

# Code of Conduct

## Policy Purpose

This Code of Conduct (the Code) lays out in simple and easy to understand terms the standards of professional workplace behaviour expected from all Catholic Healthcare employees, contractors, consultants, volunteers, students and trainees. These standards help Catholic Healthcare maintain essential levels of care and service and build a strong, positive reputation as an employer of choice and quality aged care service provider.

## Policy Statement

Catholic Healthcare's mission is to promote the dignity, life and spirituality of older people through connected and inclusive communities. The mission is carried out by providing care and support to older persons of all faiths, backgrounds and ethnicities. The values that underpin this mission and are reflected in the behaviours of all persons engaged to provide care and services for Catholic Healthcare are compassion, integrity and courage.

The United Nations *Charter on the Rights of Persons with a Disability*, and the *Principles for Older Persons* recognise that older people and persons with a disability have full and equal human rights.

Both the NDIS and the ACQSC have mandated Codes of Conduct to ensure that all aged care workers and all those providing NDIS support understand what this means and what needs to be done.

The NDIS Code of Conduct has been in force for many years. The Code of Conduct for Aged Care (the Code) commenced on 1 December 2022.

The Code sets out eight behaviour statements that approved providers, aged care workers and governing persons are expected to comply with.

Approved providers have responsibilities under aged care law (the Aged Care Law) to comply with the Code and to take reasonable steps to ensure that aged care workers and governing persons comply with the Code. Similar obligations apply where the NDIS Code of Conduct is concerned.

The Code includes eight elements that describe behaviours expected of approved providers, aged care workers, governing persons, consultants, and contractors. The elements are broadly expressed to cover a range of behaviours and factors. The elements are consistent with community expectations, the rights of

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older people and persons with a disability, and existing standards and expectations for how providers should behave (described across a range of provider responsibilities) including the NDIS Code of Conduct.

The Code does not provide an exhaustive list of all the behaviours that are demonstrative of high-quality care. Instead, the Code presents a broad framework of conduct that approved providers, aged care workers and governing persons have a responsibility to uphold. The Code is aimed at ensuring that all older people can have confidence in the quality of the aged care and can expect the same level of high quality and safe care regardless of who provides their aged care services.

## Scope and Applicability

The Code applies to approved providers of residential care, home care and flexible care, and aged care workers and governing persons of approved providers.

Approved providers have a responsibility under Aged Care Law to comply with the provisions of the Code and to take reasonable steps to ensure that aged care workers and governing persons comply with the provisions of the Code. Similar obligations apply under NDIS law.

The Code complements other regulations including, but not limited to, provider responsibilities in relation to the Quality Standards, Charter of Aged Care Rights and the Serious Incident Response Scheme.

The Code applies to all persons who provide any form of care, service or supports on behalf of Catholic Healthcare, within any Catholic Healthcare offices, facilities, sites, events or activities. This includes persons in non-managerial roles as well as those carrying out senior, managerial, advisory, supervisory roles. Those personnel that this Code applies to includes, but are not limited to:

- Employees
- Contractors and Consultants and their personnel
- Agency and Brokered Services
- Students on placement and trainees under traineeships
- Volunteers
- Board members
- Trustees
- Ministers; and
- Other persons as identified by the CEO from time to time

For ease of reference, all the above are referred to as “Workers” in this document.

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## 1. The Code of Conduct for Aged Care

All workers within Catholic Healthcare are required to comply with the behaviour statements outlined in the Code of Conduct for Aged Care outlined below:

**When providing care, supports and services to people, I must:**

- a) act with respect for people's rights to freedom of expression, self-determination and decision-making in accordance with applicable laws and conventions
- b) act in a way that treats people with dignity and respect, and values their diversity
- c) act with respect for the privacy of people
- d) deliver aged care services in a safe and competent manner, with care and skill
- e) act with integrity, honesty and transparency
- f) promptly take steps to raise and act on concerns about matters that may impact the quality and safety of funded aged care services
- g) deliver aged care services free from all forms of violence, discrimination, exploitation, neglect and abuse, and sexual misconduct
- h) take all reasonable steps to prevent and respond to all forms of violence, discrimination, exploitation, neglect and abuse, and sexual misconduct.

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## 2. I must act with respect for people's rights to freedom of expression, self-determination and decision-making in accordance with applicable laws and conventions

This element of the Code focuses on ensuring consumers are treated consistent with their fundamental rights to express themselves, determine how they live, and to make decisions in accordance with applicable laws and conventions.

### Examples of behaviour we expect

- Asking and listening to what older people need and want.
- Talking to older people in a way that is easy to understand.
- Helping older people make decisions when they need support.

### Examples of unacceptable behaviour

- Forcing an older person to do something they don't want to do.
- Not including the older person in decisions about their care and services.
- Keeping an older person away from places or activities they want to see or do.

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## 3. I must act in a way that treats people with dignity and respect, and values their diversity

This element of the Code focuses on ensuring consumers are treated with dignity and respect, and that their diversity is valued. Treating consumers with dignity and respect includes recognising consumers' strengths, empowering them to be independent, communicating respectfully and recognising and appreciating a consumer's individuality in all aspects of care, supports and services.

Each consumer has a different life experience with different social, cultural, language, religious, spiritual, psychological and medical needs. This diversity affects the care, supports and services they need and how those services are provided.

### Examples of behaviour we expect

- Respecting an older person's social, cultural, religious, ethnic and health background.
- Working in a way that helps older people feel comfortable and safe.
- Encouraging older people to speak up about their likes and dislikes.

### Examples of unacceptable behaviour

- Making fun of an older person's social, cultural, religious, ethnic or health background.
- Talking down to an older person or treating them in a disrespectful way.
- Telling an older person their beliefs are wrong or silly.

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## 4. I must act with respect for the privacy of people

This element of the Code focuses on ensuring consumers have their right to privacy respected and protected. There is a great deal of personal information shared and made available as part of providing care to consumers, and often this information includes highly sensitive personal and health information.

Privacy also extends beyond a careful approach to handling personal information and captures the concept of personal and physical privacy to ensure consumers feel safe and comfortable and are not unnecessarily subject to embarrassment or discomfort when delivering care.

### Examples of behaviour we expect

- Keeping older people's personal information confidential, in line with Catholic Healthcare's policies.
- Knowing older people's personal privacy needs and preferences.

### Examples of unacceptable behaviour

- Not asking older people for permission when you provide personal care and services.
- Providing personal care to an older person in a place that is not private.

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## 5. I must deliver aged care services in a safe and competent manner, with care and skill

This element of the Code focuses on ensuring that care is provided in a safe and competent manner, with care and skill. This involves ensuring that the right people are delivering aged care services to consumers.

The intent of this element is to safeguard consumers from incompetent or unqualified care, unsafe practices and equipment and environments that may cause risk to them. This element also seeks to ensure care delivery is provided with attention, kindness and empathy. The way one interacts with consumers can have a significant impact on the outcomes of their care, supports and services, including their safety, health and well-being.

### Examples of behaviour we expect

- Using equipment safely and in the way it's meant to be used.
- Having the right skills, experience and qualifications for the job.
- Following Catholic Healthcare's policies and procedures about safe and up-to-date work practices.

### Examples of unacceptable behaviour

- Delivering services where you don't have the required skills or qualifications to do so.
- Not reporting unsafe equipment, unsafe practices or near misses.

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## 6. I must act with integrity, honesty and transparency

Integrity, honesty and transparency are crucial to developing the trust-based relationships that are required for high-quality care delivery. As such, this element of the Code focuses on ensuring consumers are protected from conduct that seeks to treat them unfairly or take advantage of them.

### Examples of behaviour we expect

- Treating older people fairly and not taking advantage of them.
- Being honest about your experience and training.
- Helping older people understand the care and services you provide them.

### Examples of unacceptable behaviour

- Lying about what you know or what you hear and see.
- Not telling Catholic Healthcare about a conflict of interest.
- Asking or encouraging an older person to give you money or a gift.

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## 7. I must promptly take steps to raise and act on concerns about matters that may impact the quality and safety of funded aged care services

This element of the Code focuses on ensuring consumers are safeguarded against unsafe or poor quality care through the early identification of, and response to, concerns and risks that may impact care delivery.

Such concerns may arise as part of complaints or incidents, through observations, internal feedback, or as part of continuous improvement activities. They can relate to a variety of matters that impact quality and safety, including risks in the environment, clinical risks and reportable incidents.

### Examples of behaviour we expect

- Knowing what to do if something that concerns you happens.
- Speaking up and reporting concerns to Catholic Healthcare to reduce the risk of harm.
- Making sure older people feel safe to speak up about their concerns or make a complaint.

### Examples of unacceptable behaviour

- Doing nothing about a safety or quality concern.
- Not being open and honest about a safety or quality concern.
- Threatening or telling an older person not to complain or raise their concerns.

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## 8. I must deliver aged care services free from all forms of violence, discrimination, exploitation, neglect, abuse and sexual misconduct

This element of the Code focuses on safeguarding consumers from all forms of violence, discrimination, exploitation, neglect, abuse and sexual misconduct. All care delivery should be free from violence, discrimination, exploitation, neglect, abuse and sexual misconduct.

This includes, but is not limited to:

- physical and verbal violence
- coercively controlling behaviours
- predatory sexual behaviours that influence or seek to take advantage of consumers
- psychological or emotional harm and abuse
- any sexual act between a consumer and an aged care worker
- use of inappropriate restrictive practices
- forced treatments and interventions
- humiliation and harassment
- financial abuse or exploitation
- physical and emotional neglect
- passive neglect and wilful deprivation
- discrimination in delivery of services, or verbal or written discrimination, including racism or bullying
- abuse and violence that happens between consumers
- abuse and violence that is inflicted by people coming onsite to the residential aged care service.

### Examples of behaviour we expect

- Understanding situations that may hurt, upset or take advantage of an older person.
- Knowing how to identify violent, abusive or neglectful practices.
- Not taking part in any form of violence, discrimination, exploitation, neglect and abuse or sexual misconduct.

### Examples of unacceptable behaviour

- Physically forcing or threatening an older person to do something they don't want to do.
- Neglecting, taking advantage of or abusing an older person.
- Acting in a sexual way with an older person.

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## 9. I must take all reasonable steps to prevent and respond to all forms of violence, discrimination, exploitation, neglect, abuse and sexual misconduct

This element of the Code focuses on ensuring that steps are taken to safeguard consumers against the occurrence of harm and where this occurs, to respond appropriately to incidents, including incidents of violence, discrimination, exploitation, neglect, abuse and sexual misconduct.

This item differs from the previous item in that it deals with the actions that occur to prevent any such incidents, and after incidents occur.

### Examples of behaviour we expect

- Following processes to help prevent harm to older people.
- Raising safety risks or concerns, in line with Catholic Healthcare's systems and processes.
- Cooperating with Catholic Healthcare's investigation or inquiry.

### Examples of unacceptable behaviour

- Not raising a suspicion or concern about violence toward, or abuse or neglect of, an older person.
- Not reporting a serious or reportable incident to your manager.
- Not supporting an older person to speak up about their concerns of misconduct.

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## 10. Compliance and Enforcement Actions by the Commission

Both the NDIS Commission and the Aged Care Quality and Safety Commission will manage non-compliance with the Code in accordance with their respective Compliance and Enforcement Policies and approaches. Both Regulators take a risk-based approach and respond in a way that is proportionate to the risks that the non-compliance poses to the safety, health, well-being and quality of life of aged care consumers.

Both Regulators have access to a range of compliance and enforcement actions to respond to different situations. Both Regulators may undertake an investigation where needed to inform an appropriate and proportionate compliance and enforcement action.

In relation to providers, the Commission may, for example:

- issue a direction notice
- issue a compliance notice in relation to the Code
- issue a non-compliance notice
- issue a notice of requirement to agree to certain matters
- accept a written undertaking given by a provider
- impose financial penalties
- impose sanctions including the revocation sanction.

In relation to aged care workers and governing persons, the Commission may, for example:

- issue a caution letter
- issue an infringement notice
- seek an injunction from a court
- apply to a court to impose a civil penalty order or offence
- issue a banning order for the most serious cases of poor conduct
- Impose fines on individual workers for serious or repeated breaches

A banning order is form of enforcement action available to the Regulators which prohibits or restricts a person, either permanently or for a specified period, from engaging in, providing or being involved in the provision of aged care or NDIS supports, as the case may be. Banning orders are considered to be most serious enforcement action in relation to individuals and will therefore only be appropriate for the most serious cases of poor conduct of an individual.

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## Review History

July 2020	Comprehensively Revised Policy Code
Nov 2021	Wording refined
Nov 2022	Comprehensively updated in line with new Code of Conduct legislation
Nov 2023	Reviewed without change
Nov 2025	Language simplified as per the refreshed Code of Conduct guidance

## Related Policies & Documents

Managing for Performance Guideline  
Workplace Respect Policy  
Professional Behaviour Policy  
Speak Up Policy  
Social Media Policy  
Grievance Policy  
Safeguarding Policy and Procedure

## Key words for search

Code of Conduct, Code, The Code, Professional, Code of Professional Conduct

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