



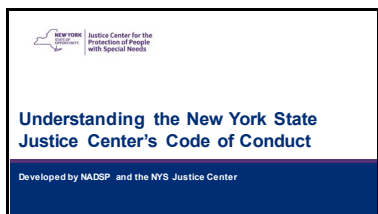
Understanding the New York State Justice Center's Code of Conduct

Instructor Guide

DEVELOPED BY NADSP AND THE NYS JUSTICE CENTER

A NYS JUSTICE CENTER TRAINING CURRICULUM

Slide 1

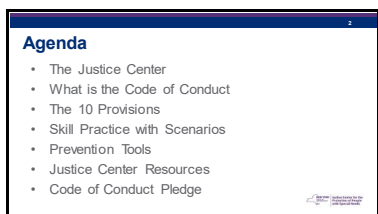


Welcome to Understanding the New York State Justice Center's Code of Conduct (COC) training, an interactive training for custodians who sign the code of Conduct. We will use the term Direct Support Professional (DSP) throughout the training in place of the term, custodian, as it stated in the COC.

This training was developed in conjunction with the National Alliance of Direct Support Professionals, NADSP, a national non-profit whose mission is to elevate the status of direct support professionals by improving practice standards; promoting system reform; and advancing their knowledge, skills, and values.

You have a critical role in achieving these goals and the Code of Conduct, is a resource to guide you in your daily interactions with those you support.

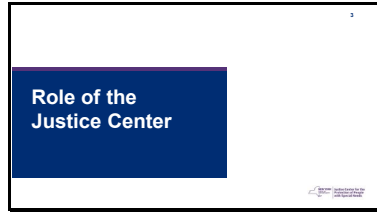
Slide 2



Topics to be covered are:

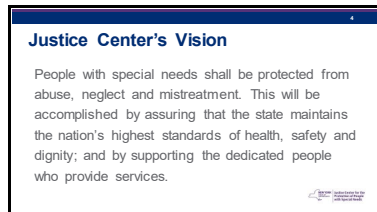
- The Justice Center
- What is the Code of Conduct?
- The 10 Provisions
- Skill Practice with Scenarios
- Prevention Tools
- Justice Center Resources
- Code of Conduct Pledge

Slide 3



Section Slide

Slide 4



Read slide.

It's important to note that as the Justice Center works to protect people, the Justice Center also recognizes the dedicated people who provide services.

The Justice Center provides resources for direct support professionals, individuals, families, and agencies.

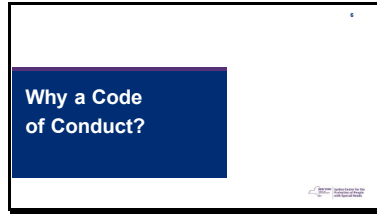
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The Justice Center has jurisdiction over state operated, licensed or certified programs or facilities under these six agencies where approximately 1 million people currently receive services.

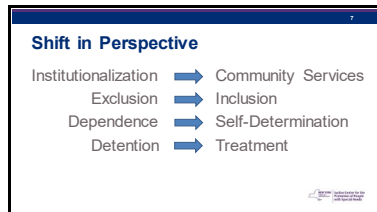
Discuss your agency's State Oversight Agency

Slide 6



Section Slide

Slide 7

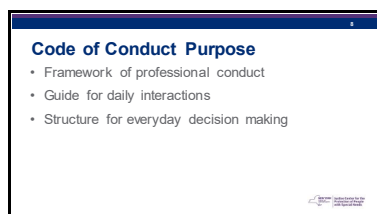


There has been a very positive shift in perspective for how services are provided for people.

The old system tended to control people. Decisions were made for them. We have moved to a more self-directed, self-determined approach where individuals are involved with their own life decisions.

Role of the DSP has also shifted. DSPs, and the Code of Conduct supports this shift.

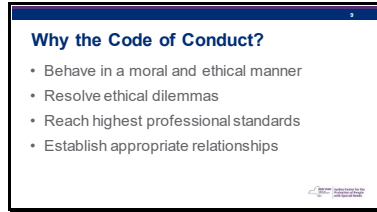
Slide 8



The code of conduct is a framework of professional conduct, a resource to guide you in your daily interactions with those you support.

People with special needs should have the opportunity to live self-directed, meaningful lives in their communities, free from abuse and neglect, and protected from harm. You and the work you do provide that opportunity and are the front-line of protection.

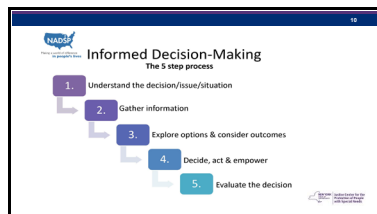
Slide 9



Supporting individuals with special needs is not a job that comes with straight-forward instructions or directions; you're not simply following orders. The individuals you support have preferences, dreams, plans, and dignity just like you.

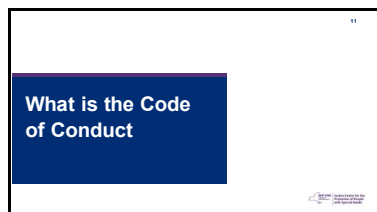
The code of conduct is intended to help you navigate moral and ethical dilemmas that may develop as you provide services that respect individual choice and support people.

Slide 10



NADSP has developed a 5 Step Process to Informed Decision making. (Read and review each step)

Slide 11

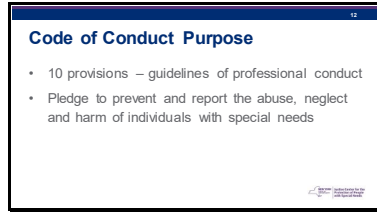


Section Slide

Note to Trainer: The provision examples used in the following slides should be customized and in line with the culture and mission of your agency as you review them.

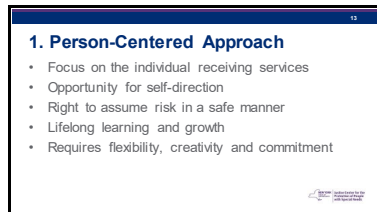
For each provision, use experiences or examples to demonstrate this provision and how it supports both staff and individuals receiving services.

Slide 12



The code of conduct is comprised of 10 provisions that serve as guidelines of professional conduct. It also includes a pledge, that is signed annually, to prevent and report abuse and neglect.

Slide 13

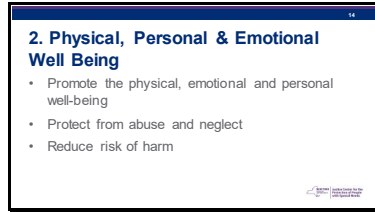


My primary duty is to the people who receive supports and services from this organization. I acknowledge that each person of suitable age must have the opportunity to direct his or her own life, honoring, where consistent with agency policy, their right to assume risk in a safe manner, and recognizing each person's potential for lifelong learning and growth. I understand that my job will require flexibility, creativity, and commitment. Whenever consistent with agency policy, I will work to support the individual's preferences and interests.

Recommended Talking Points

- What does Person-Centered mean?
- Discuss the complexity of this provision.
- How do you help the people you support make good decisions?
- Discuss the difficult balance between risk and choice.
- Ask/share examples when staff were flexible and creative

Slide 14

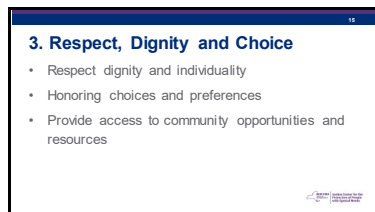


I will promote the physical, emotional, and personal well-being of any person who receives services and supports from this organization, including their protection from abuse and neglect and reducing their risk of harm to others and themselves.

Recommended Talking Points

- What does Promote mean?
- Can you guarantee or control everything?
- What does reduce risk of harm mean?
- According to Whom?
- What are ways your agency reduces risk of harm?

Slide 15



I will respect the dignity and individuality of any person who receives services and supports from this organization and honor their choices and preferences whenever possible and consistent with agency policy. I will help people receiving supports and services use the opportunities and resources available to all in the community, whenever possible and consistent with agency policy.

Recommended Talking Points

- What does dignity mean?
- Discuss what choice means-
- How can you include the individual in making choices?
- Is there always a choice? i.e. safety issue
- Share example of collaborating with other staff in how to best support the individual

Slide 16



I will help people receiving supports and services realize their rights and responsibilities, and, as consistent with agency policy, make informed decisions and understand their options related to their physical health and emotional well-being.

Recommended Talking Points

- What does Self-Determination mean?
- Share program/facility specific factors that must be considered.

Slide 17



I will help people who receive services and supports from this organization maintain or develop healthy relationships with family and friends. I will support them in making informed choices about safely expressing their sexuality and other preferences, whenever possible and consistent with agency policy.

Recommended Talking Points

- What is a healthy relationship?
- Importance of professional boundaries, i.e. Facebook friends?
- Share example of supporting informed choices and sexuality.

Slide 18

Types of Boundaries

- Physical boundaries
 - Touch, Privacy, Personal Space, Personal Property
- Interpersonal boundaries
 - Conversation topics, body language, dress, social media
- Emotional boundaries
 - Thoughts and Feelings, Personal Triggers

National Council of State Boards of Nursing

Review three types of boundaries and how these relate to the services your agency provides.

Slide 19

Continuum of Boundaries*

Under - Involvement Supportive Relationship Over - Involvement

*National Council of State Boards of Nursing


The goal is to stay in the green zone of Supportive Relationship.

Personalize for your agency.

Slide 20

Crossing Boundaries- In the Red Zone

- Jake is a group therapist at an outpatient clinic.
- Jake sees Julie, who he recently met at social event and exchanged numbers, coming into the clinic for another group.
- Jake had lost Julie's number and never got her last name. When he sees her name on the attendance sheet, he decides to look up her last name and sends her a friend request on Facebook.

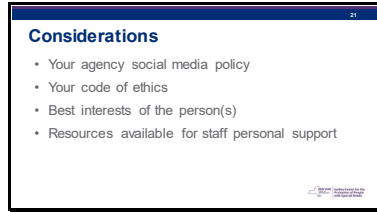


Sample Scenario. Please use or replace with a custom scenario for your agency.

Debriefing Questions for Sample

- Do you think Jake is in the red zone?
- Do you think it is ok for Jake to send a FB request?
- Do you think it is ok for Jake and Julie to be friends on FB?

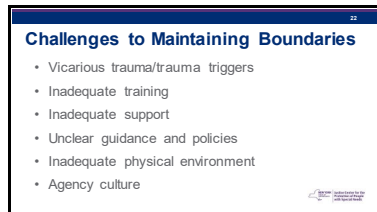
Slide 21



Considerations for professional boundaries.

Personalize for your agency.

Slide 22



In addition to gray areas, staff face other challenges to maintaining boundaries.

How many are familiar with Adverse Childhood Experiences (ACEs), vicarious trauma and trauma triggers affected by ACEs?

(Give brief examples of below)

Staff may not have adequate initial and ongoing training, to maintain good boundaries.

Staff may not have effective supervision – both 1:1 time and team supervision.

Staff may not have clear guidance and policies to rely on and guide their work.

The environment needs may have a negative impact on safety and therapeutic goals and care.

Agency culture may not support positive boundaries.

Slide 23

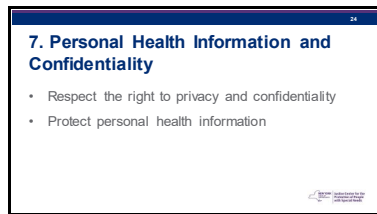


I will advocate for justice, inclusion, and community participation with, or on behalf of, any person who receives services and supports from this organization, as consistent with agency policy. I will promote justice, fairness, and equality, and respect their human, civil and legal rights.

Recommended Talking Points

- What is the difference between advocating for and advocating with?
- Share examples of advocating and promoting equality.

Slide 24



I understand that persons served by my organization have the right to privacy and confidentiality with respect to their personal health information and I will protect this information from unauthorized use or disclosure, except as required or permitted by law, rule, or regulation.

Recommended Talking Points

- What information should be considered private? Who needs to know?
- Goes beyond HIPPA to respect for personal information, i.e. medications.
- Share examples of when you struggled with this provision.

Slide 25

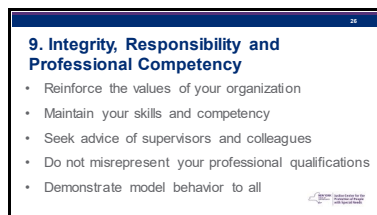


I will not discriminate against people receiving services and supports or colleagues based on race, religion, national origin, sex, age, sexual orientation, gender identity, economic condition, disability, or any other protected class under the law.

Recommended Talking Points

- What is discrimination?
- Share how personal judgment and values could interfere with this provision

Slide 26



I will reinforce the values of this organization when it does not compromise the well-being of any person who receives services and supports. I will maintain my skills and competency through continued learning, including all training provided by this organization. I will actively seek advice and guidance of others whenever I am uncertain about an appropriate course of action. I will not misrepresent my professional qualifications or affiliations. I will demonstrate model behavior to all, including persons receiving services and supports.

Recommended Talking Points

- What are the values of your organization?
- Share examples of the value of shared decision making
- How do you maintain your skills and competency?

Slide 27

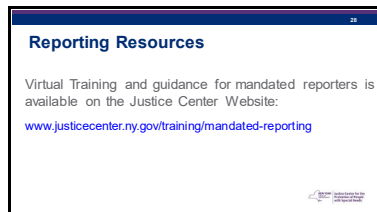


As a mandated reporter, I acknowledge my legal obligation under *Social Services Law* § 491, as may be amended from time to time or superseded, to report all allegations of reportable incidents immediately upon discovery to the Justice Center’s Vulnerable Persons’ Central Register by calling 1-855-373-2122.

Recommended Talking Points:

- Who has made a report to the Justice Center?
- Share the Mandated Reporter online training from the Justice Center website.
- Discuss agency internal protocol for reporting.

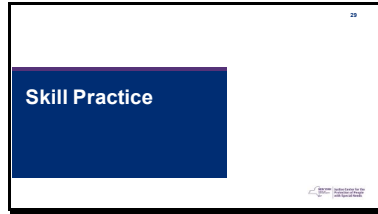
Slide 28



On the Justice Center website, there is a recorded mandated reporter training video as well as various guidance documents.

www.justicecenter.ny.gov/training/mandated-reporting

Slide 29



Create a scenario for discussion, based on your agency and individuals that you work with. Discussions should highlight how the code of conduct provides a framework in decision making for the custodian.

1. Choose a provision
2. Describe a realistic scenario
3. Describe the program or facility
4. Describe the people (staff & individuals receiving services)
5. Include multiple roles (person receiving services & include more than one DSP, Staff, or employees if possible)

Debriefing the Role Play

- How did the provision(s) provide guidance?
- Interpersonal skills
- Communication skills
- Conflict resolution
- Developing insights
- Group decision making

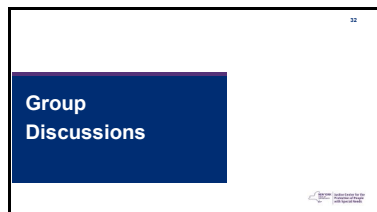
See page 19 of this instructor guide for additional information.

Slide 30

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- 30
1. Person-Centered Approach
 2. Physical, Personal & Emotional Well Being
 3. Respect, Dignity & Choice
 4. Self-Determination
 5. Relationships
 6. Advocacy
 7. Personal Health Information
 8. Non-Discrimination
 9. Integrity, Responsibility & Professional Competency
 10. Reporting
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Provisions of the Code of Conduct
(Show when Debriefing scenarios)

Slide 31



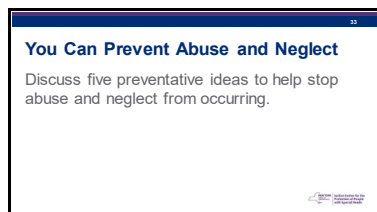
31

**Group
Discussions**

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Section Slide

Slide 32



32

You Can Prevent Abuse and Neglect

Discuss five preventative ideas to help stop abuse and neglect from occurring.

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Optional Group Activity

In small groups come up with FIVE preventative ideas on newsprint to help stop abuse and neglect from occurring.

See page 21 of this instructor guide for additional information.

Slide 33



Optional Group Activity

In small groups come up with FIVE ideas on newsprint to help create a culture of respect.

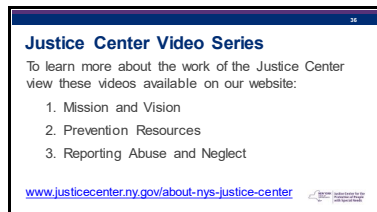
See page 23 of this instructor guide for additional information.

Slide 34



Section Slide

Slide 35



The JC video series provides information explaining the Justice Center mission, and many prevention resources.

Links to Video Series

- [Mission and Vision](#)
- [Prevention Resources](#)
- [Reporting Abuse and Neglect](#)
- [What We Do](#)

Slide 36

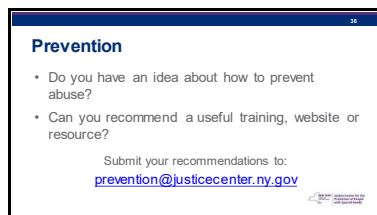


The Justice Center pursues various measures to prevent abuse and neglect before it occurs. To assist individuals, family members and provider agency staff, the Justice Center develops “Spotlight on Prevention toolkits” that provide facts, best practices, and resources to promote abuse-free environments.

In addition to the toolkits, a variety of prevention resources can be found on the Justice Center website.

Optional: Choose one of the toolkits and highlight the included resources.

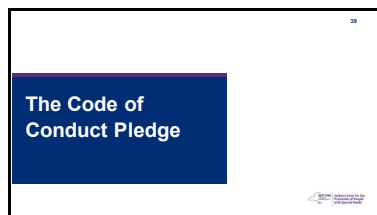
Slide 37



The Justice Center welcomes suggestions on policies and practices to prevent abuse. Suggestions can be sent via email to: prevention@justicecenter.ny.gov

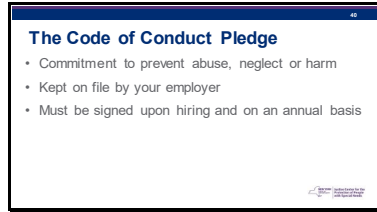
Emails sent to this address will not be shared with outside entities.

Slide 38



Section Slide

Slide 39

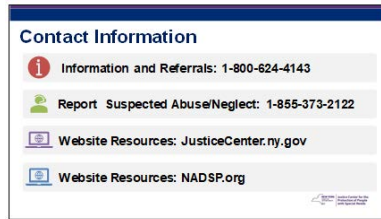


In addition to the ten provisions, the Code of Conduct includes a pledge that must be signed by any individual who has or will have regular and direct contact with persons receiving services from facilities or providers under the jurisdiction of the Justice Center. The signed pledges are kept on file by your employer and are not maintained by the Justice Center.

The pledge must be signed on an annual basis, providing you an opportunity to review the provisions and renew your commitment to prevent abuse, neglect, or harm towards any person with special needs

In signing the Code of Conduct pledge, you agree to abide by the ten provisions and pledge to prevent abuse, neglect, or harm toward any person with special needs. Custodians must report incidents in accordance with the applicable laws, regulations, and policies of the applicable State Oversight Agency.

Slide 40



Contact Information

- Information and Referrals: 1-800-624-4143
- Report Suspected Abuse/Neglect: 1-855-373-2122
- Website Resources: JusticeCenter.ny.gov
- Website Resources: NADSP.org

The Justice Center maintains a distinct toll-free Information and Referral line from 9:00 AM to 5:00 PM, Monday-Friday. 1-800-624-4143.

To report abuse or neglect, call 1-855-373-2122. This line is open 24/7/365.

Please visit the NYS Justice Center and NADSP websites for more resources and information.

We encourage you to have more detailed discussions about the content of this training and how the Code of Conduct provisions apply to you and your daily interactions with those you support.

Thank you for participating in this training and thank you for choosing a challenging and rewarding career supporting individuals with special needs.

Slide 41



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Additional Information for Trainers

Skill Practice: Scenario Tips

Participation and discussion are critical components of training, particularly on topics that have potential for diverse perspectives and interpretations, such as the Code of Conduct. The Code of Conduct asks professionals to behave in a moral and ethical manner. Understanding the COC can be very different from being able to apply the COC in the moment. In addition, the Code of Conduct may be asking the custodian to exercise attitudes and behaviors that are not necessarily the precepts of their own experience.

Incorporating Your Agency Polices and Culture

We suggest that you, and/or the training participants, create real-life scenarios for “skills practice.” Ask the participants to identify which provisions of the Code of Conduct would be involved in their decision making. The five steps to informed decision making is a great tool to use with this activity. Always remember to maintain confidentiality and respect. Emphasize main points for teaching with role-plays:

- While role-plays take interesting twists and turns, keep the focus on the lesson at hand
- Develop a sense of knowing when the role-play has run its course, i.e., when you can accomplish teaching one or more points from the exercise. (Also, when the audience is losing focus)
- Volunteers are usually more open to this adventure; however, a well-planted idea (notes on a card or brief written scenario) can encourage more timid participants.
- If time allows, a second step of small group role-plays can be a very effective practice technique – consider assigning groups to take on a specific part of the Code of Conduct, for example.

Directions to group

Set up

- Introduce/Describe Scenario
- Describe the program or facility
- Describe the staff and individuals receiving service involved

Act out your scenario

- Include multiple roles (person receiving services and include more than one DSP/staff/employees if possible)

Debrief Activity

- What did DSP/Staff do?
- Which provision(s) provides guidance in this situation?

Sample Scenarios

Scenario 1: Person-Centered Approach- Provision #1

Janice, a teenager living in a residential program, wants to become a software designer. She asks Roger, who works in the residence, to help her find a class on software design.

For Debrief

It is Roger's duty to recognize each person's potential for lifelong learning and growth. He recognizes that Janice has set a goal for herself and assists her in her search for classes. In doing so, Roger is supporting Janice's goals

Scenario 2: Respect, Dignity and Choice- Provision #3

Raquel has been a direct support professional for the past 3 years. Today, she is working with Byron and they are going to the store for groceries. Byron loves to wear bracelets and Raquel notices that he has a dozen colorful bangles on his wrist. Raquel thinks it is silly for a man to wear bracelets and tells Byron that she won't take him shopping unless he takes them off. Byron becomes very frustrated, gets out of the car, and shuts himself in his room.

For Debrief

Raquel must respect the individuality of any person receiving services and supports. Wearing bracelets in public is Byron's choice to make—the bracelets reflect his preferences and individuality. Raquel must recognize his right to make this choice and support it

Scenario 3: Advocacy- Provision #6

Nikos lives in a residential facility with five other adults. He loves Elvis Presley and does a great Elvis impersonation. Nikos recently mentioned to Christie, one of his direct support professionals, that his dream is to go to Graceland. Christie discussed this with her residential manager, who said that the residence didn't have enough staff to support a trip.

For Debrief

By signing the Code of Conduct, Christie pledged to advocate with Nikos for his inclusion and participation in community activities, such as vacations to Graceland. While achieving that dream may be challenging, Christie has the responsibility of advocating with Nikos to her facility for him to have an opportunity to go on the trip.

You can Prevent Abuse and Neglect (Optional Activity)

Discuss as appropriate in accordance with the services you provide, and your agency policies and procedures. Use experiences or examples to demonstrate this provision and how it supports both staff and individuals receiving services.

Sample Activity

Divide class into small groups of 4-5 people. Allow time for each group to come up with five (5) preventative ideas on newsprint to help stop abuse and neglect from occurring. Each group then presents their ideas. All ideas are welcome and there is no wrong or bad idea.

Sample Answers

1. Develop an abuse prevention policy

- Form a workgroup of stakeholders
- Conduct external research on abuse and neglect prevention policies and resources
- Conduct internal research of current practices on abuse prevention
- Draft a comprehensive abuse prevention policy
- Submit for review and approval (BOD, stakeholders, other)
- Formally adopt policy
- Train staff and people receiving services (as appropriate) on policy

2. Provide Effective and Timely Staff Training

- Select someone to serve as training manager/coordinator
- Provide training on how to recognize, stop and report abuse and neglect, the process for reporting, and the role of the NYS Justice Center
- Provide training on individual treatment needs and Trauma Informed Care
- Provide training on Code of Conduct and professional boundaries
- Offer training on conflict resolution techniques, creative problem solving and stress management
- Provide management training on supervision and team development

3. Screen New Hires Thoroughly

- Background checks, SEL clearance and other checks as appropriate (SCR, sex offender registry checks, DMV)
- Interview candidates in person and include questions to help identify concerns about mistreatment
- Check references by phone using pre-determined questions that target mistreatment
- Heightened monitoring and supervision during probation period
- Establish criteria to consider a candidate with a criminal record

4. Manage Staff Stress and Burnout

- Provide crisis intervention refreshers as needed and in a timely manner
- Provide opportunities for advancement

- Create a committee to study workforce issues and to develop initiatives to address them
- Establish a process to support staff returning to work from administrative leave
- Offer support with contacting EAP when indicated
- Create a culture of celebration
- Provide training and support for supervisors
- Hold regularly scheduled team meetings for problem-solving, debriefing following a crisis or challenging event

5. Manage Staff Ratios and Turnover

- Provide management and team development training for supervisors
- Provide opportunities for staff advancement
- Set achievable and measurable goals for advancement
- Convey that staff are valued
- Implement periodic anonymous staff surveys on work satisfaction, challenges and recommended improvements
- Facilitate problem solving discussions at team meetings on issues related to staff ratio/turnover
- Show staff appreciation regularly in varied ways

6. Address History of Deficiencies/Complaints

- Establish procedures for timely response to complaints and remediation of deficiencies including back-up plans
- Provide staff training on privacy, creative problem solving, boundaries, other as appropriate
- Research untapped resources for plant improvements (grants, fundraising, donations)
- Analyze trends (Root Cause Analysis, Failure Mode and Effects Analysis, or other methods)

7. Create an Empowering Culture and Management Team

- Provide training on sensitivity and understanding needs of the population served
- Evaluate level of inclusiveness (language, decision-making, new projects)
- Hold regular program/community meetings: empowering people receiving services to take leadership
- Survey people receiving services and staff about agency culture
- Acknowledge that abuse can happen
- Acknowledge and apologize for mistakes and mistreatment
- Provide regular supervision, feedback, follow-up on staff concerns
- Provide training for managers on supervision, communication, team development and accountability to staff

Culture of Respect- (Optional Activity)

Discuss as appropriate with the services you provide in accordance with your agency policies and procedures. Use experiences or examples to demonstrate this provision and how it supports both staff and individuals receiving services.

Sample Activity

Divide class into small groups of 4-5 people. Allow time for each group to come up with five (5) ideas on newsprint to create a culture of care, a culture of respect and a culture of protection of/for/with people with disabilities. Each group then presents their ideas.

Sample Activity Answers

- Follow the Code of Conduct
- Report Abuse and Neglect
- Mandate diversity training
- Provide communication training
- DSP of the month

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