

# Fact sheet for disability service providers and workers

## Code of conduct for disability service workers

### Introduction

Victoria is introducing a *Code of conduct for disability service workers* as part of its commitment to embed a zero tolerance of abuse of people with a disability across the disability service system. The code of conduct forms part of the Victorian Government's *Dignity, respect and safer services: Victoria's disability abuse prevention strategy*.

The strategy outlines the government's initiatives to build the capacity of individuals, workers and providers to prevent abuse and sets out actions to immediately strengthen safeguards for people with a disability. The strategy and code of conduct are available to download from the [department's disability abuse prevention hub](http://www.dhhs.vic.gov.au/disability-abuse-prevention) <[www.dhhs.vic.gov.au/disability-abuse-prevention](http://www.dhhs.vic.gov.au/disability-abuse-prevention)>.

### What is zero tolerance of abuse?

Zero tolerance of abuse involves a comprehensive approach to abuse prevention and response. It provides a clear message that abuse is never acceptable, frames abuse as a human rights issue and offers a way for organisations to understand how they can prevent abuse.

Zero tolerance of abuse obliges disability service workers to uphold the human rights of people with a disability. Disability service workers must not commit any form of abuse, harassment, exploitation or neglect. Disability service workers must also actively report cases of abuse or neglect and speak up when they suspect that abuse is occurring.

### What is the code of conduct?

The *Code of conduct for disability service workers: zero tolerance of abuse of people with a disability* provides a framework for ethical decision-making and outlines general standards of behaviour expected of disability service workers.

The code of conduct:

- contains five obligations that all disability service workers must abide by
- explains each obligation and provides example behaviours that demonstrate what each obligation looks like in practice, and what it may look like if the obligation has been violated
- does not cover every possible situation but summarises the minimum standards of behaviour required by disability service workers to ensure a zero tolerance of abuse
- does not include all responsibilities of a disability service worker
- does not replace other codes of conduct, policies and guidelines that may apply in disability service provider organisations.

## Who is the code of conduct for?

The code of conduct is for disability service workers. Disability service workers are defined as:

- A worker engaged by a disability service provider who:
  - provides, or supervises or manages a person who provides, direct support to a person with a disability, and
  - has direct contact or access to a person with a disability.

The following types of organisations are required to implement the code of conduct:

- disability service providers funded, delivered and registered by the Department of Health and Human Services
- Victorian-approved NDIS service providers registered under the *Disability Act 2006*.

## Why is the code of conduct being introduced?

Recent inquiries and investigations, including the *Parliamentary inquiry into abuse in disability services*, have shown that the abuse of people with a disability is widespread and that suspected abuse has often been ignored or not adequately addressed.

The code of conduct is being introduced to better protect people with a disability now and into the future.

It's part of the Victorian Government's commitment to embed the principle of zero tolerance of abuse into the delivery of disability services. In August last year, the Victorian Parliament passed legislation to formalise the principle of zero tolerance of abuse and to strengthen the Disability Services Commissioner's oversight of the disability sector.

## When will the code of conduct come into effect?

The Department of Health and Human Services will work with disability service providers and workers to implement the code of conduct from 30 April 2018. It is expected to be implemented by July 2018.

The Victorian code of conduct and abuse prevention strategy will apply as interim measures as the state transitions to full implementation of the NDIS in Victoria. However, it is expected that the strategy, resources and principles embedded in the code will continue to be used in preventing abuse in the future and serve as a means to better prepare workers and disability service providers for the post-transition environment.

## How will the code of conduct be implemented?

Workers who fall within the definition of a disability service worker must sign a declaration acknowledging and agreeing to abide by the obligations in the code of conduct.

Additionally, disability service providers must also sign a declaration, demonstrating their commitment to supporting employees to abide by and apply the code correctly.

For further information about employer obligations to implement the code of conduct, please refer to the fact sheet for employers and the *Code of conduct instruction for employers* which is available on the [department's disability abuse prevention information hub](http://www.dhhs.vic.gov.au/disability-abuse-prevention) <[www.dhhs.vic.gov.au/disability-abuse-prevention](http://www.dhhs.vic.gov.au/disability-abuse-prevention)>.

## Will these requirements change with the introduction of the NDIS?

The Victorian code of conduct and abuse prevention strategy will apply as interim measures as the state transitions to full implementation of the NDIS in Victoria.

Combined with other safeguards, such as the expansion of the Disability Worker Exclusion Scheme and the proposed registration and accreditation scheme for workers, the abuse prevention strategy and code of conduct will help better protect the rights of people with a disability and ensure safeguards in Victoria are maintained and enhanced during transition to full rollout of the NDIS and into the future. These initiatives will also serve as a means to better prepare workers and disability service providers for the post-transition environment.

## Further information

To assist with the implementation of the code of conduct, the Department of Health and Human Services has developed the *Code of conduct instruction for employers* and a [disability abuse prevention information hub](http://www.dhhs.vic.gov.au/disability-abuse-prevention) <[www.dhhs.vic.gov.au/disability-abuse-prevention](http://www.dhhs.vic.gov.au/disability-abuse-prevention)>, which contains links to information, toolkits, websites, training resources and guidelines tailored for individuals, workers and providers.

If you have any policy queries you can contact Ms Amanda Leitch, Manager, Legislative Policy and Safeguarding Projects, Disability and NDIS Branch at [amanda.leitch@dhhs.vic.gov.au](mailto:amanda.leitch@dhhs.vic.gov.au).

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Authorised and published by the Victorian Government, 1 Treasury Place, Melbourne.

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