

## POLICY AND PROCEDURE

POLICY AND PROCEDURE #: 0001		REVISION #: 1
BOARD APPROVAL DATE: December 6, 2006		EFFECTIVE DATE: January 1, 2008
TITLE: Code of Conduct		Page Page 1 of 8

### **Allegany Arc** **CODE OF CONDUCT**

#### **Code of Conduct:**

The Allegany Arc Code of Conduct is a part of the agency's overall Corporate Compliance Plan. The Code is intended to give staff and contracted professionals a clear understanding of the agency's expectations to fulfill our corporate responsibilities. We are committed to complying with the rules and regulations of federal, state and local government. Allegany Arc seeks to maintain a work environment where high standards of ethical behavior are recognized and practiced.

#### **Mission:**

"The Allegany Arc is dedicated to providing the highest quality opportunities for people with special needs and their families"

#### **Vision:**

Allegany Arc, with a COMMITMENT TO EXCELLENCE, will pursue a shared vision for each person that will inspire growth and success.

#### **Introduction:**

Allegany Arc was formed in 1961 as a grass roots organization of parents who wanted to address their children's special needs within their community. The first structured activities were held in the basement of the Scio Methodist Church where the youth and parent volunteers began to meet. Classroom instruction was provided; a parenting group formed, and soon plans for a summer camp took root. From these humble beginnings the agency has grown into a sizable corporation striving to fulfill the same vision for people with disabilities living in our community.

In our efforts to continue the work begun by a dedicated group of parents, we are committed to providing a positive environment where high standards of ethical behavior are recognized and

practiced. As a corporate entity partially funded by public monies, Allegany Arc is further committed to complying with rules and regulations of the federal, state and local governments.

To ensure a positive environment and to promote public confidence through compliance, we have established a Code of Ethics.

## **CODE OF CONDUCT/STANDARDS OF BUSINESS INTEGRITY**

### **Compliance with the Law:**

**Policy: It is the policy of Allegany Arc to comply with all federal, state and local laws and regulations that apply to our operations. We place an emphasis on the prevention of fraud and abuse of our funding streams by implementing internal controls, self-monitoring activities and education to all staff.**

Any questions or concerns regarding specific laws or regulations, policies and procedures or program guidelines should be promptly brought to the attention of a supervisor. Staff can call the Corporate Compliance Hotline to speak anonymously about concerns or to ask questions to reach a better understanding of policy, rules, and laws. This organization prohibits retaliation to staff for voicing a concern in good faith.

All staff are expected to adhere to the following expectations:

1. Communicate honestly, making no misrepresentations either written or verbal.
2. Record all information accurately and timely; including:
  - o Documentation of services delivered
  - o Billing statements
  - o Timesheets
  - o Expense sheets
  - o Marketing materials
  - o Financial reports
3. Never falsify records. Do not backdate, destroy, or alter documents.

### **Quality of Service:**

**Policy: We are committed to delivering services of the highest quality and value to our stakeholders. We will strive to be prompt and accurate with contractual agreements, agency policies and regulatory requirements.**

We will pay all contractual expenses due promptly and accurately.

We will serve people in a professional manner with fairness and respect.

We will comply with all applicable regulations and identified best practices in our provision of services to the people we support.

We will continue to seek new approaches to increase the quality of service delivery while ensuring that it is delivered in a cost-effective manner.

We will seek input from the people receiving services in an effort to better meet their expectations and needs.

We will ensure our staff receive the training and education necessary to perform their duties to a high quality standard.

### **Work Environment:**

**Policy:** Allegany Arc is committed to maintaining a work environment where we treat each other with honesty, dignity, and respect. We value the diverse contributions of all people, regardless of their position, age, race, gender, religion, sexual orientation, genetic predisposition, disability, or national origin. All employment practices are based on ability and performance.

The diversity of staff is a tremendous asset. Valuing all staff as unique individuals leads to a more productive and fulfilling work environment.

All staff have a right to work in an environment free from harassment and unfair discrimination where privacy and dignity are respected. Allegany Arc does not tolerate inappropriate actions, comments or contact, whether sexual or hostile in nature that would create an offensive work environment. Implementing a safe and healthy working environment also means it is kept free from illegal drugs, violence and the influence of alcohol. As such, Allegany Arc prohibits the sale, use, purchase, transfer or possession of controlled substances and alcoholic beverages other than medically prescribed drugs on any of its property or during work hours.

Allegany Arc often needs to acquire and retain personal information on individual staff for administrative purposes. It is our policy to maintain the confidentiality of this information and to limit access to authorized persons who need the information for business or legal purposes.

### **Professional Conduct**

**We go into helping professions because we care, but sometimes we can care too much or get so involved that our professional role gets confusing or lost. The things that program participants can hear us say or observe us doing can alter their perception of the role we fill as staff. Boundaries exist to keep our focus clear and therapeutic.**

The following boundaries are required performance standards for the staff of Allegany Arc:

Consumer outings are planned for the direct habilitative benefit of the person receiving services. Therefore, during activities that are staged in the community, staff personal purchases or errands are prohibited. This standard would also restrict staff from planning to meet family or friends during an outing intended for community integration.

The agency prohibits any personal financial transaction between employees, volunteers, and persons receiving supports. These situations may be construed as exploitation of the person or result in greater benefit to the employee or volunteer.

Discussions of staffs' family activities, personal relationships, achievements, or hardships are to be avoided. Sharing personal information in any of these topics can lead to a pattern of familiarity that could threaten the stability of a staff person's professional role.

Staff family members are not to be routinely present at the work sites. Also, staff not scheduled to work should not visit the worksite for unplanned social reasons. These situations often interfere with planned service delivery. Members of the general public, including staff no longer employed by the agency, are not permitted unplanned or unsupervised visits to our worksites. This is important for the purposes of maintaining confidentiality and workplace safety. Any request for access to a worksite should be referred to the site manager.

Outings to staff and/or their family members' homes are restricted. *If an individual receiving services requests or a staff member wants to extend an invitation to an individual to visit their home, a written request should be made in advance. The program manager will consider each request with the person's best interest and wellbeing in mind (Holiday celebrations, unique learning opportunities, etc).*

### Accuracy of Records:

**Policy:** Accuracy and reliability in the preparation of all business records and service delivery records is mandated by law and is of critical importance to programs' decision-making processes and to the proper discharge of our financial, legal, and reporting obligations. We must ensure that all agency records (business expense accounts, vouchers, bills, payroll, service records and reports, etc), whether electronic or on paper, are reliable, accurate and complete. Transactions between the agency and outside vendors must be promptly and accurately recorded. False or misleading entries on records are unlawful and are not permitted. All records should be maintained and stored for the period of time required by law or contract or policy, or whichever is longest.

We will keep accurate, true and complete records. We must never create a false or misleading record including, but not limited to, vouchers, financial information, performance measurement data, payroll records, fixed asset records, benefits enrollment forms, expense accounts or other records pertaining to agency business. Nor will we

improperly alter, backdate, or make false entries on, or willfully fail to make correct entries on, any service delivery record or document.

We will create and submit only true and accurate reports. We must not create or submit false or misleading reports of operating statistics or measurements, such as sales reports, performance data and utilization data. If you are not sure of the accuracy or reliability of information, take steps to verify it or immediately contact your Supervisor for advice.

We will preserve and maintain agency records in accordance with the agency's document retention practices. We must not improperly destroy any corporate accounts, records, correspondence regarding individual entitlements, or other official service documents. Nor will we improperly alter or make false entries or willfully fail to make correct entries on any agency record or document.

We will follow appropriate agency procedures to ensure that errors are corrected, as they become known, through credits, refunds or other mutually acceptable means. We will record agency transactions in accordance with generally accepted accounting practices and principles or statutory accounting principles.

#### *Gifts, Gratuities, Kickbacks and Solicitation:*

**Policy:** We maintain the highest standards of integrity and objectivity in dealing with vendors and service providers. We are prohibited from accepting or giving gifts or gratuities beyond common business courtesies of nominal value. Gifts or items of value should never be offered to government employees. Under no circumstances will we accept or give kickbacks in return for improperly obtaining, influencing, or rewarding favorable treatment in accepting contracts, services, referrals, goods or business.

No employee of Allegany Arc will accept gifts, personal loans, entertainment or other special considerations from any individual or business organization doing business with the agency. (For further guidance refer to Finance Policy titled, "Gifts and Gratuities")

We must not offer or accept gifts of cash or cash equivalents (such as gift certificates) to or from any current, former or potential vendor, person receiving services, broker, or provider. Generally, prizes or tokens which are part of a business activity or advertisement are not considered gifts. Perishable or consumable items donated to a department or group are not considered gifts for purposes of this policy standard.

Allegany Arc prohibits staff from soliciting sales of any kind to people receiving services. Solicitation of entertainment, catalog sales, or home parties (candles, kitchenware, home decorating, etc.) in the workplace is discouraged. We must avoid the perception that participating with solicitations has any bearing on assessment of performance or acceptance by peers. Agency staff will not be subjected to outside solicitations. Staff will

be free from unwarranted work interruptions in the form of solicitations from co-workers and others.

**Conflict of Interest:**

**Policy:** We must avoid situations where our personal interests could conflict, or reasonably appear to conflict, with the interest of the agency. A conflict of interest occurs whenever a staff person permits the prospect of direct or indirect personal gain to improperly influence his or her judgment or actions in the conduct of agency business. It is not possible for the Code of Conduct to list every type of potential conflict of interest. When in doubt, share the facts of the situation with your Supervisor, the Human Resource Department, or the Compliance Officer.

We must award business solely on merit, getting the best value for the agency, and wherever practical, on a competitive basis. Do not conduct business with any firm in which you or your family have a material direct or indirect interest. We may not use the information that comes to us in the course of employment for personal investment or gain, nor can we provide this information to members of our family.

A conflict of interest may also exist if the demands of any outside activity hinder or distract us from the performance of our job (or even appear to influence our judgment or performance for the agency). Generally, any outside employment with a company that does or seeks to do business with the agency is not permitted unless disclosed to and approved by the CEO or Board of Directors. This includes a current or potential vendor, grantee, or competing agency. Use of agency resources to facilitate outside employment or other activities is prohibited.

As staff of Allegany Arc we must ensure that outside employment and outside activities do not interfere with job responsibilities nor jeopardize public confidence in the agency. If unsure, staff are encouraged to discuss any significant employment or outside activities with their Supervisor or Compliance Officer.

We must avoid direct or indirect responsibility for the hiring or supervision of a family member. Even the appearance of favoritism can have a degrading effect on employee morale and perception of the agency's fairness to all staff. Employment of family members is permitted so long as staff are not reporting directly or indirectly to each other (subject to CEO approval).

**Proper Use of Corporate Assets:**

**Policy:** Agency assets are to be used for the benefit of the agency in the advance of our mission. Such assets include, but are not limited to, equipment, furniture, office supplies, corporate funds, employee time, computer supplies and software. In addition, agency assets also include corporate data, business strategies and plans, financial data and other proprietary or confidential information about the agency

**business or its staff. We have a responsibility to protect the agency's assets and to ensure that they are used exclusively for valid agency purposes.**

We will use and maintain Agency assets with the utmost care and respect, guarding against waste, abuse, loss and theft. We will not give confidential information to unauthorized persons.

We will not make unauthorized copies of computer software programs or use personal software on Agency computer equipment. Loading unauthorized software onto Agency-owned PCs, workstations or other computer systems is strictly prohibited.

### **Confidentiality of Information:**

**Policy:** We must protect the privacy of information handled by Allegany Arc. Because these documents and records often contain confidential individual, family, and business information, it is critical that information from these documents and records not be improperly disclosed to third parties. We will take precautions to avoid inadvertent or inappropriate disclosure of privileged information, records or documents. Within the agency we will share information only with staff that have a legitimate need to know the information. We will maintain and protect the confidentiality of information created by or disclosed to Allegany Arc even after discharge from services or termination of employment.

**Medical Record Information:** We will disclose medical record information outside the agency only after receiving authorization as required by the Privacy Act. We will disclose medical record information within the Agency only on a "need to know" basis for the purpose of providing quality care or meeting government and employment reporting mandates.

**Proprietary Business Information:** We will not release proprietary Agency information to unauthorized parties, such as suppliers or outside contractors, or the general public without proper authorization. This includes financial information, consumer lists, computer data and computer programs, as well as descriptions of Agency processes or operations.

**Passwords:** We will protect and maintain the confidentiality and integrity of information used to access our systems and facilities. This includes, but is not limited to, passwords, office keys and facility security cards. Each staff person is responsible for the actions resulting from the use of their password or keys.

### **Addressing Integrity Concerns:**

Human Services are governed by complex and demanding rules and regulations. We recognize that application of these laws, rules, and workplace practices can create uncertainty for staff in some situations. Allegany Arc is committed to ensuring that each

employee is provided the support and training necessary to perform his or her job in an ethical and legal manner.

Questions about the proper way to handle different situations often arise. Open discussions of issues and concerns by all staff without any fear of retaliation or retribution are essential to the effectiveness of our Corporate Compliance Program. The Corporate Compliance Program is established to help resolve any concerns or questions staff may have about business ethics and integrity.

It is always good to raise questions if you have doubts about whether an action or situation may be improper. We all share the responsibility for not only engaging in good business conduct, but also for reporting any activity which we, in good faith, believe may be a violation of any applicable laws or regulations, or the Code of Conduct. Allegany Arc has an absolute policy against any retribution or retaliation for bringing forth a good faith concern. Any person who violates this policy will be subject to disciplinary action.

*We encourage staff to use the following steps to resolve any questions or concerns:*

**Step 1:** When in doubt, ask and keep asking until you get an answer that makes sense. Is a law or regulation being violated? Is the action consistent with the Agency values, our Code of Conduct, and our policies? If you know it is wrong, don't do it!

**Step 2:** Discuss the issue with your immediate Supervisor who knows you and the issues in your workplace. Give your Supervisor a chance to solve the problem. If your Supervisor cannot provide an answer, or if you are not comfortable discussing the issue with your Supervisor, go to the next step.

**Step 3:** Discuss the problem with a higher-level Supervisor. If the matter is still not resolved to your satisfaction, or you are not comfortable discussing the issue with this level of Supervisor, go to the next step.

**Step 4:** Discuss the issue with the Corporate Compliance Officer. It is ideal if the Compliance Officer can discuss the problem with you to get a clear understanding of the problem and steps you have taken to resolve the problem. If you are not comfortable with this step, go to the next step.

**Step 5:** Call our Corporate Compliance HOTLINE at (585) 593-5700, ext. 700. Your call can be anonymous; you are not required to provide your name.