with disability, their families and carers know what to expect from NDIS supports and services



- allow the Commission to act when providers or workers do the wrong thing



- let a wide range of providers and workers be part of a safe, high quality workforce



- let the community know that we will do something about services that are:
 - poor quality
 - unsafe.



What is in the Code of Conduct?

The Code of Conduct makes sure providers and workers deliver supports and services that:



1. Promote people's rights.



2. Prevent all forms of abuse, violence, exploitation and neglect.



3. Act with

- integrity – strong values
- honesty
- transparency – everyone can see how things work.



4. Provide supports:

- in a way that is safe and ethical
- with care and skill.



5. Bring up any worries about the quality or safety of supports.

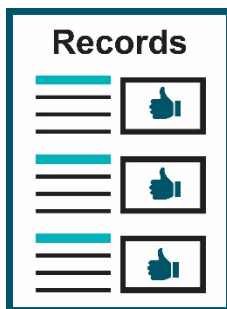




6. Respect the privacy of people with disability.



7. Don't take part in **sexual misconduct** – when someone behaves in a sexual way that is not welcome.



8. Keep good records.



9. Have the right insurance for the supports and services they provide.



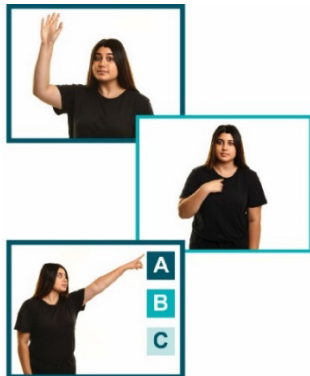
We call these **obligations** – things people must do.

We explain each of the obligations in more detail on the next page.



1. Promote people's rights

People have the right to:



- express themselves
- control their own lives
- make decisions.

We expect providers and workers to:



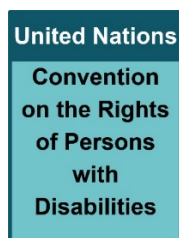
- treat people with disability with dignity and respect



- value what people with disability can offer the community



- follow the values and standards that make up the NDIS

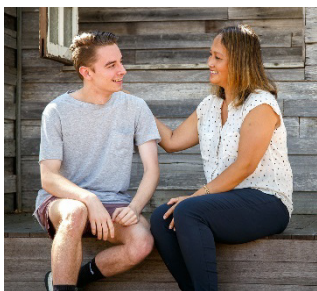


- follow the United Nations Convention on the Rights of Persons with Disabilities





- communicate with people with disability so they can:
 - understand
 - be heard



- think about the needs, values and beliefs of the people with disability they work with.



People with disability need to be at the centre of the supports and services they receive.



They need to be given information in a way that is right for them.

People with disability can ask for things that help meet their needs. This might be:



- communicating with them in the way that works best for them



- choosing a male or female support worker.





People with disability must not be treated badly because they are different.

This is called **discrimination**.

Discrimination happens when people are treated differently because of their:



- race
- culture
- disability
- age
- sexuality
- gender identity
- intersex status
- relationship status.

An example

A breach of this obligation might be:



- A provider doesn't give a person with disability an Auslan interpreter when they ask for one.



2. Prevent all forms of abuse, violence, exploitation and neglect

People with disability can be at a higher risk of:



- abuse
- violence
- exploitation
- neglect.

This can be for different reasons, including:



- they depend on other people for care and support



- where they live or who they live with



- the type of disability they have, especially if it affects how they communicate.



We expect providers and workers to:



- have ways to stop abuse, violence, exploitation and neglect from happening



- have rules and guidelines for their workers to follow and make sure they understand them



- make sure workers are trained so they know what to do if something happens



- report anything that happens to the right people, this could be:
 - the Commission
 - the police.

An example

A breach of this obligation might be:



- A provider doesn't have enough workers to look after everyone who lives in shared accommodation.



3. Act with integrity, honesty and transparency

We expect providers and workers to:



- only offer and provide supports and services the person with disability really needs



- give true information about their
 - training
 - qualifications



- be honest about:
 - how well they can do their job
 - how good their services are



- not ask for, accept or provide money or gifts that might affect a person's supports.

An example

A breach of this obligation might be:



- A provider gives out information that says they can fix problems that they can't actually fix.



4. Provide supports in a way that is safe and ethical with care and skill

We expect providers and workers to:



- keep their skills up-to-date



- make sure workers get the right support so they can do a good job



- make sure workers have everything they need so they can do their job safely



- only do jobs they:
 - know how to do
 - can do well



- not be affected by drugs or alcohol while they are working.



An example

A breach of this obligation might be:



- A worker is not trained to use the tools they need to do a good job.

5. Bring up any worries about the quality or safety of supports



People need to tell us about any worries or concerns they have about the quality or safety of supports.



Worries or concerns can come from:

- people with disability
- family members
- carers
- providers
- workers.



Feedback about supports and services can:



- be positive or negative



- show us how things can be made better



- help us take care of:
 - risks
 - problems people have with one another
 - misunderstandings



- make things clearer for the people affected.





People with disability need to feel safe that their supports or services won't be affected if they make a complaint.



The Commission will take care of complaints in the way that is best for the person with disability.



They might work with everyone affected to fix the problem.

An example

A breach of this obligation might be:



- A provider doesn't let people make complaints.

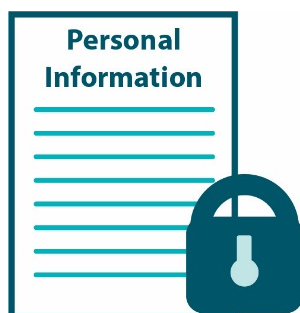


6. Respect the privacy of people with disability

We expect providers and workers to:



- follow Commonwealth, state and territory privacy laws



- protect the personal information they are given by the people with disability they support



- ask for consent before they share personal information given to them.

An example

A breach of this obligation might be:



- A provider sends an email with someone's personal details in it by accident.



7. Don't take part in sexual misconduct



People with disability can be at a higher risk of sexual misconduct, especially women and children.

Sexual misconduct can include:



- making comments that are sexual or personal



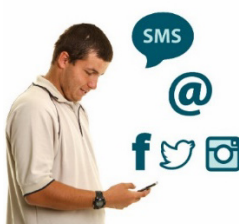
- making comments about someone else's:
 - sexuality
 - personal life



- asking someone to go on a date



- asking someone to take off their clothes or take part in sexual activities



- sending sexual messages through:
 - email
 - text message
 - social media





- touching someone in a sexual way, even if the worker says it will help them



- encouraging other people to do sexual things together.



There needs to be a high level of trust between a person with disability and their support worker.



If a crime has taken place:

- the Commission will take action
- the police will be told.



Sexual misconduct towards children is:

- unacceptable
- a crime.

An example

A breach of this obligation might be:



- A worker tells the person they support a joke about sex.



8. Keep good records

Records are kept for different reasons, such as:



- to record what services have been provided
- to keep information about clients
- to communicate with other providers
- to meet obligations under the law
- to record things that have happened.

We expect providers and workers to:



- keep records of the supports and services they offer that are:
 - accurate
 - easy to read
 - up-to-date.



- keep their records safe and secure



- keep information about clients confidential.



An example

A breach of this obligation might be:



- A provider can't read the notes one of their workers has written.

9. Have the right insurance for the supports and services they provide

Insurance is a service you pay for to protect:



- you if you are sick, injured or killed



- the things you own.



If you have insurance and something happens to your things, you will get money to replace them.



If something goes wrong, the right insurance can protect people, including:



- people with disability
- providers
- workers.

If something goes wrong and providers or workers don't have insurance:



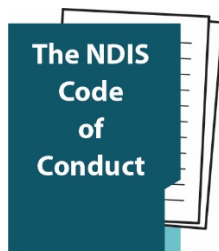
- the cost can be very high



- they have to pay the costs themselves.

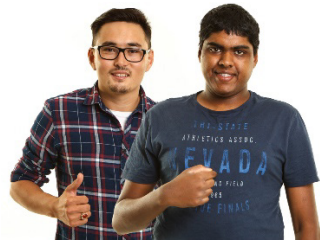


We expect providers and workers to have the right insurance for the supports and services they provide.



The Code of Conduct does not tell providers or workers exactly how much insurance they should have.





Workers can be covered by the insurance of the provider they work for.



Workers who work for themselves need their own insurance.

An example

A breach of this obligation might be:



- Something bad happens at a service and the provider's insurance won't pay for the costs.



How will the Code of Conduct work?



Providers and workers need to follow what the Code of Conduct says.

If they think the Code of Conduct has been breached, anyone can make a complaint, including:



- people with disability
- family members
- friends
- providers
- workers
- advocates.



All providers have ways of handling complaints.

If a complaint can't be taken care of by the provider, the Commission will take care of it.





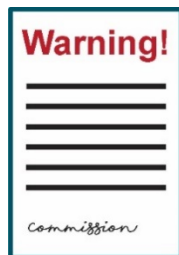
The Commission has its own way of handling complaints.

If the Commission finds a provider has breached the Code of Conduct, they will take action.

This might include:



- training and information



- warnings

NAME		STATE
ADDRESS		
CITY	EFFECTIVE MO. DAY	
A. ACTION TAKEN		B.
<input checked="" type="checkbox"/> Suspended	<input type="checkbox"/> Revoked	
<input type="checkbox"/> Suspended	<input type="checkbox"/> Revoked	
<input type="checkbox"/> Suspended	<input type="checkbox"/> Revoked	
The above named person was advised.		
SIGNED		

- fines or punishments through the police or court system



- instructions that must be followed





- losing registration



- being banned.



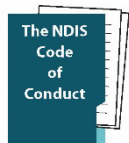
If the Commission finds a worker has breached the Code of Conduct, the worker could lose their NDIS worker screening clearance.



If a crime has taken place, the police will be told.



How to tell us what you think



We want to know what you think about the Code of Conduct.



We will think about what people tell us while we finish the Code of Conduct.

If you would like to tell us what you think, you can:



- fill out the survey



- write to us – we call this a submission.





You can visit our website to:

- fill out the survey
- upload your submission.

www.engage.dss.gov.au



You need to tell us what you think by
21 June 2017.



If you need to ask us any questions, please send
us an email.

NDISQualitySafeguards@dss.gov.au

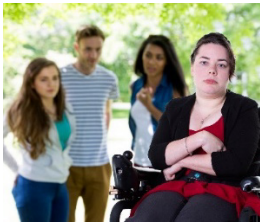


Word list



Breach

Do the wrong thing.



Discrimination

Treating someone badly because they are different.



Ethical

Doing the right thing and having strong values.



Exploitation

Being taken advantage of.



Insurance

A service you pay for to protect:

- you if you are sick, injured or killed
- the things you own.



Integrity

Having strong values.





Misconduct

Behaving in the wrong way.



Obligations

Things people must do.



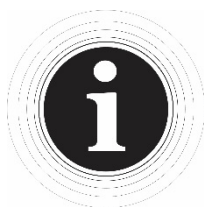
Sexual misconduct

When someone behaves in a sexual way that is not welcome.



Transparency

Everyone can see how things work.



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