



# NEXUS Community Support Society Policy Addendums

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Addendum Name	Addendum A - Ethical Code of Conduct
Parent Policy Number	SEC001
Parent Policy	Employee Ethical Code of Conduct
Addendum Applies To	All Direct Support Personnel;All Directors;All Managers;All Team Leaders

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**Addendum Defined** Ethics is a code of behaviour that represents the ideal conduct for a particular group. When you accept employment, Board appointment, Practicum placement, or a Volunteer position with NEXUS you enter into an agreement to follow the conduct stated in the Policies and Procedures of NEXUS.

Codes of ethical behaviour are based on reason, good judgment, and an understanding of the difference between right and wrong behaviour. Also, they strive to respect the dignity and rights of people.

Legal requirements are set by society as a whole.

### ***How does Ethical Conduct differ from Legal Requirements?***

1. Ethical conduct codes are written and adopted by the membership of a team. Ideal behaviour is encouraged through education, example, and discussion. An unethical member is expected to conform or will lose their membership or support of the team. Example: If an employee takes money from the wallet of a person they have broken the law and could be arrested. They have also acted unethically.

2. There is sometimes a hazy line between ethics and the law. Example: If you were to stay with an individual who was ill until your relief came but decided since the shift had ended [and no one came to relieve you] that you could go home, you have acted unethically. If some harm came to the individual, it might also carry a legal penalty.

***Some Examples of Ethical Behaviour:***

- a) Reporting to work on time, not leaving early, and not taking time off unless warranted.
- b) Respecting the privacy and personal dignity of each individual and employee.
- c) Refusing to gossip about individuals or employees.

***When faced with a situation involving making moral or ethical decisions, ask yourself the following:***

- a) How will my actions or choice affect the person?
- b) How will my actions or choice affect my employer or co-workers?
- c) How will my actions or choice affect me?

If your answer to all three questions is positive – if your behaviour would uphold the dignity and basic rights of the person and your employer and maintain your own self-respect - you have probably made a sound choice.

**Violations and reporting of this code shall follow disciplinary and no-reprisal procedures.**

- 1) The NEXUS Community Support Society recognizes the inherent value of each individual served and supports individuals in their decisions and choices in life. The Society is committed to supporting individuals in developing and achieving their greatest level of independence and inclusion in our community in any aspect of life chosen by the individual.
- 2) Society employees, Board members, Practicum students, and Volunteers will be responsible stewards of the Society's resources.
- 3) Society employees, Board members, Practicum students, and Volunteers will carefully consider the public perception of their personal and professional actions and the effect their actions could have, positively or negatively, on the Society's reputation in our community and elsewhere.

Employee Conduct while off Duty – When you are off duty and attending a Society function or visiting a work site you are expected to behave in a manner that is appropriate to the circumstances. Actions, which adversely affect employees, Board members, Practicum students, Volunteers, or individuals, are cause for disciplinary actions.

4) Society employees, board members, practicum students, and volunteers recognize that they are accountable to the membership and funders in addition to the individuals served and that they must comply with the letter and spirit of all laws and regulations governing this Society. The Society promotes ethical business practices and corporate responsibility in the following areas:

- Business Activities
    - Marketing Activities
    - Contractual Relationships
  - Conflicts of Interest
  - Use of Social Media
  - Service Delivery:
    - Exchange of Gifts, Money, Gratuities
    - Personal Fundraising
    - Personal Property
    - Personal Information – consent, collection, and disclosure
    - Setting Boundaries
    - Witnessing of Documents
  - Professional Responsibilities
  - Human Resources
  - Prohibition of Waste, Fraud, Abuse and Other Wrongdoing
- Organizational Fundraising

#### **a) Business Practices**

NEXUS adheres to all generally accepted accounting procedures (GAAP) and the applicable federal, provincial, and municipal laws. NEXUS strives to conduct itself with transparency in all business manners.

#### **b) Marketing Practices**

Marketing activities/efforts shall always respect the dignity and privacy rights of those receiving services. NEXUS will not engage in any activities that exploit those individuals. Marketing activities will never knowingly mislead or misinform the public or NEXUS. Marketing activities will uphold the integrity of NEXUS so as to merit the continued support and trust of the public. Also see Policy AD002 for further information regarding NEXUS's collection, use, and disclosure of personal information.

#### **c) Contractual Relationships**

NEXUS adheres to their contractual policy (see Policy F012) in all business transactions. NEXUS will ensure that safeguards are in place to provide the most efficient and effective services possible. All contractual agreements will contain terms and conditions in accordance with applicable law and may include the following elements:

- Roles and responsibilities of each person.
- Specific services to be provided.
- Eligibility criteria for services.

- Provisions for training and technical support (as applicable).
- Target population to be served.
- Duration of contract.
- Policies/procedures regarding information sharing.
- Dispute resolution procedures.
- Payment details and procedures (amount, frequency, due dates, consequences for failure to pay, etc.)
- Procedures and details of requirements for reporting to funding or oversight bodies.
- Conditions for termination of contract.
- Expected outcomes.

#### **d) Conflict of Interest**

A conflict of interest is a situation in which someone in a position of trust has a competing professional or personal interest or incentive for action in a particular situation. Such competing interests can make it difficult for employees, or the Society as a whole, to fulfill their duties impartially. A conflict of interest exists even if no unethical or improper act results. A conflict of interest can create an appearance of impropriety that can undermine confidence in the person, the person's activity, and the profession. A conflict of interest could impair a person's ability to perform their duties and responsibilities objectively. Examples of conflict of interest include, but are not limited to:

- preferential treatment of an individual due to a personal relationship with someone in NEXUS (see also Policy SEC008);
- using confidential information of one's own advantage (see also Policy AD003)

#### **e) Use of Social Media**

NEXUS outlines the use of social media in Policy SEC022 emphasizing (while not being limited to):

- Employees, Directors, and Supervisors must recognize at all times that they are role models for the people NEXUS supports and they should limit their public profile to information, comments, photos, etc. that are appropriate for any individuals with which they maintain a virtual presence;
- That Employees should recognize that any inappropriate comments that reflect badly on NEXUS and published on social media sites may result in disciplinary action;
- only those officially designated can use social media to speak on behalf of NEXUS in an official capacity;
- Employees are seen by people outside of NEXUS as representatives and should represent the core values of NEXUS whenever using social media;
- Employees are responsible to notify their Supervisor when they view published information that may have detrimental results to supported individuals.

NEXUS outlines the rights of supported individuals with respect to sharing personal information outside the organization (i.e. consenting to allow NEXUS to use

photographs/videos) on Form RR003 on an annual basis.

NEXUS's website and Facebook account is monitored and administered by Senior Management.

**f) Service Delivery:**

- Exchange of Gifts, Money and Gratuities: The exchange of money is prohibited at NEXUS. This practice causes a conflict of interest and is not acceptable. The giving or receiving of gifts has guidelines as established by NEXUS and outlined in policy SEC023.
- Personal Fundraising: Employees, Board members, Practicum students, and Volunteers will refrain from enlisting individuals receiving services to assist them in raising funds for their own causes or on NEXUS's behalf.
- Personal Property: Employees, Board members, Practicum students, and Volunteers shall not use the personal property of the Society nor of individuals receiving service for personal use without the approval of the individual and the Program Supervisor. Unauthorized procurement of any property that does not belong to the employee will be defined as theft and is cause for disciplinary action up to and including dismissal/removal from position. Property of NEXUS should be used appropriately and safeguarded at all times and should be used for business purposes only.
- Personal Information – Consent, Collection, and Disclosure: NEXUS will collect - with informed consent - from Individuals we support only the required information needed to ensure the appropriateness of services. All personal information regarding individuals supported by the Society is considered confidential and may not be disclosed without due authorization. Any breach of improper disclosure of personal information will be considered an ethical violation and may result in discipline up to and including termination. See Policy RR003 for further information.
- Setting Boundaries: Boundaries are present whenever a person or department interfaces with another person or department. The definition of a boundary is the ability to know where you end and where another person begins. When we talk about needing space, setting limits, determining acceptable behavior, or creating a sense of autonomy, we are really talking about boundaries. Professional boundaries are important because they define the limits and responsibilities of the people with whom you interact in the workplace. When workplace boundaries are clearly defined, healthier workplace environments are created. To that end, employees, Practicum students, and Volunteers will ensure that they always do their best to meet the needs of the individual receiving services while establishing professional boundaries. This includes, but is not limited to, prohibiting personal relationships with individuals receiving services. Employees are discouraged from engaging directly on social media with minors NEXUS supports.

- Witnessing of Documents: Employees may witness signatures of individuals while ensuring that they do not become involved in the personal affairs of the individuals relating to legal, financial, or property matters. NEXUS takes no responsibility for employees witnessing signatures of individuals or others. Refer to Policy RR008 for further information.

**g) Professional Responsibilities**

Human Service professionals function in many ways and carry out many different roles. They enter into professional relationships with individuals, families, groups, and communities and among their roles are caregiver, manager, teacher/educator, consultant, advocate, community planner/organizer and administrator.

- **Professional Responsibility to Individuals Receiving Services**

Human Service professionals negotiate with individuals the purpose, goals and nature of the relationship prior to its onset as well as inform individuals of the limitations of the proposed relationship.

Human Service professionals respect the integrity and welfare of the individual at all times. If it is suspected that harm or danger may occur to the individual or to others because of an individual's behavior, the Human Service professional acts in an appropriate and professional manner to protect the safety of those individuals. This may involve seeking consultation with their Supervisor.

Human Service professionals protect the individual's right to privacy and confidentiality.

Human Service professionals protect the integrity, safety and security of individuals' records.

Human Service professionals recognize and build on individuals' strengths.

- **Professional Responsibility to the Community and Society**

Human Service professionals keep informed about current social issues as they affect the individual and community.

Human Service professionals understand the complex interaction between individuals, their families, the communities in which they live, and society.

Human Service professionals represent their qualifications to the public accurately.

Human Service professionals advocate for the rights of all members of society, particularly those who are members of minorities and groups to which discriminatory practices have historically been directed.

Human Service professionals provide services without discrimination or preference based on age, ethnicity, culture, language, cognitive or physical ability, appearances, gender, religion or spiritual beliefs, sexual orientation or socioeconomic status. See Policy RR004.

Human Service professionals seek the training, experience, education, and supervision necessary to ensure their effectiveness in working with culturally diverse individuals.

- **Corporate responsibility within the community is achieved by NEXUS in a variety of different ways including, but not limited, to:**

Membership in the Cranbrook Downtown Business Association

Membership in the Cranbrook Chamber of Commerce

Support of Special Olympics

Membership in the BC CEO Network

Membership of the Kootenay Region Association for Community Living

Participation in a Program Advisory Committee at the College of the Rockies

Participation in the Cranbrook Social Planning Society

#### **h) Human Resources**

NEXUS' Senior Leadership team will ensure any privacy related policies and procedures are fully implemented and working effectively. Refer to Policies AD002, AD003, and AD004 for further information. Employees will promote ethical conduct through abiding by policies and procedures, and requesting clarification when such guidelines seem unclear. Employee concerns are often resolved prior to going to the grievance process (as outlined in the collective agreement) by following the guidelines in Policy P013. Conflict resolution regarding harassment is outlined in Policy SEC010.

#### **i) Prohibition of Waste, Fraud, Abuse & Other Wrongdoing**

NEXUS is committed to transparency in use of funds. An annual audit is performed by a Certified Accountant (CA or CGA) out of arm's reach. As well, accountability of funds is required by our major funders (CLBC and MCFD). To encourage ethical use of NEXUS funds, Society members and employees are welcome to attend the Annual General Meeting.

NEXUS's policy on Reporting and Abuse (SEC004) will be adhered to whenever any person reasonably suspects and believes that an adult or child with a disability has been or is being abused.

The following conduct is prohibited and will subject the person involved to disciplinary action up to and including termination/removal from position, as determined by the Director of Human Resources and Labour Relations (or designate). NEXUS prohibits waste, fraud, abuse and other wrongdoing such as, but not limited to:

- The use or possession of performance altering substances by employees. (Policy SEC014)
- The use of profanity or of abusive language. (Policies SEC006 & SEC004)
- The possession of firearms or other weapons on agency property. (Policy SEC016)
- Insubordination – the refusal by an employee to follow instructions concerning a job-related matter.
- Assault on a fellow employee or individual receiving services. (Policies SEC010 & SEC004)
- Wilfully obstructing and hindering the work of another employee.
- Absence from work in excess of defined benefit levels. (Policy P041)
- Abuse or neglect of individuals receiving services. (Policy SEC004)
- Theft or misuse of agency property or personal property. (Policies SEC003 & SEC017)
- Copying of agency keys without authorization.
- Illegal gambling on agency property.
- Falsifying any record or report, such as an application for employment, a production record, a time record or shipping or receiving records.
- Unauthorized sleeping on the job. (Policy SEC018)
- Improper disclosure of confidential information. (Policies AD003 & RR003)
- Failure to abide by safety rules and practices. (Policy OHS001)
- Engaging in any form of sexual harassment. (Policy SEC010)
- Conviction of a felony.

Additionally, the following Society policies and procedures are in place to ensure ethical practices in all areas of operation:

- Society employment guidelines (EMPLOYEE HANDBOOK)
- Purchasing policy (F003)
- Policy on staff handling funds of persons supported (F005)
- Petty cash policy (F006)
- Policy on receipt of payments and donations (F009)
- Policy on duties and responsibilities of the Board & CEO (G001- G007)
- Conflict of Interest and Board ethics policy (G003)
- Individual rights policy (RR001)
- Policy on confidentiality regarding persons supported (RR003)
- Confidentiality Agreement (Form AD003)
- Employee Ethical Code of Conduct (SEC001)
- Volunteer and Practicum student Ethical Codes of Conduct (VP002 & VP004)



Any breaches of applicable laws or regulations governing the Society are subject to progressive discipline (Policy P007).

**j) Organizational Fundraising**

NEXUS is registered as a charity under the Canadian Revenue Agency (CRA) and ensures all fundraising is conducted in an accountable manner. Fundraising activities cannot be conducted without approval of the CEO. See Policy F001 for further information and procedures to follow during fundraising.

**RESOLVING ISSUES REGARDING ETHICAL CODES OF CONDUCT**

Employees, Board Members, Practicum Students, or Volunteers who observe others breaching NEXUS's ethical codes of conduct are obliged to report their concerns. Concerns must be submitted in writing to the Director of Human Resources and Labour Relations (or designate) and must be signed, as action will not be taken regarding anonymous concerns (see Policy P013). No action will be taken against the person reporting the concern unless the reporting is made maliciously or without reasonable grounds. Retaliation is strictly prohibited against anyone that has reported a concern or participated in an investigation. Any signs of retaliation should be reported immediately to the Director of Human Resources and Labour Relations (or designate) or the union (if applicable). Retaliation will result in disciplinary action, up to and including dismissal or removal from their position.

Once the written concern has been received, the Director of Human Resources and Labour Relations Human (or designate) will conduct an investigation and present a decision within ten days following the day on which the concern was presented.

Any breaches of NEXUS's Ethical Codes of Conduct are subject to progressive discipline steps as outlined in Policy P007 up to and including dismissal/removal from position.

During an investigation, NEXUS will follow the Community Living Services Collective Agreement under section 11.9 "Employee Investigations" where applicable:

"The Parties agree that in certain situations it may be in the best interest of both clients and employees that employees be reassigned or removed from all job sites during an investigation of conduct. In cases where an employee cannot be reassigned, then the employee shall be considered to be on leave of absence with loss of pay until the Employer has determined there is a prima facie case for imposing discipline."

"The Employer will make every effort to complete its investigation within fourteen (14) days. The Employer will provide the Union with a summary of the investigation report. This summary is based on a "without prejudice" basis and shall not be referred to by either Party in any third Party proceedings."

"The Employer will notify the Union designate when an investigation of conduct has been initiated. Any employee who is interviewed in the course of an investigation shall have the right to Union representation at such an interview."

**Confidentiality**

All information relating to written concerns and formal investigations will be kept strictly confidential. The investigation is limited to only those individuals who must be contacted to fulfill the employer's legal duty to investigate, provide a safe workplace, and resolve the situation. Those involved in the investigation are prohibited from discussing the concern outside the official restorative or investigative process.

Confidentiality means, in its simplest form, that no one talks about the concern outside the official restorative or investigative process. It is not to be discussed informally or gossiped about by anyone. Lack of confidentiality can cause further pain or harm to the people involved and makes restoration to a respectful environment more difficult. If you are involved in an investigation and someone asks you about it, you must inform that individual that you cannot discuss it. Breaches of confidentiality may result in the application of the Progressive Discipline Policy P007.

Notwithstanding the above clause, information relating to the investigation may be subject to subpoena for court of law or arbitral process.

**Evidence and Documents Relating to the Investigation**

Due to the possibility of subsequent action, e.g. legal proceedings, arbitration, judicial review, or review by the BC Human Rights Commission materials related to the investigation will be retained permanently. The Director of Human Resources and Labour Relations or designate shall have access to the investigation files concerning NEXUS employees. If appropriate/applicable, the union shall have unrestricted access to the investigation files concerning one of their members.

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