

<b>SUBJECT:</b>	<b>LEADERSHIP ROLES, STRUCTURE &amp; RESPONSIBILITIES</b>		
<b>POLICY TITLE:</b>	<b>ORGANIZATIONAL ETHICS</b>		
<b>RESPONSIBLE PARTY:</b>	<b>BOARD OF DIRECTORS</b>		
<b>POLICY #:</b>	<b>LD 113</b>	<b>EFFECTIVE DATE:</b>	<b>09/96</b>
<b># OF PAGES:</b>	<b>8</b>	<b>REVISION/APPROVAL DATE:</b>	<b>02/16</b>
<b>APPROVED BY:</b>	<b>THE BOARD OF DIRECTORS</b>		

**APPLICABLE LAWS, REGULATIONS AND/OR STANDARDS:**

**Federal Laws:**

N/A

**State Laws:**

N/A

**Regulations:**

A.A.C. R9-10-1008. *Patient Rights*

A.A.C. R21-6-203. *Conflicts of Interest*

A.A.C. R21-6-204. *Rights of the Applicant and Foster Parent*

**COA Standards:**

[ETH 2: Conflict of Interest](#)

[RPM 2: Risk Prevention](#)

[GOV 6: Governance Responsibilities](#)

[HR 1: Work Environment](#)

[HR 5: Human Resource Practices](#)

**POLICY**

It is the expectation that all employees, interns, volunteers and members of the Board of Directors perform their duties with the utmost commitment to the ethical standards and guidelines of Arizona's Children Association.

**01 GUIDELINES FOR ETHICAL BEHAVIOR**

1.0. AzCA is committed to observing and promoting the highest ethical conduct in our performance of responsibilities and duties.

1.1. The goal of AzCA's services shall be directed first and foremost to the best interests of children and their families and, therefore shall:

1.1.1 Act with honesty, integrity, and transparency in all organizational dealings as representatives of the organization.

1.1.2 Be responsible as a national leader in promoting excellence in child welfare and behavioral health work, as well as work in early childhood development. Be

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<b>POLICY #:</b>	<b>LD 113</b>	<b>EFFECTIVE DATE:</b>	<b>09/96</b>
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responsible as a national leader to examine, find and report truth, dialogue and promote excellence in child welfare and social work practice and policy, and their effect on children, youth and families. This leadership will focus on policy and practice in general and as related to disproportionate representation and disparate outcomes for children of color, the Native American community and other populations of diverse culture and language.

1.1.3 Develop and encourage the practice of standards for personal and professional conduct among employees, directors, consultants, and the people we serve.

1.1.4 Exemplify a professional level of courtesy, respect and objectivity when participating in all AzCA activities.

## **02 INCLUSIVENESS AND DIVERSITY**

AzCA practices, policies, and services are non-discriminatory in relation to race, color, ethnicity, national origin, culture, language, gender, age, sexual orientation/preference, gender identity and expression, disability, marital status, religion, veteran status or any other protected status. This also applies to sources of payment for services or ability to pay. AzCA will proceed in good faith to effectively embrace the value of diversity, the pursuit of cultural competence, and will take firm action to address any circumstances resulting in discrimination or that compromise the best interests of children and their families. AzCA's promotional materials, staff and board members are sensitive to and show respect for the cultural and ethnic diversity of its community and constituents.

## **03 ACCOUNTABILITY**

3.0. AzCA will be fully and legally authorized to operate and follow applicable laws, regulations, accreditation standards, and contractual requirements.

3.1. AzCA will have a well-planned budget that is clearly understood and approved by its Board of Directors. It will spend a reasonable percentage of its annual budget in pursuance of its mission; it will spend an adequate amount on administrative expenses to ensure effective accounting systems, internal controls, competent staff, and other expenditures critical to professional management; advocate and strive for funding sufficient to operate programs at a level consistent with its standards of excellence and consistent with its mission.

3.2. AzCA will maintain fiscal integrity through appropriate audits, sound management practices and careful attention to conflicts of interest, and establish and nurture a climate of high ethical behavior in its management and service practices.

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<b>RESPONSIBLE PARTY:</b>	<b>BOARD OF DIRECTORS</b>		
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3.3. AzCA will operate with openness and transparency; it will provide comprehensive and timely information to the public, the media, and all stakeholders and be responsive to requests for information. All information will fully and honestly reflect the policies, practices and standards of excellence of AzCA. Basic informational data such as the Form 990 and audited financial statements will be made available to the public. All financial, organizational and program reports will be complete and accurate in all material respects.

3.4. AzCA will regularly review program effectiveness and establish mechanisms to incorporate lessons learned into future programs. It is committed to improving program and organizational effectiveness and in that regard develops mechanisms to promote learning from its activities.

#### **04 CONFIDENTIAL INFORMATION**

4.0. AzCA will protect the rights to privacy and confidentiality of its employees, volunteers, interns, directors, partners and clients except when such confidentiality would cause harm or under other stated conditions (e.g., local, state or federal laws). Staff and board members will be informed of and will inform partners and clients of the limits of confidentiality prior to the onset of the relationship.

4.1. AzCA employees and directors will use extreme care in delivering or transferring any confidential data, information or communication over public computer networks. AzCA staff and board members are attentive to the problems of maintaining confidentiality and control over sensitive material and data when use of technological innovations, such as public computer networks, may open their professional communication to unauthorized persons.

#### **05 GOVERNANCE**

5.0. AzCA will have an active governing board (board) that is responsible for setting its mission and strategic direction and for overseeing its finances, operations and policies.

5.1. The board will ensure that its directors have the requisite skills and experience to carry out their duties and that all such members understand and fulfill their governance duties acting for the benefit of the organization and its public purpose.

5.2. The board will have a conflict of interest policy that ensures that any conflicts of interest or the appearance thereof are avoided and appropriately managed through disclosure, recusal, or other means.

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<b>RESPONSIBLE PARTY:</b>	<b>BOARD OF DIRECTORS</b>		
<b>POLICY #:</b>	<b>LD 113</b>	<b>EFFECTIVE DATE:</b>	<b>09/96</b>
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- 5.3. The board is responsible for the hiring, firing, and regular review of the performance of the President and Chief Executive Officer (CEO), and ensures that the compensation of the President and CEO is reasonable and appropriate.
- 5.4. The board will ensure that the President and CEO and appropriate staff provide the board with timely and comprehensive information so that the governing body can effectively carry out its duties.
- 5.5. The board ensures that the organization conducts all transactions and dealings with integrity and honesty.
- 5.6. The board ensures that the organization promotes working relationships with directors, employees, volunteers, and all others that are based upon mutual respect, fairness and openness.
- 5.7. The board ensures that the organization is fair and inclusive in its hiring and promotion policies and practices for all directors, employee and volunteer positions.
- 5.8. The board ensures that the policies of the organization are in writing, clearly articulated and officially adopted.
- 5.9. The board ensures that the resources of the organization are responsibly and prudently managed.
- 5.10. The board ensures that the organization has the capacity to carry out its programs effectively.
- 5.11. The board members will commit to the duties of care, loyalty and confidentiality. They will be held accountable by the board chairperson for (1) making good decisions based on regular attendance and asking for sufficient information, (2) acting in the best interest of the organization by not using his or her board position to influence staff members, and not taking for himself or herself any opportunities that belong to the organization; and (3) committing to the organization's confidentiality requirements.

## **06 RESOURCES**

- 6.0. AzCA will be fiscally and financially responsible internally and externally. It will manage its funds responsibly and prudently.
  - 6.0.1. It spends a reasonable percentage of its annual budget on programs in pursuance pursuit of its mission;

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<b>RESPONSIBLE PARTY:</b>	<b>BOARD OF DIRECTORS</b>		
<b>POLICY #:</b>	<b>LD 113</b>	<b>EFFECTIVE DATE:</b>	<b>09/96</b>
<b># OF PAGES:</b>	<b>8</b>	<b>REVISION/APPROVAL DATE:</b>	<b>02/16</b>
<b>APPROVED BY:</b>	<b>THE BOARD OF DIRECTORS</b>		

- 6.0.2. It spends an adequate amount on administrative expenses to ensure effective accounting systems, internal controls, competent staff, and other expenditures critical to professional management;
  - 6.0.3. Its fair performance management system will compensate staff and any others who may receive compensation, reasonably and appropriately;
  - 6.0.4. It has reasonable fundraising costs, recognizing the variety of factors that affect fundraising costs;
  - 6.0.5. It does not accumulate operating funds excessively; and
  - 6.0.6. It prudently draws from endowment funds and distributes donor advised gifts consistent with donor intent and to support the public purposes of the organization.
- 6.1. AzCA is truthful in its solicitation materials. It respects the privacy concerns of individual donors and expends funds consistent with donor intent. It discloses important and relevant information to potential donors.
- 6.2. In raising funds from the public, AzCA will respect the rights of donors as follows:
- 6.2.1. To be informed of the mission of AzCA, the way the resources will be used and their capacity to use donations effectively for their intended purposes;
  - 6.2.2. To be informed of the identity of those serving on AzCA's governing board and to expect the board to exercise prudent judgment in its stewardship responsibilities;
  - 6.2.3. To have access to AzCA's most recent financial reports;
  - 6.2.4. To be assured that their gifts will be used for the purposes for which they were given;
  - 6.2.5. To receive appropriate acknowledgment and recognition;
  - 6.2.6. To be assured that information about their donations is handled with respect and with confidentiality, when requested, to the extent provided by the law;
  - 6.2.7. To expect that all relationships with individuals representing AzCA's interest to the donor will be professional in nature;

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<b>RESPONSIBLE PARTY:</b>	<b>BOARD OF DIRECTORS</b>		
<b>POLICY #:</b>	<b>LD 113</b>	<b>EFFECTIVE DATE:</b>	<b>09/96</b>
<b># OF PAGES:</b>	<b>8</b>	<b>REVISION/APPROVAL DATE:</b>	<b>02/16</b>
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- 6.2.8. To be informed whether those seeking donations are volunteers, employees of AzCA or hired solicitors;
- 6.2.9. To have the opportunity for their names to be deleted from mailing lists that AzCA may intend to share; and
- 6.2.10. To feel free to ask questions when making a donation and to receive prompt, truthful and forthright answers.

## PROCEDURES

### 01 PRIMACY OF CLIENT INTERESTS

- 1.0. The employee's primary responsibility is to its clients. AzCA employees will strive to foster maximum self-determination and self-sufficiency of clients. AzCA employees will maintain client confidentiality, privacy and other rights as enumerated under the Clients' Rights section. AzCA will not discriminate against any applicant, client or client family member on the basis of race, color, gender, sexual preference, age, religion, national origin, handicap, marital status, veteran status or any protected status. Personnel will respect the person's autonomy, confidentiality, socio-cultural values, personal goals, life style choices, and complex family interactions. Personnel will engage and motivate individuals and families by demonstrating sensitivity to the needs and personal goals of the service recipient, demonstrating a non-threatening manner, demonstrating flexibility as well as appropriate boundaries.
- 1.1. Clinical decision-making is based on the clients' identified needs without regard to financial compensation to employees.

### 02 COMPETENCE, PROFESSIONAL DEVELOPMENT AND INTEGRITY

- 2.0. AzCA employees will strive to become and remain proficient in professional practice and performance of professional functions. AzCA employees will act in accordance with high standards of professional integrity. Employees will not knowingly and willfully make or write any false statements concerning AzCA, its clients or its employees. Employees who report suspected misconduct will not be retaliated against or considered in non-compliance to the code of ethics.
- 2.1. AzCA employees adhere to the Code of Ethics adopted by the National Association of Social Workers ([RI-A NASW Code of Ethics](#); and [RI-B NASW Codigo de Etica](#)). All staff are expected to behave with integrity and provide ethical services.

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<b>RESPONSIBLE PARTY:</b>	<b>BOARD OF DIRECTORS</b>		
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**03 COOPERATION AND CONSULTATION WITH COLLEAGUES**

AzCA employees will treat colleagues with respect, courtesy, fairness and good faith, both internally and with other human service providers, educational institutions and payers. AzCA employees are expected to consult with colleagues in order to ensure the quality of care to AzCA clients. Employees will respect colleagues’ professional opinions, using appropriate forums where input is solicited for case decisions to express disagreements with such opinions.

**04 BILLING PRACTICES**

4.0. AzCA will employ sound fiscal, business and other professional practices which are in compliance with its non-profit charter and the private and governmental contractual agreements it holds. AzCA will ensure that client fees are fair, reasonable, considerate and commensurate with the service performed and with due consideration for the clients’ ability to pay. Client fees, payment schedules, refund policies and consequences for non-payment are explained in advance and put into a written, signed fee agreement, except for providing a behavioral service to a client experiencing a crisis situation. Billing will reflect and describe only those services requested and rendered. Unpaid fees may be recovered through a collection agency or small claims court, after a family receives notice of such pending referral in writing with a specific time to respond. Families may be charged interest for late fees. Billings will be made promptly once service is rendered per terms of the contract/fee agreement. Any fees received in advance of service will be refunded if a service is not delivered. Questions about charges and billing are handled by the Program Director in the applicable department. Clients will be informed as to the source of payment for their services and any limitations that the payor has placed on the duration or length of services.

4.1. Periodically conflicts may arise between clinical needs and financial considerations. This most often will occur when there is a clinical need without the concomitant financial underpinnings to support the treatment of that need. In all cases, the clinical need must be paramount but must also be relevant to the core issues of the case. Where such a clinical versus financial need conflict arises the following will take place:

4.2.1. The conflict should be documented and brought to the worker’s clinical supervisor to see if it can be resolved within the confines of the program and within the budget for that program.

4.2.2. If the above is not possible then the program head or supervisor will take it to the program director who will determine whether or not the program has the resources to assist with the need for ongoing financial support of the clinical issues. If that is not possible then the program director will take the matter to the respective program

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<b>RESPONSIBLE PARTY:</b>	<b>BOARD OF DIRECTORS</b>		
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Vice President (Behavioral Health or Child Welfare) who together with the Sr. VP/CFO (Chief Financial Officer) will review agency resources to solve the problem.

### **05 CONFLICTS OF INTEREST**

AzCA sets expectations and guidance regarding conflicts of interest which must be reviewed, acknowledged and verified upon hire and annually by its staff, interns, volunteers and members of the Board of Directors ([LD 114 – Conflicts of Interest](#)).

### **06 MARKETING PRACTICES**

AzCA sets expectations and guidance regarding its marketing practices to which staff are expected to follow and adhere ([FN 911 – Fundraising and Gift Acceptance](#), [FN 912 – Marketing and Communications](#)).

### **07 POLITICAL ACTIVITIES**

AzCA ensures that no public funds paid to AzCA are used to influence any governmental legislative or administrative body. AzCA will not make political contributions.

### **08 PROTECTION OF ASSETS**

Employees will aim to efficiently utilize agency time and resources for AzCA business only and not for personal gain.

### **09 COMPLIANCE**

Any AzCA employee who violates the provisions outlined in the Code of Ethics and Organization Ethics may be subject to immediate termination of his/her employment.

### **10 ANNUAL REVIEW REQUIREMENTS**

The Organizational Code of Ethics will be reviewed and signed yearly by AzCA board and staff members.

