



Code of Conduct

1. Introduction

This Code of Conduct applies to BlueWave Living ABN 85 247 695 587 (“Us”, “Our”, “We”), Our employees/staff (**Employees**), Our residents (**Residents**) and their visitors (**Visitors**), and Our contractors and agents and volunteers, in fact all people either within our facility/facilities (**Facility**) and/or interacting with our Residents and/or Employees.

Compliance with this Code of Conduct is a condition of entry for Residents [and is included by reference to policies in the Resident’s Agreement]; as a condition of employment for employees; and as a condition of entry for Visitors to our Facility.

This Code is necessary in order to ensure the rights of those living at, working at and visiting our Facility are respected.

2. Respecting the rights of others

We aim to provide an environment where Residents, Employees, Volunteers and others in the workplace are treated fairly and with respect, and are free from unlawful discrimination, harassment, and vilification and bullying.

To this end, You will not cause any annoyance or nuisance nor cause harm or injury to another person.

In addition, You will not cause damage to, or the loss of Our property or the property of others. If you do cause damage or loss of that property, you may be required to pay for its repair or replacement.

Please note that we have the right to search your bags for security reasons.

3. Charter of Care Recipients’ Rights and Responsibilities

We respect the rights of our Resident’s and therefore require that You will comply with the responsibilities as set out in the Charter of Care Recipients’ Rights and Responsibilities (set out in **Annexure A**).

4. Compliance with laws

You are required to comply with all relevant laws, including but not limited to work, health and safety laws and privacy laws.

5. Work, health and safety

You must, in relation to our Employees, Residents and the Facility:

- (a) avoid injury to yourself and others and damage to plant and equipment;
- (b) take reasonable care of the health and safety of yourself and others;
- (c) comply with any reasonable direction given by Us for health and safety;
- (d) not misuse or interfere with anything provided for health and safety;
- (e) report all accidents and incidents; and
- (f) report all known or observed hazards to persons and/or property and equipment at the Facility.

6. No smoking and illegal drugs

We aim to protect the health, safety and welfare of all workplace participants in Our workplace.

To minimise the risks associated with smoking and passive smoking in the workplace, we have adopted a Policy of providing a smoke-free workplace.

You must not smoke (any substance, including e-cigarettes) inside our Facility or grounds. There is a designated smoking area for staff. BlueWave Living does not provide smoking areas for visitors or residents.

You must not take illegal/illicit drugs inside our Facility.

7. In the case of an emergency

In the case of an emergency contact Our Registered Nurse in Charge or Management.

Our rallying point in the case of emergency evacuation is at the Evacuation Point located at The Shores car park adjacent to the oval.

8. Health care workers

If you are a medical practitioner, nurse, allied health (such as physiotherapist), or other health care worker who visits our Residents on a regular basis and/or provides instructions to our staff, including nursing and care staff, then you must comply with Our clinical policies and procedures, including in respect of clinical governance, adverse event reporting and medication management.

9. IT

If you wish to access Our information technology or Our computer system, then you must obtain the prior written approval of Our management and comply with all of Our IT policies, including in relation to privacy and data security.

10. Privacy Laws

We take the privacy of all of our Residents seriously and take great care to protect their information. We provide a detailed privacy policy and confirm our adherence to the Australian Privacy Principles mandated by the *Privacy Act 1988 (Cth)* (**Privacy Act**).

You must comply with all relevant Privacy Laws, including the Australian Privacy Principles under the Privacy Act 1988 (Cth), a copy of which is available at: <https://www.legislation.gov.au> and our Privacy Policy, a copy of which is available at <https://www.bluewaveliving.org.au> or on request.

11. CCTV, Social media, photography and video

- (a) To respect the privacy rights of others, you must obtain the consent of Residents, Employees and other people at the Facility before you take recordings, photos, or videos or images of them which identify them or otherwise capture or transmit those images in public forums, such as on social media, including Facebook. Consent may be obtained in writing, by talking to them or by implication, such as asking them to smile for the camera, but you must let them know that you are taking the image and what you intend to do with it.
- (b) You must not take or publish indecent images.
- (c) If a person objects to their photos or image being captured or transmitted, that direction must be respected.
- (d) BlueWave Living monitors our social media accounts and will remove any posts that may be false, misleading or deceptive. BlueWave Living reserves the right to moderate and filter any and all content on its social media accounts and to block users from interacting with social media accounts for breaches of this Code of Conduct.
- (e) We will not use any images of Residents or Employees in promotional material without their agreement.
- (f) Our facilities have CCTV cameras for security reasons. These CCTV cameras are clearly visible and there are signs in each monitored area notifying people that they may be under surveillance. There are no CCTV cameras located in any change room, resident room, toilet facility or shower or bathing facility. Staff time and attendance is under surveillance. In the security context, camera surveillance is generally used to achieve the following objectives: To deter security incidents e.g. theft, vandalism, violence etc. To gather information that may be used in evidence if a crime is committed within view of the camera.

12. Breach of this Code

You are required to comply with this Policy at all times.

If an Employee breaches this Policy then they may be subjected to disciplinary action. In serious cases this may include termination of employment.

Consultants and contractors (including temporary contractors) may have their contracts with Us terminated or not renewed.

A breach of this Code by a Resident may be a breach of the Resident's Agreement.

Visitors may be asked to leave our Facility, and to delete recordings or images.

Breaches may require police intervention.

13. Consent

In this Code, a reference to obtaining the consent or agreement of a Resident, may if that Resident lacks the ability to make a decision, is a reference to obtaining the consent of that Resident's appointed representative such as a guardian, attorney or responsible person.

14. Complaints

If you have a complaint or concern in relation to Us, Our staff, Our Facility or in relation to this policy, then you may contact:

(a) the Chief Executive Officer [by mail at P.O. Box 21, Woy Woy or phone: 4344 2599]; or

You can also direct your complaint to the Aged Care Complaints Commissioner at: <http://www.myagedcare.gov.au/how-make-complaint/aged-care-complaints-scheme> or if relevant the Police.

Annexure A

- Charter of care recipients' rights and responsibilities—residential care

1. Care recipients' rights—residential care

Each care recipient has the following rights:

- (a) to full and effective use of his or her personal, civil, legal and consumer rights;
- (b) to quality care appropriate to his or her needs;
- (c) to full information about his or her own state of health and about available treatments;
- (d) to be treated with dignity and respect, and to live without exploitation, abuse or neglect;
- (e) to live without discrimination or victimisation, and without being obliged to feel grateful to those providing his or her care and accommodation;
- (f) to personal privacy;
- (g) to live in a safe, secure and homelike environment, and to move freely both within and outside the residential care service without undue restriction;
- (h) to be treated and accepted as an individual, and to have his or her individual preferences taken into account and treated with respect;
- (i) to continue his or her cultural and religious practices, and to keep the language of his or her choice, without discrimination;
- (j) to select and maintain social and personal relationships with anyone else without fear, criticism or restriction;
- (k) to freedom of speech;
- (l) to maintain his or her personal independence;
- (m) to accept personal responsibility for his or her own actions and choices, even though these may involve an element of risk, because the care recipient has the right to accept the risk and not to have the risk used as a ground for preventing or restricting his or her actions and choices;
- (n) to maintain control over, and to continue making decisions about, the personal aspects of his or her daily life, financial affairs and possessions;
- (o) to be involved in the activities, associations and friendships of his or her choice, both within and outside the residential care service;
- (p) to have access to services and activities available generally in the community;

- (q) to be consulted on, and to choose to have input into, decisions about the living arrangements of the residential care service;
- (r) to have access to information about his or her rights, care, accommodation and any other information that relates to the care recipient personally;
- (s) to complain and to take action to resolve disputes;
- (t) to have access to advocates and other avenues of redress;
- (u) to be free from reprisal, or a well founded fear of reprisal, in any form for taking action to enforce his or her rights.

2. Care recipients' responsibilities—residential care

Each care recipient has the following responsibilities:

- (a) to respect the rights and needs of other people within the residential care service, and to respect the needs of the residential care service community as a whole;
- (b) to respect the rights of staff to work in an environment free from harassment;
- (c) to care for his or her own health and well-being, as far as he or she is capable;
- (d) to inform his or her medical practitioner, as far as he or she is able, about his or her relevant medical history and current state of health.