CODE OF CONDUCT AND PRACTICE
FOR SOCIAL SERVICE WORKERS

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FOR EMPLOYERS OF SOCIAL SERVICE WORKERS

January 2008

DEPARTMENT FOR
SOCIAL WELFARE STANDARDS
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WHAT ARE THE CODES?

The Code of Conduct and Practice for Employers of Social Service Workers sets down the responsibilities of employers towards social service workers. The code requires that employers adhere to the standards set out in this code, support social service workers in abiding with their own code and take appropriate action when workers do not meet expected standards of conduct.

The Code of Conduct and Practice for Social Service Workers is a list of statements that describe the standards of professional conduct and practice required of social service workers. These codes provide a framework of standards of conduct and practice for all social service workers, including those who already adhere to other codes established by their profession. Such codes are complementary and reflect the same principles of social care.

The codes are intended to reflect good practice and it is anticipated that workers and employers will recognise in the codes the shared standards to which they should aspire.

These codes are a key step in the eventual introduction of a system of regulation of social care by the Department for Social Welfare Standards (DSWS). Such regulation will include the licensing of service providers and the registration of persons working in social care, with the exception of workers who are already registered with their respective statutory professional bodies. The purpose of workforce regulation is to protect and promote the interests of service users and their carers.

INTRODUCTION

This document contains codes of conduct and practice for social service workers and employers of social service workers. It is intended for use by social service workers, employers, service users or members of the public.

The codes, a set for workers and another set for employers, are presented together in this document because they are complementary and mirror the joint responsibilities of employers and workers in ensuring high standards.
Although the codes, per se, are not and do not intend to be disciplinary in nature, the Department for Social Welfare Standards will take into account the standards set in the codes in considering issues of misconduct and decisions as to whether a registered worker should remain on the register of persons working in social care.

As a user of services or a member of the public, the codes will help you understand how a social service worker should behave towards you and how employers should support social service workers to help them carry out their work well. A service user may refer to these codes when they require further clarifications on the roles and responsibilities of social service workers or of employers and service providers.

Further information can be obtained from the DSWS at: www.welfarestandards.gov.mt or on Tel. 21441311-3.

METHODOLOGY

In 2006 the Working Group on Residential and Foster Care within the Ministry for the Family and Social Solidarity (MFSS) finalised an initial draft of these codes that was based on the U.K. Codes of Conduct and Practice. In September 2006, the MFSS launched the draft codes and the DSWS initiated a process of public consultation on the codes. A comprehensive report on the public consultation was drawn up. The feedback from the consultation process was taken into consideration in the drafting of this final version of the codes.
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We would also like to thank the dedicated group of persons who responded to our appeal for help in reaching the sectors of service users that respond better to them since they have specialised knowledge in the particular sectors.

Finally, we thank all those service users, carers, social care workers, employers, members of the public, agencies, Homes, education providers, professional associations, the Department of Health, representatives of other professions and many others, for their cooperation and participation in the consultation. Without their help it would not be possible for us to present the codes in this final form that is accessible to all and that will serve the objectives for which they were created.
The purpose of this code is to set down the responsibilities of employers towards social service workers. The code is intended to complement existing employers' policies and as such forms part of the package of legislation, requirements and guidance that relate to the employment of staff. Employers are responsible for making sure that they meet the standards set out in this code, provide quality services and promote public trust and confidence in social care services.

**STATUS**

The DSWS will take this code into account in the regulation of social welfare services and in the enforcement of care standards.

The responsibilities of social service employers are the following:

1. **As a social service employer, you must make sure that people entering the social care workforce are suitable and that they understand their roles and responsibilities.**

   This includes:
   1.1 The use of rigorous and transparent recruitment and selection processes. Only people who have the appropriate qualifications, knowledge and skills and who are suitable to provide social care are to be allowed to enter your workforce;

   1.2 Checking criminal records and other applicable documentation where relevant, in line with the type of service to be rendered and client group receiving this service;

   1.3 Seeking and obtaining reliable references;

   1.4 Providing staff with clear information about their roles and responsibilities, relevant legislation and the organisational policies and procedures they must follow in their work; and

   1.5 Managing the performance of staff and the organisation to ensure high quality services and care.
2. As a social service employer, you must have written policies and procedures in place to enable social service workers to meet the Code of Conduct and Practice for Social Service Workers.

   This includes:
   2.1 Implementing and monitoring written policies; confidentiality; equal opportunities; risk assessment; substance abuse; record keeping; the acceptance of money or personal gifts from service users or their relatives/carers; and any other policies which are relevant to the particular provision of service such as a service user protection policy;

   2.2 Inform and educate workers, service users and their relatives/carers about your policies;

   2.3 Managing and supervising staff to ensure good conduct and practice;

   2.4 Having systems in place to enable social service workers to identify any operational difficulties including lack of resources so that these inadequacies may be addressed and resolved; and

   2.5 Not expecting or encouraging social service workers to carry out tasks or functions that would be in conflict with the Code of Conduct and Practice for Social Service Workers.

3. As a social service employer, you must provide training and development opportunities to enable social service workers to strengthen and develop their skills and knowledge.

   This includes:
   3.1 Providing induction, training and development opportunities to assist social service workers do their jobs effectively;

   3.2 Preparing social service workers for new and changing roles and responsibilities;

   3.3 Contributing to the provision of social care education and training, including effective workplace assessment and practice learning; and

   3.4 Supporting staff in their continuing professional development.
4. As a social service employer, you must put into place and implement written policies and procedures to deal with any behaviour and/or practice of concern.

This includes:
4.1 Making it clear to social service workers that any form of bullying, harassment or any other form of unjustifiable discrimination is not acceptable and ensuring that action is taken to deal with any such behaviour;

4.2 Establishing and promoting procedures for social service workers to report any behaviour and practice of concern and dealing with these reports promptly, effectively and openly;

4.3 Creating awareness among social service workers, service users and their relatives/carers that violence, threats or abuse to staff are not acceptable and having clear policies and procedures for minimising the risk of violence and managing violent incidents;

4.4 Providing a supportive environment for social service workers who have been the victims of inappropriate behaviour at their place of work;

4.5 Putting in place and implementing written policies and procedures that promote staff welfare and equal opportunities for workers; and

4.6 Ensuring that social service workers are fit to carry out their duties in a manner that guarantees the care and safety of service users.

5. As a social service employer, you must promote the Codes of Conduct and Practice in the most appropriate format available to social service workers, service users and their relatives/carers and co-operate with the DSWS.

This includes:
5.1 Informing and educating social service workers about this code and your responsibilities to comply with it;

5.2 Informing and educating social service workers about the Code of Conduct and Practice for Social Service Workers and their personal responsibility to meet the code;

5.3 Making service users and their relatives/carers aware of this code and the Code of Conduct and Practice for Social Service Workers and informing them about how to raise issues through appropriate and established policies and procedures without fear of repercussions;
5.4 Taking into account the Code of Conduct and Practice for Social Service Workers in making any decision that relates to the conduct of workers;

5.5 Co-operating with any investigations and hearings relating to misconduct and inappropriate behaviour and responding appropriately to the findings and decisions of these investigations; and

5.6 Informing the DSWS about any serious misconduct by social service workers and inform the worker involved that a report has been made to the above mentioned department.
The purpose of this code is to set out the conduct that is expected of social service workers and to inform service users and the public about the standard of conduct they can expect from social service workers. It forms part of the package of legislation, practice and employers’ policies and procedures that social service workers must meet. All social service workers are responsible to ensure that their conduct does not fall below the standards set out in this code and that no action or omission on their part harms the wellbeing of service users. Apart from this code, social service workers who are registered with a professional statutory body are also expected to abide by the codes of conduct and practice of their respective profession.

STATUS

The DSWS expects social service workers to meet this code and may take action if workers fail to do so.

Employers of social service workers are required to take into account this code in making any decisions about the conduct of their staff.

The responsibilities of social service workers are the following:

1. As a social service worker, you must protect the rights and promote the interests of service users and their relatives/carers.

   This includes:
   1.1 Treating each person as an individual;

   1.2 Respecting and, where appropriate, promoting the individual views and wishes of both service users and carers;

   1.3 Supporting service users’ rights to control their lives and make informed choices about the services they receive;

   1.4 Respecting and maintaining the dignity and privacy of service users;

   1.5 Promoting equal opportunities for service users and their relatives/carers;
1.6 Respecting diversity and different cultures and values; and

1.7 Informing service users and relatives/carers about this code and about its availability in different formats.

2. As a social service worker, you must strive to establish and maintain the trust and confidence of service users and their relatives/carers.

This includes:
2.1 Being honest and trustworthy;

2.2 Communicating in an appropriate, open, accurate and straightforward way;

2.3 Respecting confidential information and clearly explaining agency policies about confidentiality to service users and their relatives/carers, in line with local Data Protection legislation;

2.4 Being reliable and dependable;

2.5 Honouring work commitments, agreements and arrangements and, when it is not possible to do so, to provide an explanation to service users and their relatives/carers;

2.6 Declaring issues that might create conflicts of interest and making sure that they do not influence your judgment or practice; and

2.7 Adhering to employers’ policies and procedures about accepting gifts and money from service users and/or their relatives/carers.

3. As a social service worker, you must promote the independence of service users while protecting them as far as possible from danger or harm.

This includes:
3.1 Promoting the independence of service users and assisting them to understand and exercise their rights;

3.2 Using established processes and procedures to challenge and report any behaviour and practice of concern;

3.3 Following practice and procedures designed to keep you and other people safe from violent and abusive behaviour at work;
3.4 Bringing to the attention of your employer or the appropriate authority any operational difficulties including lack of resources so that these inadequacies may be addressed and resolved;

3.5 Informing your employer or an appropriate authority where the practice of colleagues may be unsafe or adversely affecting standards of care;

3.6 Complying with employers’ health and safety policies;

3.7 Responding appropriately to complaints raised by service users and their relatives/carers; and

3.8 Using your position and authority in a responsible manner.

4. As a social service worker, you must understand the need for service users to take appropriate risks that are necessary for their self-development and wellbeing, whilst seeking to ensure that their behaviour does not harm themselves or other people.

This includes:

4.1 Recognising that service users have the right to take risks appropriate to their setting and personal situation and helping them to identify and manage potential and actual risks to themselves and others;

4.2 Following risk assessment policies and procedures to assess whether the behaviour of service users presents a risk of harm to themselves or others;

4.3 Taking the necessary steps to minimize the risks of service users from doing actual or potential harm to themselves or other people; and

4.4 Ensuring that relevant colleagues and agencies are informed about the risk behaviour of service users.

5. As a social service worker, you must uphold public trust and confidence in social care services.

In particular you must not:

5.1 Abuse, neglect or harm service users, their relatives/carers or colleagues;

5.2 Exploit service users, their relatives/carers or colleagues in any way;
5.3 Abuse the trust of service users and their relatives/carers or the access you have to personal information about them or about their property, home or workplace;

5.4 Form inappropriate personal, sexual or business relationships with service users;

5.5 Make a profit from any financial transaction or agreement with service users;

5.6 Discriminate unlawfully or unjustifiably against service users, their relatives/carers or colleagues;

5.7 Condone any unlawful or unjustifiable discrimination by service users, their relatives/carers or colleagues;

5.8 Put yourself or other people at unnecessary risk; or

5.9 Habitually behave in a way, at work or outside work, which would seriously call into question your integrity and suitability to work in social care services.

6. As a social service worker, you must be accountable for the quality of your work and take responsibility for maintaining and improving your knowledge and skills.

This includes:
6.1 Meeting relevant standards of practice and working in a lawful, safe and effective way;

6.2 Maintaining clear and accurate records as required by procedures established at your workplace;

6.3 Seeking assistance from your employer or the appropriate authority if you feel or wish to improve your work performance, or if you are not sure about how to proceed in a work related matter;

6.4 Working openly and co-operatively with colleagues and treating them with respect;

6.5 Recognising that you remain responsible for the work that you have delegated to other workers;
6.6 Recognising and respecting the roles and expertise of workers from other agencies and working in partnership with them; and

6.7 Undertaking relevant training to maintain and improve your knowledge and skills and contributing to the learning and development of others.
Agencies/ Service Provider is an entity that provides a service.

Code of Conduct and Practice are guidelines that assist Social Service Workers and their employers in their work.

Department for Social Welfare Standards (DSWS) is a government department responsible for the registration, assessment and monitoring of social welfare services in line with established standards and in accordance with Government regulation.

Employers of Social Service Workers are service providers that employ Social Service Workers and provide a social welfare service to service users.

Ministry for the Family and Social Solidarity (MFSS) is the Ministry responsible for social policy affairs.

Professional Statutory Body is a body responsible for the registration and monitoring of professionals.

Register of Persons working in social care is a register that will be kept by the Department for Social Welfare Standards of persons working in the social care field.

Regulation is a set of rules meant to control service provision and give protection to service users.

Service User is a person who makes use of a particular service provision.

Social Service Worker is a person who works in the social care field.

Standards are specific guidelines that help to assess the quality of service provision.

Working Group on Residential and Foster Care is a working group made up of different entities/agencies that work in residential and foster care services. The Working Group aims to improve the quality of care of children living in residential and foster care.

Current members are: Kenneth Grech (Chair), Victor Zammit McKeon, Antoine Farrugia, Edwina Gouder, Marian Muscat Azzopardi, Alfred Sacco, Ruth Sciberras, Anton Vella, Carmen Zammit and Francis Mallia (Secretary).