



# **Circles of Care**

Ethics Guide

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## **Section I: Ethical Conduct in the Workplace**

All employees, volunteers, contractors, stakeholders, and other interested parties represent Circles of Care and have a responsibility to treat the client served with respect, courtesy, and efficiency.

**Upon hiring, the following commitment is made to each employee:**

- You will be treated with respect and dignity.
- The environment will provide the potential for maximum growth.
- The environment will be conducive to open communication.
- Challenges will be provided.
- All employees will be treated equally and fairly.
- A commitment will be made to work with each individual's strengths.

**Each employee is expected:**

- To work as a team.
- To not place blame.
- To remind each of us of our mission and vision.
- To volunteer rather than be asked.
- To accept change.
- To continuously challenge themselves to improve.
- To serve as a reporter of abuse or neglect and cooperate in any investigation by Circles of Care.

### *Workplace Harassment and Misconduct*

It is the policy of Circles of Care to provide a safe and professional environment for clients, staff, and visitors that is free from illegal and/or inappropriate workplace conduct including violence, harassment, sexual misconduct, and threats. Circles of Care encourages staff members, clients, and visitors to promptly report incidents of misconduct and will respond appropriately by taking disciplinary action when warranted in response to misconduct by its employees, clients, visitors, and/or contractors.

For more information see the following policies:

- [Employee Responsibility in the Workplace](#)
- Unlawful Harassment
- Employee Grievance Procedure
- Appeal and Grievance Process for Agency Foster and Adopt Care Providers
- Appeal and Grievance Process for Children and Youth in Care

### *Employee Fundraising and Solicitation*

Circles of Care does allow for infrequent personal fundraising by employees for items such as Girl Scout cookies, school projects, charity events, fitness events such as Relay for Life or the March of Dimes, or other types of personal or community fundraising to occur within its offices. Fundraising should be done in a respectful manner which does not make coworkers or colleagues feel harassed, pressured, or obligated to make purchases. Order forms may be placed in common areas throughout the office such as the break room or the office bulletin board. Employees are prohibited from going office to office or disturbing fellow coworkers in any way to solicit donations or funds from individual colleagues.

Employees may not solicit funds or donations from contractors, providers, or clients under any circumstances.

### *Equal Opportunity*

Circles of Care is an equal opportunity employer. The agency does not discriminate on any basis prohibited by Federal and/or State law including race, color, religion, sex, national origin, disability, age, citizenship status, sexual orientation, or Vietnam era or special disabled veteran status in its recruitment, employment, promotion, compensation, benefits, or training. Circles of Care remains committed to seeking the best qualified person to fill each available position and will reward each employee based on his or her job performance.

For more information, see the following policies:

- Equal Employment Opportunity
- Code of Ethical Conduct

### *Drugs, Alcohol, Smoking, and Weapons*

The unauthorized purchase, manufacture, distribution, possession, sale, storage, or use of an illegal drug or controlled substance while on duty, while in or on the premises or property owned or controlled by Circles of Care, or while in vehicles used for agency business is prohibited. The unauthorized use or possession of alcohol while on duty or while in vehicles used for agency business is prohibited. Any employee who violates this policy may be subject to disciplinary action, up to and including termination.

Employees may be required to undergo drug and/or alcohol testing when a supervisor observes an employee exhibiting such appearance and behavior in violation of this policy. Employees may be required to undergo drug and alcohol testing pursuant to drug and alcohol program requirements for specific positions. Employees may be required to undergo drug and alcohol testing on a routine, random basis according to State guidelines for employees of child placing agencies.

Displaying a weapon or any object which appears to be a weapon in a threatening manner is prohibited, as is carrying a firearm of any kind onto agency owned or controlled property (except as permitted by state law).

For more information, see the following policies:

- Professional Conduct and Confidentiality

- Use of Drugs and Alcohol and Random Testing
- Employee Responsibility in the Workplace

#### *Use of Company Property*

Assets owned by Circles of Care are to be used for official purposes only. The personal use of any agency asset is normally prohibited. Company resources (facilities, equipment, other property, and personnel) shall not be used for personal gain or for other than official agency business. The occasional, incidental use of certain items, such as email and telephones, is allowed if it does not interfere with job performance or impose a cost to the agency.

For more information, see the following policies:

- Employee Responsibility in the Workplace
- Professional Conduct and Confidentiality
- Email System and Usage
- Company Property
- Property and Equipment Management
- Computer and Technology Resources and Use

#### *Personal Property*

Circles of Care is not responsible for the theft, loss, damage, or malfunction of property that a person may bring onto premises controlled by the agency. Employees, clients, contractors, volunteers, partners, stakeholders, or visitors are encouraged to bring only those items which they need to perform their job or function and to leave valuables at home or in their car.

For more information, see the following policies:

- Employee Responsibility in the Workplace

#### *Obligation to Report Wrongdoing*

All Circles of Care employees have a personal and professional obligation to report or cause to be reported and to assist in any investigation by persons authorized to respond to such matters as the following (collectively referred to as “wrongdoing”): illegal or fraudulent activity; financial misstatements or accounting or auditing irregularities; conflicts of interest or dishonest or unethical conduct; violations of the agency’s code of conduct; and violations of other laws, rules, or regulations.

For more information, see the following policies:

- Employee Grievance Procedure
- Professional Conduct and Confidentiality
- Code of Ethical Conduct

#### *Use of Intellectual or Copyrighted Property*

Copyrighted material, which includes almost everything written or recorded in any medium including software, is protected under the federal Copyright Act and generally may not be copied or used without the owner’s permission. Generally, such materials may be copied

without the copyright owner's permission only within narrow exceptions under the Copyright Act. Any copying or reproduction of copyrighted software on agency computing equipment must comply with the Copyright Act and any applicable software license agreement. Further, staff members may not use unauthorized copies of software on agency owned computers or networks or computers housed in agency facilities. However, one exception, known as “fair use,” allows copyrighted materials to be copied or otherwise used without the copyright owner's permission.

For more information, see the following policies:

- Email System and Usage
- Company Property
- Computer and Technology Resources and Use

### *Marketing*

No employee other than the President has the authorization to obligate Circles of Care to any advertising campaign. Employees may seek avenues of exposure which may be beneficial to the organization and make suggestions or recommendations, but may not enter into any agreement or incur any advertising cost without the express permission of the President.

Circles of Care engages in fair and honest marketing strategies providing appropriate compensation to its advertisers. Advertising campaigns will not misrepresent Circles of Care in any way including the services it offers or the benefits it affords its employees, contractors, volunteers, or other affiliates.

### *Client Advocacy*

Client advocacy efforts are offered in the form of advertising campaigns, participation in or organization of community events, and positive information dissemination throughout the community emphasizing the need for new and improved services and providers. Circles of Care encourages clients, providers, employees, and volunteers to advocate for clients by providing them with incentives for the location of new providers or services. The primary goal of Circles of Care is client safety and well-being and employees, volunteers, and care providers are offered training annually to ensure they meet appropriate client standards.

### *Corporate Citizenship*

Circles of Care takes an active role in the communities it serves. One of the agency's primary goals is to better the lives of its clients so that they can go on to become active, successful, and beneficial members of society. Agency employees, contractors, partners, and care providers are encouraged to work proactively with clients to teach them the skills needed to become successful adults, thereby strengthening the community as a whole.

### *Human Resources*

The Circles of Care Human Resources Department strives to meet the ethical standards set forth by the agency and by State and Federal guidelines. The Department acts as a voice for employees, volunteers, and other personnel in grievance and complaint resolution and policy compliance using the highest standards of ethical practices. The Department strives for fairness and justice by identifying conflicts of interest, addressing internal complaints and issues, and

making recommendations while considering the best interests of the employees, the law, and the agency as a whole.

For more information, see the following policies:

- Human Resources Director
- Internal Control of Payroll and Human Resources

## **Section II: Maintaining Records and Information**

### *Information Security and Confidentiality*

It is the policy of Circles of Care to protect information resources based on risk against accidental or unauthorized disclosure, modification, or destruction and assure the confidentiality, integrity, and availability of agency data; to appropriately reduce the collection, use, or disclosure of other confidential data including but not limited to social security numbers and other identifying information, etc., contained in any medium, including paper records; to apply appropriate physical and technical safeguards without creating unjustified obstacles to the conduct of the business and the provision of services to its many constituencies; and to comply with applicable state and federal laws.

When documentation requires a witness (in cases of guardianship, etc.), Circles of Care will ensure that an appropriate witness is present, that proper procedure is observed, and the confidentiality is maintained.

For more information, see the following policies:

- Code of Ethical Conduct
- Confidentiality
- Confidentiality of Client Records
- Data Integrity
- Passwords
- Client Records Management

### *HIPPA*

The Health Insurance Portability and Accountability Act (HIPAA) of 1996 protects personally identifiable health information under its privacy and security rules. Circles of Care requires personnel who come into contact with Protected Health Information (PHI) to take steps to safeguard such information and to take general HIPAA Privacy Training upon hire. Components at Circles of Care that are covered by these HIPAA regulations include physical and mental health services, educational records, and may include business support components and other areas of the agency.

For more information, see the following policies:

- Confidentiality
- Confidentiality of Client Records
- Data Integrity
- Passwords

- Clients Records Management

#### *Records Retention*

As a state contractor, it is the responsibility of Circles of Care to comply with local, state, and federal mandates regarding the preservation of official records. Circles of Care staff members have a shared responsibility across the agency to systematically control the records of the agency from their creation to their final disposition.

For more information, see the following policies:

- Records Retention
- Confidentiality
- Confidentiality of Client Records
- Data Integrity
- Client Records Management

### **Section III: Conflicts of Interest**

A conflict of interest exists in a situation where an employee of Circles of Care allows outside personal interest to influence his or her decisions at work. Outside interests, such as professional activities, personal financial interests, or the acceptance of gifts from third parties, can create conflicts between the interests of the agency and private interests of an employee and may prevent the employee from making decisions that are in the best interest of the agency. Some outside relationships are prohibited even if those outside interests do not actually impair an employee's ability to act in the best interest of the agency because it may appear to the public that the employee's independence of judgment or loyalty has been affected. Circles of Care intends to preserve the public trust in the integrity of agency employees by preventing bias or the appearance of bias in decision-making.

#### *Gifts and Gratuities*

In general, employees may not accept or solicit any gift, favor, or service that might reasonably tend to influence him or her in the manner, efficacy, or ethics he or she ordinarily applies to official job duties or would otherwise influence his or her job decisions or that he or she knows or should know is being offered with the intent to influence official conduct. Further, an employee who makes recommendations or decisions about financial transactions for Circles of Care and who accepts a gift from a party who is interested in the transaction may be committing a criminal offense. A gift is anything of value, including tickets to entertainment or sporting events, expenses for a trip, and food. In addition, even though the acceptance of a gift may not constitute a crime or violation of the general standard of conduct law, it may appear to the public that a gift has influenced an employee in performing his or her job. Employees should not accept a gift that could reasonably appear to influence official conduct, even if the gift is technically legal.

For more information, see the following policies:

- Code of Ethical Conduct
- Referral Practices

### *Political Activity and Contributions*

The Board of Directors reserves to itself the responsibility for passing on matters of a political or obviously controversial nature, which represent an official position of Circles of Care. No employee shall make or issue any public statement on any political or other obviously controversial subject which might reasonably be construed as a statement of the official position of the agency. Employees retain their right to speak as individuals. Circles of Care will not participate in any lobbying activities.

### *Outside Employment*

Employees are expected to treat their employment at Circles of Care as their primary job. An employee should not accept other employment or compensation that could reasonably be expected to impair his or her independence of judgment in performing official duties or which interferes with an employee's performance of their job.

For more information, see the following policies:

- Outside Employment

### *Family Members (Nepotism)*

Circles of Care does allow for the employment of relatives if they are specifically qualified for the position, having the required degree and relative experience, if required for the position. Panels will be used for interviewing unless not possible due to company, program, or office size to prevent conflicts of interest and appearances of favoritism. Employees are further required to disclose the existence of any relationship that may create a conflict of interest at the time of employment or that develops at any time during employment.

For more information, see the following policies:

- Nepotism

## **Section IV: Purchasing and Contracts**

### *Purchasing*

General purchases for items such as office supplies, cleaning supplies, snacks, and other items necessary for office functioning is managed by each office's respective Office Manager. Purchases for such items are requested on specified forms and approved according to the Circles of Care hierarchy.

For more information, see the following policies:

- Procurement Standards

### *Contracts*

Service and product vendors will be selected on an objective basis dependent on quality, price, dependability, etc.

In general, no staff member, manager, or director has the authority to solicit, select, or obligate Circles of Care in any contractual matter or sign a contract on behalf of the agency or any of its

departments or other subdivisions. All contracts must be approved by the President. Only an individual with a written delegation of authority from the President may execute contracts on behalf of the agency. A contract without an authorized signature may be invalid and unenforceable and may create individual liability for the unauthorized signer.

For more information, see the following policies:

- Contract Procurement
- Identification of Revenue and Expenses for Contracts
- Procurement and Subcontracting and Monitoring for Therapy and Counseling Services

### *Business Relationships*

When entering into new business or contractual relationships, Circles of Care will ensure that its partners are fully aware of and understand the expectations of all parties involved. Agency representatives will discuss and describe terms of any contract or agreement in plain language to ensure full comprehension. Contracts and agreements will be mutually beneficial for all parties whether through financial compensation, products, or services rendered. Further, Circles of Care will only enter into business arrangements with agencies committed to similar ethics, missions, and goals. The agency will avoid entering into contracts, agreements, or relationships with agencies, organizations, or persons who:

- Require a political position
- Fail to accurately represent services, programs, staffing, funding, or support
- Appear to or have a history of discrimination of any kind
- May be deemed sexually explicit or containing sexual innuendo, drug references, or violence
- Any other appearance, behavior, or philosophy which may damage the image, reputation, or service provision of Circles of Care

## **Section V: Environmental Issues**

### *Commitment to the Environment*

Circles of Care seeks to promote excellence in advancing environmental stewardship and sustainability in our offices and in our public service and outreach activities.

For more information, see the following policies:

- Environmental Impact

### *Employee Health and Safety*

It is the policy of Circles of Care to comply with all Federal and State legislation which relates to the agency's safety program. These acts, along with supporting rules and regulations developed by Circles of Care will provide the necessary standards under which the agency will conduct its safety program. Implementation of the safety policy is the responsibility of all staff members associated with the agency.

For more information, see the following policies:

- Workplace Health and Safety Plan
- Communicable Disease and Infection Control

## **Section VI: Reporting**

Every employee is responsible for making sure that Circles of Care conducts its business with honesty and integrity. To help, employees should report all instances of possible violations of law, regulations, or agency policy. Circles of Care provides several ways for its employees to report these violations without fear of retaliation.

*What is a reportable violation?*

Examples of violations include documentation misrepresentation or falsification, illegal or fraudulent activity, financial misstatements or irregularities, conflicts of interest, unethical conduct, and violations of laws, rules, or regulations. If any employee has questions as to whether an action is reportable or not, he/she may ask a supervisor or the Circles of Care Human Resources Department. For violations of abuse and neglect of a child, the state hotline number should be contacted at 1-800-252-5400 or reported online at

<https://www.txabusehotline.org>

*How can I report a violation?*

There are several methods for reporting suspected compliance, legal, and ethics violations.

The employee is to contact his/her immediate supervisor or the Human Resources Director. The employee must exercise sound judgment to avoid baseless allegations. An employee who intentionally files a false report of wrongdoing will be subject to disciplinary action up to and including termination.

The Circles of Care public website at [www.circlesofcareinc.org](http://www.circlesofcareinc.org) may be accessed 24 hours a day, 365 days a year, and complaints and reports may be submitted via this website. Reports submitted through the website are then forwarded to the appropriate officials who will promptly address the allegations. Contact information is required by the reporting party, and he or she may be contacted for further information or may request updates on the investigation.

*Anonymous Reporting:*

Employees may submit anonymous reports through the Circles of Care Employee Human Resources website at [www.hrapp.circlesofcareinc.org/](http://www.hrapp.circlesofcareinc.org/)

Anonymity – You may choose to make reports anonymously, but please be aware that we may not have a way to contact you should we have additional questions. Therefore, please provide as much detailed information as possible.

*Reporter Protection:*

Protection from retaliation is provided in two important areas – confidentiality and against retaliation.

Insofar as possible, the confidentiality of the reporter will be maintained. However, identity may have to be disclosed to conduct a thorough investigation, to comply with the law, and to provide accused individuals their legal rights of defense.

It is the policy of Circles of Care not to retaliate against those who report suspected wrongdoing. This includes but is not limited to protection from retaliation in the form of adverse employment actions such as termination, compensation decreases, or poor work assignments and threats of physical harm. Any reporter who feels they are being retaliated against must contact the Human Resources Department or Executive Director. The right of a reporter does not include immunity for any personal wrongdoing that is alleged and investigated.

The Human Resources Director is responsible for the coordination of the investigation activities and any corrective action.

For more information, see the following policies:

- Employee Grievance Procedure
- Appeal and Grievance Process for Agency Foster and Adopt Care Providers
- Appeal and Grievance Process for Children and Youth in Care

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## Circles of Care Ethics Guide

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### Acknowledgement Form

I, \_\_\_\_\_, have read and understand the Ethics Guide, and I agree to be bound by the requirements for ethical conduct while employed at Circles of Care.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Supervisor

\_\_\_\_\_  
Date

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Circles of Care

2014



