

# Cerebral Palsy of Westchester Standards of Conduct

## Mission and Values

The mission and commitment of Cerebral Palsy of Westchester (also referred to as CPW) is to advance the independence, productivity, and full citizenship of individuals with Cerebral Palsy or other disabilities. The Standards of Conduct were approved by CPW's Board of Directors, and are a formal statement of CPW's commitment to the standards and rules of ethical conduct.

## Intent

CPW's Standards of Conduct apply to all Affected Individuals. Regulation 18 NYCRR Part 521-1.2 defines "Affected Individuals" as:

*"All persons who are affected by the required provider's risk areas including the required provider's employees, the chief executive and other senior administrators, managers, contractors, agents, subcontractors, independent contractors, and governing body and corporate officers"*

These standards reflect CPW's expectations regarding the conduct that is necessary:

- for the efficient operation of the agency
- for the benefit and safety of all personnel and Service Recipients, and,
- to maintain CPW's commitment to providing a high quality of care to those we serve.

Conduct that interferes with operations, discredits the agency, or is offensive to Service Recipients, fellow workers, and other entities during business-related engagements, is prohibited. Disregard of these Standards of Conduct can result in disciplinary action, including suspension and dismissal. The agency, however, maintains the right to terminate an employee for any reason.

All Affected Individuals are expected to comply with these Standards of Conduct, and immediately report any alleged violations of wrongdoing. CPW is committed to preventing the occurrence of unethical or unlawful behavior, stopping such behavior as soon as possible after discovery, and to discipline Affected Individuals who violate the Standards of Conduct, including those who neglect to report a violation. Affected Individuals are expected to assist management and compliance personnel as needed in investigating allegations of wrongdoing.

These Standards of Conduct are intended to guide Affected Individuals in the course of their day-to-day responsibilities. They do not replace any of CPW's policies and procedures. There may be instances that are not addressed by the Standards of Conduct or existing policies and procedures. In these instances, Affected Individuals should seek direction from their supervisor, other management staff or the Compliance Officer.

## **Ethics**

It is the policy of CPW to adhere to all laws and regulations applicable to its business, and to conduct business with the highest degree of integrity. To accomplish this, all Affected Individuals must obey the laws and regulations that govern their work and always act in the best interest of the people we serve and their families, and CPW.

### **GUIDELINES FOR AFFECTED INDIVIDUALS:**

- You are expected to keep management staff informed of what you are doing; to document or record all services or transactions accurately; and to be honest and forthcoming with CPW, regulatory agencies, and internal and external auditors.
- You are expected to comply with CPW's policies and procedures, accounting rules and internal controls.
- You are expected to function with honesty in your work for CPW and with people we serve, providers, suppliers, and all others with whom CPW does business.

### **Use of Agency Funds and Resources**

- CPW's assets are only to be used for the benefit of CPW and the people we serve. Assets include but are not limited to: funds, equipment, vehicles, inventory and office supplies, concepts, business plans and strategies, information about people served, financial information, computer property rights, and other business information about CPW.
- You may not use CPW assets for personal gain or give them to any other persons or entities, except in the ordinary course of business as a part of an approved transaction.

## **Conflict of Interest**

Affected Individuals must not allow any outside financial interest, or competing personal interest, to influence their decisions or actions taken on behalf of CPW.

Affected Individuals must avoid any situation where a conflict of interest exists or might appear between their personal interests and those of CPW. The appearance of a conflict of interest may be as serious as an actual conflict of interest.

### **GUIDELINES FOR AFFECTED INDIVIDUALS:**

It is a conflict of interest for you to personally take for yourself opportunities that are discovered through the use of CPW property, information or position with CPW; to use CPW property or information for personal gain; or to compete with CPW.

There are many types of situations where potential conflicts may arise. You must promptly report any actual or potential conflicts of interest to your immediate supervisor, or directly to the Compliance Officer.

### **Outside Activities and Employment**

- You may not conduct outside activities during work time. Such activities interfere with your regular duties and negatively impact the quality of your work.
- You are a representative of CPW in your everyday life, and are expected to represent CPW positively in the community.

- Outside employment must not conflict in any way with your responsibilities to CPW or its service recipients. You may not compete against CPW or have any ownership interest in a competitor. Staff with decision-making capacity at CPW may not work for CPW's competitors.
- If you believe that you may have a conflict of interest, speak with your immediate supervisor, a member of the Human Resources department, and/or the Compliance Officer.

#### Business Dealings between CPW and Affected Individuals

- CPW will not be inappropriately influenced by goods or services from any business in which you or your immediate family members have a substantial interest.
- Property and resources of CPW should only be used for the benefit of CPW or the people we serve.

### **Maintenance of Records**

Affected Individuals must record and report all required agency, service recipient and financial information fully, accurately and honestly. Affected Individuals must not omit or conceal any relevant information. Records may be electronic or on paper, and include but are not limited to: Records of the people we serve, Documentation of services, Accounting books or records, Financial statements, Timesheets or records, Expense reports, Vouchers, Bills, Payroll, Claims payment records, and Correspondence.

#### **GUIDELINES FOR AFFECTED INDIVIDUALS:**

Many of CPW's forms are legal documents used to prove that a service was provided, to bill for a provided service, or to record a job task. You must document accurately and honestly, and only for those services that you provided or observed being provided.

#### Falsification of Records

- You must not knowingly make any false entries in any of CPW's records or in any public record for any reason.
- You may not alter any permanent entries in CPW's records.
- You may only approve payments or receipts on behalf of CPW that are described in documents supporting the transaction. "Slush funds" or similar off-book accounts, where there is no accounting for receipts or expenditures on the agency books, are strictly prohibited.
- You may not create or participate in the creation of any records that are intended to mislead or to conceal anything that is improper.

#### Expense Records

- You must always charge expenses accurately and to the appropriate cost center or account, regardless of the financial status of the program, project or contract, or the budget status of a particular account or line item.

#### Retention of Records

- The retention, disposal or destruction of records pertaining to CPW must always comply with legal and regulatory requirements, and CPW policy.
- You may not destroy records pertaining to litigation or government investigations or audits without express written approval of the Compliance Officer.

## **Protection of Confidential Information**

During your employment, you may acquire confidential information about CPW, its staff and people we serve that must be handled in strict confidence and not discussed with outsiders. Failure to maintain confidentiality can be considered a violation of privacy.

CPW has developed policies and procedures to assure that the confidentiality of CPW information and information about the people we serve is protected, and released only with the appropriate authorization or for lawful reasons, in addition to purposes of treatment, payment and operations. All Affected Individuals are required to comply with CPW's Privacy Policy, located at <https://cpwestchester.org/privacy-policy/>. If you have any questions concerning confidential information or the Privacy Policy, contact your immediate supervisor or the Compliance Officer.

### **GUIDELINES FOR AFFECTED INDIVIDUALS:**

- You must treat all CPW records and information as confidential.
- You may not release confidential information without the proper authorization. Confidential information includes not only information about the people that we serve and their families, but also non-public information about CPW that may be of use to CPW's competitors, or that may be harmful to CPW or its service recipients if released.
- You are expected to protect CPW information and avoid discussing or disclosing CPW information, purposefully or inadvertently (i.e. through casual conversation), to any unauthorized person inside or outside CPW. Furthermore, staff may not share confidential agency information with anyone, except where required for a legitimate business purpose.
- Agency information may not be removed from CPW property without permission from your supervisor or an administrator with proper authority over the information. Ask your supervisor if you are not sure whether certain information is confidential.
- Any inappropriate release of information must be reported to your supervisor in a timely manner.

### **Termination of Employment**

- You may not use any confidential information gained from your employment with CPW for your or another company's benefit. You may not take copies of any reports, documents or any other property belonging to CPW.
- Upon termination of employment with CPW, you must return all CPW property, including but not limited to copies of documents, notes and other records containing confidential information; agency ID; keys; credit cards.

### **Information Security**

- You are responsible for properly using information stored in and produced by all of CPW's computer systems.
- Computers, internet access, email, phones (landline or mobile), or other office communication systems are intended for business-related purposes only, and not for uses that may be disruptive, offensive, harassing or harmful to others.
- Do not share your username or password (i.e. for computers, phones, online documentation systems, etc.) with another person, or allow anyone to access any computer, device or system with your password.
- All Affected Individuals are required to comply with CPW's IT policies and procedures. If you have any questions concerning information security, contact your immediate supervisor, the IT Director or Helpdesk Support, or the Compliance Officer.

## **Fair Dealing**

Conducting business with providers, contractors, suppliers, people we serve, and competitors may pose ethical problems. Affected Individuals are expected to deal fairly with providers, contractors, people we serve, and competitors. The Standards of Conduct and the following guidelines are intended to help you make appropriate, responsible and correct decisions in these and all matters.

### **GUIDELINES FOR AFFECTED INDIVIDUALS:**

#### **Kickbacks and Rebate**

- Kickbacks and rebates in cash, credit or other forms are prohibited. They are not only unethical, but in many cases, illegal.

#### **Gifts and Gratuities and Entertainment**

- You may not solicit money, gifts, gratuities, or any other personal benefits or favors of any kind from providers, contractors, producers, accounts, or people we serve and their families.
- You must not offer or accept entertainment that is not a reasonable addition to a business relationship, but is primarily intended to gain favor or to influence a business decision.

#### **Agreements with Contractors and Vendors**

- CPW must assure that any agreements with contractors and vendors clearly and accurately describe the services to be performed or items to be purchased. Performance standards, and the applicable compensation, if any, must be reasonable in amount, not be excessive in terms of industry practice and must equal the value of the services rendered.

#### **Improper Use of Funds or Assets**

- Use of CPW's funds or assets for any improper purpose is strictly prohibited. If you are aware of or have reason to believe that funds or assets are being improperly used, you must report this immediately to your supervisor or the Compliance Officer.

## **Federal and State Programs**

CPW is committed to complying with the federal and state laws and regulations that govern the programs that it operates. Policies and procedures, as well as these Standards of Conduct are developed to provide guidance in your day-to-day work. You are expected to abide by the policies and procedures and the standards set by CPW.

## **Governmental Investigations**

There may be times that CPW is asked to cooperate with an investigation by a federal or state government agency, or to respond to a request for information. A request may be formally addressed to CPW or an individual within the agency. Affected Individuals must report any requests for information or cooperation with an investigation to the Compliance Officer immediately.

## **Political Activities and Contributions**

Because CPW is a non-profit organization, it is prohibited from engaging in any political campaign activities and a "substantial" amount of lobbying.

### **GUIDELINES FOR AFFECTED INDIVIDUALS:**

Agency funds and resources, including your work time, may not be used for political contributions or activities, except voting.

You may not act as a representative of CPW in any political campaign activity. In expressing your personal political views or support or opposition of a candidate for public office, it must be very clear that you are expressing your personal view, support or opposition as an individual, and not a representative of CPW.

Laws and regulations prohibit a “substantial” amount of lobbying. There are allowances for CPW to advocate its position on public issues. To assure that CPW does not violate any laws or regulations, or risk losing its tax-exempt status, you must seek prior approval from the Executive Director before engaging in any lobbying activities, and the Compliance Officer must be made aware. The Executive Director and/or Compliance Officer may need to consult with legal counsel on the matter, and will need to record the amount of time spent in lobbying activities.

## **Employment Environment**

CPW is committed to creating a safe and professional workplace where Affected Individuals and others are treated with respect, without regard to their race, gender, age, religion, national origin, color, marital status, disability, or other protected characteristics. Business integrity, teamwork, trust and respect are CPW’s most important values. Unlawful discrimination or harassment of any sort violates these values. All Affected Individuals are expected to exhibit and promote integrity, teamwork, trust and respect in the workplace, and must comply with this standard of conduct that prohibits discrimination and harassment in all facets of CPW’s work.

### **GUIDELINES FOR AFFECTED INDIVIDUALS:**

- All Affected Individuals are required to support CPW’s commitment to a safe and professional work environment and to demonstrate appropriate behavior in the workplace.
- All Affected Individuals are prohibited from joking about, ridiculing, discriminating, harassing, intimidating, joking, etc. about another’s race, gender, age, religion, national origin, color, marital status, disability, or other protected characteristics.
- All Affected Individuals are prohibited from considering someone’s race, color, religion, gender, national origin, age, disability, or other protected characteristic in making decisions about hiring, placement, assignment of duties, training, promotion, termination, compensation, benefits and other work terms.
- Sexual harassment is prohibited and illegal. Sexual harassment includes any form of unwelcome sexual advance, request for sexual favors, or other verbal, gestural or physical conduct of a sexual or sex-based nature.

You are responsible for understanding CPW’s policy prohibiting discrimination and sexual harassment, as written in the Employee Handbook. You should consult with an appropriate supervisor, administrator, or a member of the Human Resources department if you have questions about your right to a workplace free from unlawful harassment or discrimination, or if you have questions about your duty to not discriminate.

## Seeking Guidance and Reporting Violations

Affected Individuals must report any actual or suspected violations of these Standards of Conduct, any applicable law or regulation, or any CPW policy and procedure to their immediate supervisor or the Compliance Officer. Affected individuals may report their compliance concerns to the Compliance Officer through any of the following means. Reports may be anonymous.

- By speaking in person or by phone to the Compliance Officer (914-937-3800, x721) or Division Director of Quality Management (914-937-3800, x723).
- By leaving a voice message on the **Compliance Hotline**, which is dedicated for the purpose of receiving such notification, at **914-937-3800, extension 210**.
- By sending an email to [ComplianceDept@cpwestchester.org](mailto:ComplianceDept@cpwestchester.org)
- By mailing information to **Compliance Officer, Cerebral Palsy of Westchester, 1186 King Street, Rye Brook NY 10973**
- By completing the form at <https://form.jotform.com/232604324311038>
  - The QR Code to the right may also be used to access this form →



When an actual or suspected violation of these Standards of Conduct, any applicable law or regulation, or any CPW compliance policy or procedure is reported to any agency employee, it must be promptly referred to the Compliance Officer. Steps will be taken to protect confidentiality and anonymity. CPW will not tolerate any form of retaliation against a person who makes a good-faith report in accordance with these Standards of Conduct.

All Affected Individuals are expected to cooperate fully and honestly in any investigation into a reported violation of these Standards of Conduct, any applicable law or regulation, or CPW policy, procedure or practice.

## Corrective Action and/or Discipline

Any Affected Individual who violates these Standards of Conduct, any applicable law or regulation, CPW policy, procedure or practice; or knowingly fails to report any violation of the same; is subject to appropriate disciplinary action. Disciplinary action may range from a warning to suspension, up to and including termination, depending upon the nature of the incident and the relevant surrounding circumstances.

## Your Responsibilities

- ✓ To attend required trainings, and to read and understand CPW's Standards of Conduct. You are also encouraged to also read CPW's Compliance Plan (<https://cpwestchester.org/corporate-compliance/>)
- ✓ To follow CPW's Standards of Conduct and abide by all policies and procedures, guidelines, and federal and state laws and regulations.
- ✓ To be alert to any situation that could violate CPW's Standards of Conduct, policies and procedures, guidelines, and/or federal and state laws and regulations.
- ✓ To promptly report any issues, concerns, violations or suspected violations to your supervisor, other management staff, the Director of Human Resources, or the Compliance Officer.