

# Tikanga Whanonga Code of Conduct

*A Guide to Living Our Values*

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## Message from Manahautū

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**Kia ora,**

We are very excited for you to be a part of our tāngata/clients' health journeys. We embody our values in everything we do, with kaitiakitanga/care for the community at our heart.

Every role contributes to our moemoeā/vision, “working together to support healthier communities” and I see our teams achieve this every day. Community health is about enabling good lives, to allow our tāngata to live in their own homes, connected to their whānau and their communities. With your support, our tāngata can live their best lives. We have chosen you to join us in this journey because you have demonstrated that our values are your values.

I am passionate about our kaupapa/our purpose. We believe that by using the power of whānau and communities we enhance the wellbeing, choice, and leadership for our tāngata so they can achieve their goals and aspirations.

We really welcome your contribution to our team and our Access whānau. All our kaimahi/staff have an important part to play in meeting our moemoeā no matter which role they have in our organisation. We want to grow great people, so remember that we are all here to support you to live your best life with Hauora Tare-Ā-Whare/Access Community Health.

We encourage you to ask questions, learn through your journey with us and develop with our organisation as we move to the next chapter of health in Aotearoa.

**Ka kite ano**

**Androulla Kotrotsos**

**General Manager Community  
Manahautū**





## Message from Kaitakawaenga

**Kia ora,**

The Code of Conduct is based on Ō Tātou Uara, our core set of shared values and sets out a common framework around how we are expected to behave and to do the right thing.

Knowing, understanding, and living the Code, is a fundamental part of who we are at Hauora Tare-Ā-Whare/Access Community Health. Our Code of Conduct reflects the changes in our world, the very nature of our work and how we do business. It reflects our need to understand how to continue to behave ethically in the face of all of these changes.

The Code is one of many tools we have, to help guide our behaviour, and is intended to be a framework, not a rulebook. It cannot, and does not, cover every situation you might encounter but rather seeks to embed our values into our day-to-day behaviours and value-led decision making. We are all an important part of this effort. Each of us has a part to play in living and upholding the behaviours outlined in this Code. We are not in it alone. We are all in this together. We support each other. We rely on each other to understand and adhere to all of these professional behaviours and standards and apply them consistently. We collaborate on every level, and we help each other build skills in doing the right thing. If we come across a situation that is inconsistent with our Code, we speak up. When in doubt or facing a dilemma, we ask for help.

I look forward to working with all of you to maintain and grow our strong ethical culture.

**Ka kite ano**

**Donna McGarvey**

**National Employee Relations Manager  
Kaitakawaenga**

# Ō Tātou Uara – Our Values

At Access, our values guide our behaviours at work and is reflected in how we interact with each other and our communities.



## 1/ kaitiakitanga. care for our community.

We encourage and empower all our tāngata to be heard, be counted. We weave tāngata together to collaborate and tautoko one another.



## 2/ kotahitanga. work together.

We inspire and motivate each other and ensure everyone has the tools to navigate their own pathway.



## 3/ tū tika. do the right thing.

We recognise the individuality of our tāngata and their whānau and ensure their services fit their story.



## 4/ manaakitanga. look after each other.

We create an environment that inspires and motivates our people to progress their journey with purpose whilst providing the tāngata they connect to with respect, kindness, and aroha.

### **Ka huri huri te ao, ka mua, ka muri**

The world is changing, and we need to be moving with it.  
We look to the past to inform the future.

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## Tikanga – The Code

As a respected provider of community health and disability services, our values drive our behaviours and define our work culture. We believe in caring for our people who care for our community.

This code of conduct underpins our ability to behave in a manner that is consistent with our organisational values. We believe that “the standards you walk past are the standards you accept” and we want to make sure that we always act with integrity and own up to our mistakes when we have made them.

We stand true to our obligations to Te Tiriti o Waitangi and strive to be honest and fair in every aspect of our organisational life.

When faced with a situation, we are encouraged to stop and ask, “what is the right thing to do here?” and “how will my actions impact me and others?”

Our code describes a common set of expected behaviours from us at work. Our code applies to all of us and when we say “us”, “we” and “our”, we mean every kaimahi/employee at Access Community Health irrespective of their employment type or role.





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## It is Safe to Speak Up

If something or someone is bothering you at Access Community Health, it is absolutely safe to speak up. Speaking up against wrongdoing shows integrity; it shows that you care for your peers and the organisation.

Something doesn't seem right? Someone doing something wrong? Have a question? Need advice?

Pick up the phone, Send an email. Set up a meeting. Have a kōrero.

Each one of us is empowered to speak up when dealing with behaviour or facing a situation that doesn't seem right. Each of us has a responsibility to report wrongdoing, and to do so fairly, honestly, and professionally. Do not be afraid to kōrero pono (speak the truth).

If you see something that is not right or someone doing something wrong, please report this to your people leader (or their people leader). It is an important part of their role to provide you with support and hear your concerns and help with the best course of action.

If you want to make a protected disclosure, please refer to our Protected Disclosures Policy. Access Community Health has a policy and process to ensure that concerns regarding actual or suspected ethical, clinical, financial, legal, and professional wrongdoing can be raised without fear of reprisal.

Concerns can be communicated via:

1. An independent and externally hosted telephone line managed by professionals:  
Access: EAP Ph: **0800 327 669** Web: <https://www.eapservices.co.nz>
2. By email to [protecteddisclosures@access.org.nz](mailto:protecteddisclosures@access.org.nz) which will be accessed by the Health and Safety Manager and the National Employee Relations Manager
3. By contacting a member of the Employee Relations Team at [erhelpdsk@access.org.nz](mailto:erhelpdsk@access.org.nz)
4. By contacting a member of Ngā Manukura/Senior Leadership Team (SLT).



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## Duty of Fidelity and Trust

Duty of Fidelity in an employment relationship means that the kaimahi must be faithful to and act in the best interest of their existing kaiwhakawhiwhi mahi/employer.

Duty of Fidelity prevents an kaimahi from using their kaiwhakawhiwhi mahi's to conduct activities that compete with the kaiwhakawhiwhi mahi's business activities. The kaimahi must ensure that any opportunity to secure a profit is directed to their kaiwhakawhiwhi mahi rather than kept for their own benefit.

Trust and confidence in an employment relationship relates to the mutual obligations of the kaiwhakawhiwhi mahi and the kaimahi to act towards each other in good faith.

Kaiwhakawhiwhi mahi and kaimahi have mutual obligations and responsibilities in an employment relationship. As kaimahi of Access Community Health, you have the following basic responsibilities:

**Go to work**—You must be at work and willing to work during the days and hours that have been agreed in your employment agreement and any additional work that has been mutually agreed. You can only be away for a legal reason such as being sick, bereaved or having an approved time away.

**Follow lawful and reasonable requests** — You must follow any lawful and reasonable request made by Access Community Health that is within the scope of your job and employment agreement and is not dangerous to your health and safety or the health and safety of others. Examples of such requests are wearing a uniform, working from the office etc.

**Exercise reasonable skill and knowledge** —You must have the skill and knowledge needed for the job as declared by you during the recruitment process. You must exercise your skills in a way that benefits Access Community Health.

**Exercise reasonable care** — You must take care when performing your duties in the role. This means doing the job to the best of your abilities.





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**Exercise reasonable behaviour**— You must behave in a reasonable manner while at work and in some cases even off work. For example, when you are in uniform and your behaviour outside work could damage Access’s reputation. This includes your behaviour on social media and other websites while representing Access or identifying as an Access Kaimahi.

**Act in good faith and with honesty**— You must act in ‘good faith’ at work and this includes:

- Devoting your normal hours of work to the Access Community Health’s business
- Respecting Access’s confidentiality and not sharing work information outside of work
- Not asking for, accepting or getting rewards related to work from third parties without the agreement or approval of Access
- Not promoting yourself to the Access’s customers while you are still a kaimahi in an attempt to seek employment with them or profit from a business opportunity with them.



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# Respect in the Workplace



The World Health Organisation (WHO) defines a respectful workplace as one that “encourages trust, responsibility, accountability, mutual respect, open communication and embraces the dignity and diversity of individuals”.

At Access Community Health, we believe that everyone has the right to be treated with respect and dignity. Access does not condone disrespectful behaviour and has a zero tolerance for bullying, harassment, and discrimination at work. We take these matters very seriously. Any complaints received regarding these will be thoroughly investigated in accordance with our policies and procedures.

## **Bullying**

WorkSafe defines bullying as:

- Repeated unreasonable behaviour
- Directed towards a kaimahi or group of kaimahi
- Behaviour that creates risk to health and safety

Bullying can be manifested in many ways that impact on the health and well-being of the victim.

## **Harassment**

Harassment is any type of unreasonable, unwelcome comment or behaviour which offends, humiliates, or intimidates the person it is directed at. It includes treatment or behaviour that is sexual or racial in nature.

## **Discrimination**

Discrimination occurs when a person is treated unfairly or less favourably than another person in the same or similar circumstances because of their gender, race, age, disability etc. The Human Rights Act 1993 sets out the grounds for unlawful discrimination.





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## Abuse of Authority

Abuse of authority is when a people leader demonstrates disrespectful conduct towards a kaimahi by:

- Intimidating, humiliating, or undermining another person by belittling them
- Excessively, destructively, or inappropriately criticising or reprimanding them
- Excessively scrutinising their work  
Making demands that are unreasonable or outside the scope of their job role
- Making demands to act in a manner that is in breach of Access Community Health's values and policies.

### What should you do if you witness disrespectful behaviour?

As a kaimahi of Access Community Health, you have the responsibility to report any form of disrespectful behaviour that you may have witnessed or become aware of at work. The first step is to have a kōrero with your people leader or their leader or escalate to the Employee Relations team by emailing [erhelpdesk@access.org.nz](mailto:erhelpdesk@access.org.nz).



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# 1

## Kaitiakitanga Care for the Community



### Customer Service

As kaimahi of Access Community Health, in our dealings with tāngata, colleagues, and wider Access community, we will always:

- Be honest, courteous, and helpful actively consult with and listen
- Provide prompt attention, accurate information and meet commitments
- Ensure that our appearance is neat, clean, and appropriate to the job, wearing a uniform where required.

### *Is this the right thing to do?*

Kāiawhina/Support Worker Moana feels very hot in her uniform T-shirt during summer and decided to not wear it while attending to her tāngata. Did she do the right thing?

When you go to deliver tangata cares or visit a tangata, remember that you are representing Access and therefore must always be in uniform to present yourself professionally and for you to build trust with the tāngata.

Access strives very hard to make sure that the uniform provided for work is comfortable and helps in delivering cares to our tāngata with ease however, sometimes people may find it uncomfortable due to personal circumstances and especially in summer months when some regions can get very hot. We may be able to provide you with a temporary exemption in such cases. Please request for a temporary exemption from your line manager by following the uniform exemption process.



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## Commitment

As kaimahi of Access Community Health, we will:

- Ensure that our actions do not bring Access into disrepute
- Disclose and resolve any conflicts of interest
- Represent ourselves honestly when providing information to Access regarding, qualifications, experience, criminal record, work status, travel claims or any other information we are asked to disclose
- Will not ask for private business from tāngata or their families
- Devote all of our time, energy, and abilities during working hours exclusively to the business of Access
- Interact with colleagues in ways that are helpful, and resolution based to promote a healthy, positive, client centric culture
- Not disclose confidential information about Access or our tāngata, or use information about Access for our own gain be compliant with all Access policies and all statutory and awful duties imposed upon Access
- Not accept inappropriate gifts and benefits from tāngata or funders
- Only enter into transactions and approve expenditure for which they are authorised
- Take responsibility for keeping ourselves safe at work not abuse, deface, or wilfully damage company property
- Discharge all of the responsibilities and duties in our job description
- Provide full disclosure of any family member employed within the organisation.



### ***Is this the right thing to do?***

Care Coordinator Jasmine's flatmate enquires about Access's cares as she is looking for a good carer for her grandmother. Jasmine shows her some tāngata profiles on Barista while explaining what Access does. Did she do the right thing?

Tāngata and kaimahi information is confidential, and we must never disclose this information to anyone outside of the organisation and be very careful while disclosing this information within the organisation using authorised channels. We must never email this information to ourselves on our personal email addresses. This would be a breach of privacy and confidentiality.

# 2



## Kotahitanga Work Together

### Teamwork

As kaimahi of Access Community Health, we will work together to achieve organisational and individual goals by:

- Being punctual, and only leaving the workplace early after gaining prior approval
- reporting and accounting for any absences
- Following lawful and reasonable instructions
- Providing guidance and feedback to one another
- Actively learning from one another, and seeking assistance when required
- Sharing relevant information
- Observing safe working practices and reporting hazards, accidents, injuries, and unsafe practices
- Following procedure and instructions in the case of emergency
- Supporting the business of Access by taking up other responsibilities during an emergency or pandemic

### *Is this the right thing to do?*

Manager Whitney usually comes in very late and leaves very early without notifying anyone in the team. This has an adverse impact on her team as they struggle with getting things done without timely decisions and approvals from Whitney. Is she doing the right thing?

We understand that everyone needs work life balance however, we must devote 100% of our work time to activities involving work. You are free to do what you want during your break time as that is your time. Not being punctual or wasting work time doing personal activities is not fair on your team or tāngata. If there is a pressing personal assignment that needs to be completed within work time, please discuss with your line manager, and get approval. We care for you and open and honest communication will help us help you!







## Behaviour

The way we behave, whether with tāngata, funders, or our colleagues, can impact on the health of each other, the way other people see Access and whether they choose to do business with the organisation.

As kaimahi of Access Community Health, we must deal with each other honestly and with integrity, within delegated authority and areas of responsibility, and conduct ourselves in a professional manner that demonstrates respect for others.

We must follow procedure and instructions in the case of emergency.

### ***Is this the right thing to do?***

Kāiawhina/Support Worker Natasha and Diana often argue in front of the people they care for and several of their tāngata have reported this to Access. Are they doing the right thing?

We understand that sometimes you may not agree with your colleague's approach to a situation however, instead of arguing in front of a someone, step aside and resolve the matter in a professional manner or alternatively call Access to raise your concerns and resolve them.

It is not appropriate, and it presents Access in bad light. We represent our organisation and anything we do at work or in Access uniform impacts on how the community views Access as an organisation.

# 3



## Tū Tika Do the Right Thing

### Results

As kaimahi of Access Community Health, to ensure that all work is of the required level and standards, we will:

- Comply with all of Access rules and policies, including any requirements contained in staff handbooks
- Observe the spirit and letter of the law
- Participate fully in all training and development opportunities
- Work to the best of our ability, giving proper attention and care to the job
- Use materials, equipment, and other resources wisely and safely, and prevent their misuse
- This includes use of tangata property with extreme care and diligence, ensuring no damage occurs to buildings or property whilst providing cares

### *Is this the right thing to do?*

Regional Trainer Bianca is always falling behind in marking assessments and reporting unit standards in a timely manner. This causes a delay in kāiawhina getting their qualification certificates which impacts their pay parity and the coordination team's ability to roster them for complex cares that are a better fit to their competencies which in turn impacts our tāngata. Is she doing the right thing?

Access is committed to supporting our kaimahi with gaining qualifications to enhance their skillsets and improve their pay. Everyone must pull their weight and deliver within set deadlines. We must do the right thing because any delay or tardiness in completing your work can cause a ripple effect that can adversely affect our ability to deliver services to our tāngata and the reputation of the organisation.



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## Professional Boundaries

Maintaining appropriate professional boundaries with tāngata and colleagues is particularly important in our work. We understand that you develop friendships with the people you care for and their whānau, but it is important not to put yourself or them at risk by overstepping boundaries. If you are unclear or unsure, please discuss with your line manager.

The following are examples of what may constitute an unacceptable breach of professional boundaries:

- Receiving significant gifts or money
- Becoming a beneficiary to a will
- Moving into a tangata home
- Having an intimate relationship with tāngata
- Making a non-work-related visit to a tangata home outside of work hours where the whānau and/or Access do not know about it
- Recommending family or friends to assist with tasks such as connecting a new TV or building a fence, etc.
- Entering into financial interactions such as buying from a tangata or selling something on their behalf or to them or borrowing money or loaning money
- Advocating to other agencies on behalf of a tangata (You should notify Access and Access will advocate to other agencies if required)
- Acting in a manner that could cause harm to a tangata or their whānau or family member or colleagues may result in disciplinary action.

### ***Is this the right thing to do?***

Team Leader Hilda has a great relationship with tangata Dorothy and likes to be involved in a lot of tangata decisions. Recently, the tangata son who lives in Australia has emailed Access to say that Hilda has been advising the tangata regarding her will.

Is Hilda doing the right thing?

We understand that you care about our tāngata and may have had a very long association with them, and they may be like family however, as Access kaimahi we must maintain professional boundaries with our tāngata and colleagues. This is to make sure that we keep ourselves and our tāngata safe and away from harm.



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# 4

## Manaakitanga Look After Each Other



### Respect

As kaimahi of Access Community Health, in dealing with tāngata, funders, and other kaimahi, we will:

- Communicate effectively and not use language or behaviour that offends, harasses, or unfairly discriminates
- Observe the organisation's smoke-free workplace policy  
not work when affected by alcohol or non-prescription/recreational or prescription drugs
- Abide by all safety rules and procedures operating within Access and comply with the Health and Safety at Work Act 2015 in order to provide a safe and healthy workplace for all people in the work place.

### *Is this the right thing to do?*

Community Nurse George has been suffering from hay fever and has been taking antihistamine tablets (allergy pills) prescribed by his GP. These tablets make him quite drowsy in the morning. He decides to have a couple of extra cups of coffee and drives to the tangata house for a visit. Did he do the right thing?

Access understands that you may not feel a hundred percent on some days and encourages you to take care of yourself. You can use your sick leave entitlements or discuss alternative working arrangements with your line manager if you do not feel well enough to attend to your tāngata. You have a responsibility towards your own health and safety and a duty of care towards our tāngata.



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## Health and Safety

Access has a commitment to providing a safe and healthy working environment for all kaimahi, visitors, and contractors and to supporting active involvement of kaimahi, unions and other kaimahi representatives in workplace health and safety.

As Access kaimahi, we are responsible for creating a safe and healthy work environment by stopping and reporting any unsafe acts that we become aware of, maintaining our own safety and the safety of others in the workplace, and being involved in, and committed to workplace health and safety. Where health and safety training is provided, we have a responsibility to attend, and act in accordance with that training.

We are responsible for following our training and always abiding by Access's policies and procedures including but not limited to tangata support plans, with the intent of providing a high-quality service to tāngata and the elimination of harm. We must not put ourselves at risk of harm.

If in any doubt: **Stop. Look. Think.**

If there is **any** risk of harm to yourself, or others, do not proceed and seek advice from the Health and Safety Representative or your manager.





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### ***Is this the right thing to do?***

Tangata Jimmy lives on a lake and the driveway leading to the house is not very well lit. Kāiawhina Mary has attended to Jimmy's cares for years and knows her way around the property so has never reported this to Access as she did not think this was a big deal however last weekend when Mary was away, Kāiawhina Cynthia attended to Jimmy and nearly tripped over a wooden stump and strained her ankle while walking up to Jimmy's house as it was very dark. Cynthia was off work on ACC for three days. **Could we have avoided this situation if Mary would have reported this to Access earlier?**

Access has an obligation to keep you safe at work and you have an obligation to keep Access informed about any potential hazards to eliminate harm. Please let us know about any potential hazards that you may have seen either at the tangata house or in the office. You can report by calling the National Communication Centre, regional coordination team or writing to your Health and Safety Rep.





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# Use of Social Media and Information & Communications Technology



## Use of Social Media

We recognise the importance of the internet in shaping public thinking about our company and our services, kaimahi, partners, and tāngata/clients. We also recognise the importance of our staff joining in and helping shape industry conversation and direction through interaction in social media. You are therefore permitted to interact on approved social media websites about industry developments and regulatory issues. Before using work-related social media, you must seek and gain approval from your people leader.

### Rules for use of social media:

- a. Always write in the first person, identify who you are and what your role is, and use the following disclaimer “The views expressed are my own and don’t reflect the views of my employer”.
- b. Do not upload, post, forward or post a link to an abusive, obscene, discriminatory, harassing, derogatory or defamatory content, nor any content that you think could in any way offend anyone viewing the content.
- c. Any member of staff who feels that they have been harassed or bullied or are offended by material posted or uploaded by a colleague onto a social media website should inform their line manager.
- d. Never disclose commercially sensitive, anti-competitive, private, or confidential information. If you are unsure whether the information you wish to share falls within one of these categories, you should discuss this with your line manager.
- e. Do not upload, post, or forward any content belonging to a third party unless you have that third party’s consent.





- f. It is acceptable to quote a small excerpt from an article, particularly for the purposes of commenting on it or criticising it. However, if you think an excerpt is too big, it probably is. Quote accurately, include references and when in doubt, link, don't copy.
- g. Before you include a link to a third-party website, check that any terms and conditions of that website permit you to link to it. All links must be done so that it is clear to the user that they have moved to the third party's website.
- h. When making use of any social media platform, you must read and comply with its terms of use.
- i. Do not post, upload, forward or post a link to chain mail, junk mail, cartoons, jokes, or gossip
- j. Be professional, honest, and open, but be mindful of the impact your contribution might make to people's perceptions of us as a company. If you make a mistake in a contribution, be prompt in admitting and correcting it.
- k. You are personally responsible for content you publish into social media tools – be aware that what you publish will be public for many years.
- l. Don't escalate heated discussions, try to be conciliatory, respectful and quote facts to lower the temperature and correct misrepresentations. Never contribute if you are angry or upset, return to it later when you can contribute in a calm and rational manner.
- m. If you feel even slightly uneasy about something you are about to publish, then you don't do it. If in doubt, always ASK first.
- n. Don't discuss colleagues, competitors, tāngata, or suppliers without their prior approval.
- o. Always consider others' privacy and avoid discussing topics that may be inflammatory e.g., politics and religion.



- p. Avoid publishing your contact details where they can be accessed and used widely by people you did not intend to see them, and never publish anyone else's contact details.
- q. Before your first contribution on any social media site, observe the activity on the site for a while before launching in yourself to get a feel for the style of contributions, the nature of the content and any 'unwritten' rules that other contributors might follow.
- r. Activity on social media websites during working hours must only occur when it directly complements and/or supports your role and is expressly approved in writing by your line manager and should be used in moderation.
- s. If you notice any content posted on social media about our organisation (whether complementary or critical) please report it to your people leader.
- t. Any information posted on any platform, without consent, will be a privacy breach as described in the Privacy Act 2020. It is safer **not to post anything**.

Only a delegated authority from the Kaitakawaenga/ National Employee Relations Manager (NERM), Kaiwhakahaere Rauemi/National Operations Manager (NOM) or Manahautū /General Manager (GM) is permitted to post material on a social media website in our name and on our behalf. All posts must be approved by the NERM, NOM or GM (or delegated authority), or the Group CEO.

Please read HR 8.13 Social Media Policy for more information.



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# Breaches of the Tikanga

## We Listen, We Investigate, We Act

### When Things Go Wrong

We trust that all of us at Access come to work to do a good job, however, sometimes there may be situations that may undermine this relationship of trust and confidence.

We believe that speaking up is essential when you see this happening around you at work. We are committed to caring for you and protecting you against any retribution.

Where there has been a complaint or allegation made for potential breach of the code of conduct or any of Access Community Health's policies, we will investigate applying the principles of natural justice—Good Faith, Good Reason and Fair Process.

If the breach of code of conduct is substantiated as misconduct or serious misconduct, then one of following disciplinary sanctions may be issued:

- First Written Warning
- Final Written Warning
- Dismissal or Summary Dismissal

This is not a graduated pathway and sanctions issued will depend on the nature and seriousness of the breach.



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### **Good Faith**

Access, kaimahi, and unions are obliged to deal with each other at all times in good faith. Every action taken by Access and an Access kaimahi must be done in good faith.

Good faith includes but is not limited to the following: Access, their kaimahi and unions must not act in a misleading or deceptive way. Access, their kaimahi and unions must be responsive and communicative.

Before making a decision, which may result in kaimahi losing their job, Access must give the affected kaimahi sufficient information to be able to understand the proposal and then give them a proper opportunity to comment.

### **Good Reason**

For Access to take any action against an employeea kaimahi they must have a genuine or valid reason.

Good reason is sometimes called substantive justification. There are two aspects of good reason:

- Access believe there is a valid reason to begin the action or process; and
- Any decision that is made is for a good and fair reason.

### **Fair Process**

When undertaking any action against an kaimahi, Access must follow a fair process.

In all formal disciplinary investigations and processes, Access will act fairly, reasonably, and promptly. This will include meeting with the kaimahi, offering the kaimahi an opportunity to bring a support person or representative to any disciplinary meetings, giving the kaimahi an opportunity to respond to the allegations and comment on proposed disciplinary action if any.



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## Misconduct and Serious Misconduct

Misconduct is the breach of the code. Misconduct is when an kaimahi does something wrong either by doing something, not doing something, or through their behaviour.

Serious misconduct is the breach of the code causing reputational damage and/or loss of trust. Serious misconduct is defined as any action (or, inaction) that irreparably destroys or undermines the relationship of trust and confidence between an kaimahi and kaiwhakawhiwhi mahi.

A formal warning may be given to an kaimahi for Misconduct or Serious Misconduct following a fair investigation process. If the unacceptable behaviour persists following the provision of formal warnings, the kaimahi may be dismissed with notice or summarily dismissed without notice.

The following lists set out actions, behaviours and omissions which may constitute breach of the Code of Conduct. The actions, behaviours and omissions are listed as misconduct or serious misconduct, however neither list is exhaustive. Some of the breaches listed will also potentially fall into both categories and this will depend on the circumstances and the nature of the breach.





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## Misconduct

Breaches deemed to be misconduct will include but are not limited to the following:

- Use of abusive or offensive language causing offence to another person, or intimidation (verbal or physical) of another person, at the location of work, during working hours, or while on company business
- Misuse or unauthorised use of company property
- Leaving the assigned place of work without authority
  - Working from home/elsewhere without approval and communication with line manager
  - Not communicating as agreed while working from home
- Posting offensive or unauthorised notices within the organisation or on social media identifying the organisation
- Failure to observe quality, safety, or hygiene rules; working in an unsafe manner; failing to make proper use of safety and personal protective equipment; failure to advise and report accidents
- Lack of application to assigned tasks or failing to perform work to the required standard, including inefficiency or incompetence in performing work
- Wasting time or materials
- Interfering with, or preventing, another kaimahi carrying out work functions
- Failing to complete the normal day's work (except in the circumstance of sickness, injury, or personal emergency)



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- Breach of email, internet, or computer security policies
  - Habitual lateness or absenteeism without good reason, reasonable notification to the manager prior to the normal starting time, or authorisation
  - Non-compliance with performance standards or company policies set by management, including requirements to work harmoniously and courteously with others
  - Failing to comply with time-recording procedures
  - Smoking in smoke-free areas
  - Breach of any policy or procedure of Access Community Health, not otherwise covered in this code of conduct
    - Breach of the privacy policy and legislation.
  - Breaching professional boundaries

### **Serious Misconduct**

Breaches deemed to be serious misconduct will include but are not limited to the following:

- Any offence involving dishonesty and/or unauthorised possession of property belonging to Access, other kaimahi, or tāngata
- Wilfully or negligently refusing to comply with any reasonable and lawful instruction given by Access
- A conviction for any criminal offence
- Wilfully or negligently divulging in any form, to an unauthorised person, confidential information of any sort on any tangata, or data that may in any form be commercially sensitive.



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## Serious Misconduct

Acts that put themselves or others at risk of harm

- Includes not rostering cares for tāngata resulting in tāngata missing full or partial cares
- Engaging in any conduct which amounts to unlawful discrimination or harassment as defined in the Human Rights Act 1993 or Employment Relations Act 2000
- Being guilty of gross incompetence, serious negligence, serious omission, or misrepresentation, as defined by Access
- Gross incompetence is defined as behaviour in the workplace that may not be deliberate or wilful but has serious consequences for the organisation
- Serious negligence is defined as serious carelessness that is intentional. It can be one or more of the following:
  - Wilful breach of duty of care  
Wilful breach of mandatory duties
  - Reckless behaviour endangering colleagues, tāngata or the public while representing Access
  - Deliberate actions causing significant financial loss for the organisation
- Being found to have misrepresented themselves to Access regarding, for example but not limited to, qualifications, experience, criminal record, work status, travel claims
- Being guilty of conduct which brings Access into disrepute or that demonstrates that they are unfit to remain in their present position, as defined by Access
- Breaching professional boundaries.



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- Failing to adhere to Access's e-mail, social media, and internet policy by (without limiting this clause) using or downloading offensive or inappropriate images, or using abusive or offensive language or using data for personal use (Access acknowledges it keeps records of all e-mails and reserves the right to access them at any time)
  - Using, without prior approval, any of Access's vehicles, machinery, or equipment for purposes other than the business of Access
  - Bringing to the work place any offensive or indecent material. The determination of what is unacceptable material shall be determined by Access
  - Intending to work and being under the influence of alcohol or non-prescription/recreational drugs
  - Engaging in any conduct which amounts to unlawful discrimination or harassment as defined in the Human Rights Act 1993 or Employment Relations Act 2000
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  - Deliberate actions causing significant financial loss for the organisation

## Kaimahi Declaration

I have read and understood the Tikanga Whanonga/Code of Conduct for Hauora Tare-Ā-Whare/ Access Community Health and will always meet the requirements established by this code.

.....

Signature

.....

Date

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# Glossary

## Te Reo Māori

English (Aotearoa/New Zealand)

**Hauora Tare-Ā-Whare**  
Access Community Health

**Kāiawhina**  
Support Worker

**Kāiawhina**  
Support Worker

**Kaimahi**  
Staff/Employees/Employee

**Kaitakawaenga**  
Primary Advisor/ National  
Employee Relations Manager

**Kaiwhakahaere Rauemi**  
National Operations Manager

**Kaiwhakawhiwhi mahi**  
Employers/Employer

**Kaupapa**  
Purpose

**Kōrero**  
Conversation/ Meeting/  
Discussion

**Kōrero pono**  
Speak the truth

**Mahi**  
Work/Task

**Manahautū**  
General Manager

**Moemoeā**  
Vision

**Tāngata**  
Client/Customer/Person

**Tikanga**  
Code/ Rules

**Te Tiriti o Waitangi**  
The Treaty of Waitangi

**Whanonga**  
Conduct/Behaviour

**Whānau**  
Family





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## References

- Employment Relations Act 2000
- Holidays Act 2003
- HR 8.2 Protected Disclosures Policy
- Bullying | WorkSafe
- Human Rights Act 1993
- HR 8.11 Managing Bullying in the Workplace Policy

## Contacts

### **EAP**

Ph: 0800 327 669

Web: <https://www.eapservices.co.nz>

### **Health and Safety**

[health\\_safety@access.org.nz](mailto:health_safety@access.org.nz)

### **Protected Disclosures**

[protecteddisclosures@access.org.nz](mailto:protecteddisclosures@access.org.nz)

### **Employee Relations Helpdesk**

[erhelpdesk@access.org.nz](mailto:erhelpdesk@access.org.nz)

### **General Enquiries**

National Communication Centre - 0800 284 663

### **Website**

[www.access.org.nz](http://www.access.org.nz)

