



THE BAKER CENTER
FOR CHILDREN AND FAMILIES

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PURPOSE:

To reinforce the fact that The Baker Center maintains high standards for professional behavior from its employees in the performance of their job duties and responsibilities.

To address ethical issues in the business provision of service delivery, professional responsibilities, billing, marketing, exchange of gratuities, personal fundraising, personal property, contractual relationships, admissions practices, and human resources.

POLICY:

All employees are expected to maintain acceptable job performance and to conduct themselves in a professional and courteous manner. Professional service providers are expected to comply with any codes for professional conduct or ethical behaviors adopted by their respective licensure or certification authorities.

The organizational ethical codes of conduct statement shall be posted and communicated to all members of the workforce, people served, and other stakeholders.

While it is not practical to compile an inclusive summary of behavioral expectations, examples are provided to clarify the intent of this policy:

- **Attire:** All employees are expected to conduct themselves in a professional manner appropriate for performing their position responsibilities at any given time.
- **Client and participant welfare:** All employees are expected to respect the integrity and protect the welfare of the person or group with whom the employee is working and are expected to demonstrate a genuine interest in all clients and dedicate themselves to the best interest of the client and their needs.
- **Transition / Discharge of Persons Served:** Be willing to recognize when it is in the best interest of the client, to discharge them from The Baker Center services or to refer them to another program or individual.
- **Confidentiality:** All employees are expected to maintain confidentiality of client identifying information, and to abide by all applicable federal, state, or local laws and regulations which address issues of privacy or confidentiality of records. Paramount among these laws is the Federal Confidentiality Regulations, including the HIPAA Privacy Regulations, 45 CFR Parts 160 and 164.
- **Nondiscrimination:** All employees are expected to refrain from discrimination on the basis of race, ethnicity, age, color, religion, creed, gender, national origin, sexual orientation, veteran status,

financial condition, disability, developmental disability, and HIV infection, AIDS - related complex or AIDS. This includes discrimination against other agency employees, any current, former, or potential clients or service recipients, and others in the community with whom an employee may interact.

- **Professional Relationships/ Boundaries:** All employees are expected to maintain a professional relationship with clients and others participating in agency services. Sexual advances or sexual activity with clients or service recipients is not permitted. Please see *Professional Boundaries with Students/Clients/Research Subjects* In the Employee Handbook (section 4, page 56).
- **Safety and Violations:** Remain alert and sensitive to situations, which could result in actions by any employee, regardless of position, which are illegal, unethical, or in violation of the standards of the agency and relevant professional Code of Ethics.
- **Scope of Practice:** Professional service providers are expected to function within the scope of their licensure or certification, and in accordance with any specific areas of competence or other such declarations defined through their licensing or certifying authority.
- Have a commitment to assess their own personal strengths, limitations, biases, and effectiveness on a continuing basis; shall continuously strive for self-improvement; have a personal responsibility for professional growth through further education and training.
- **Professional Services (Center for Effective Therapy):**
The basis for reimbursement for services rendered is the records that are prepared. Employees are to take care to ensure that records:
 - Present a true and accurate representation of what services are offered.
 - Are appropriately dated, accurately reflect content of service and provide the actual time spent rendering the service.
 - Indicate the name(s) of the provider and/or supervisor responsible for the provision/supervision of services.
 - Are completed, data entered, accurately billed, and filed in a timely manner.
- **Employees are to ensure that they:**
 - Provide timely and accurate reports of time that is expended in agency-related activities.
 - Claim only those expenses, which are authorized and/or are reasonably related to their job descriptions.
 - Do not shift time or costs to inappropriate contracts or programs.
 - All employees are expected to participate cooperatively with supervision, peer review and quality assurance/improvement requests and activities.
- **Witnessing Documents**
 - Personnel shall not function as a witness to documents such as Power of Attorney, guardianship, advance directives, and/or agency contracts without the expressed written approval of the President and CEO.
 - Personnel are authorized to countersign documents such as intake forms authorizations, (i.e., release of information form), treatment plans, etc. as directly related to their job duties.
- **Business Practices**
The Baker Center will utilize the Corporate Compliance Officer to ensure that it conducts business in an ethical manner and ensure that any business practices that are questionable are thoroughly investigated. All financial, purchasing, personnel, facility development and information technology practices shall comply with local, state, and federal law and guidelines.
- **Marketing Practices**

- o The Baker Center will conduct marketing practices in an honest and factual manner. Marketing materials and practices will in no way mislead the public or misrepresent The Baker Center's abilities to provide services.
- o The Baker Center will not claim any service outcomes unless represented by valid and reliable outcome data and/or research studies.
- o The Baker Center will not utilize monetary rewards or gifts to any potential consumer of services in an attempt to entice them to enter programs.
- o The Baker Center employees will be honest and truthful in all marketing and advertising practices pertaining to the business practices of the organization's service delivery system.
- **Organizational Fundraising**
 - o All fundraising solicitation activities conducted by the Development department will adhere to clear guidelines designed to ensure consistency, transparency, and respect for donors, thereby safeguarding the organization's integrity and strengthening donor relationships. See *Development Policies and Procedures* for comprehensive details.
- **Potential Conflicts of Interest**
 - o No consumer will be hired or placed in an employee/employer relationship with The Baker Center while an active participant in programming.
 - o The Baker Center employees will not engage in outside professional mental health services that are incompatible or in conflict with job duties within the organization.
 - o All Baker Center employees will abide by the organization's Conflict of Interest policy, including the disclosure form and associated Conflict Review Committee review and determination process. See policy folder on the HR SharePoint site: Conflict of Interest Policy and Disclosure Form.
 - o The Board of Trustees, along with senior leadership team members with decision making authority, are also required to abide by the Board of Trustees' Conflict of Interest Policy and annual disclosure reporting process.
- **Coding, Billing, and Accounting**
 - o The Baker Center employees and/or contractors involved in coding, billing, documentation, and accounting for consumer care services for the purpose of governmental, private or individual payers will comply with all applicable state and federal regulations and organizational policies and procedures.
 - o The Baker Center will only bill for services rendered and shall seek the amount to which it is entitled.
 - o Supporting clinical documentation will be prepared for all services rendered. If the appropriate and required documentation has not been provided, then the service has not been rendered.
- **Contractual Relationships**

The Baker Center may contract with an individual to perform specific tasks at an hourly rate or project cost. Individuals under contract are not considered staff of The Baker Center and proper credentials and proof of insurance, as appropriate, are required. The Baker Center may request verification of licensure, certification or accreditation, and/or insurance coverage. Contractual agreements must be approved and signed by the VP of Administration and Operations. The relationship of a contractor to The Baker Center is that of an independent contractor and no benefits, whether fringe benefits or other types of benefits, will be provided as a result of the contractual agreement. Staff of The Baker Center who may collaborate with an independent

contractor are encouraged to report any suspected abuse, neglect, waste, or wrongdoing by the independent contractor to their supervisor or Program Director.

- **Prohibition of Waste, Fraud, Abuse, and other Wrongdoing**

It is the policy of The Baker Center that staff, interns, volunteers, or other stakeholders may not participate in fraud, abuse, waste of resources or other wrongdoing, whether illegal or unethical. Ethical violations and legal/unethical wrongdoing shall be reported.

- Staff are encouraged to report any suspicion or evidence in the aforementioned areas to their immediate supervisor, program director, Human Resources Director, or Corporate Compliance Officer. The Baker Center shall uphold a “no reprisal” approach for staff and volunteers in reporting suspected incidents of waste, fraud, abuse, and other questionable activities and practices, and/or violations of ethical codes.

- **Exchanges of Gifts, Money, and Gratuities**

- No Personnel or other persons associated with The Baker Center will accept gifts of money or material values, favors, remuneration, or other consideration from any client, individual, or organization that does business with The Baker Center.

- **Solicitation, Distribution and Personal Fundraising**

- To avoid unnecessary avoidances and work interruptions, solicitation, and personal fundraising by a staff member of another staff member or client is prohibited on working time.
- Staff member distribution of literature, including handbills, in work areas during the work hours of any staff member involved is prohibited.
- Trespassing, soliciting or distribution of literature by non-staff members on these premises is prohibited at all times.

- **Personal Property**

All personnel shall respect and safeguard the personal property of clients, visitors, and other personnel as well as the property of The Baker Center. Employees will not use or allow the use of The Baker Center property or equipment other than activities approved by the organization. The Baker Center employees shall not exchange personal property with clients. Theft and destruction of property may be addressed through treatment planning (clients), corrective action (personnel, and/or by contacting law enforcement, as appropriate. The Baker Center is not responsible for personal property that is not safeguarded or is left unattended.

- **Use of Social Media**

All personnel shall adhere to and strictly follow the guidelines outlined in the Baker Center social media policies:

- Staff shall follow acceptable use of social media as it relates to The Baker Center
- Staff shall only make posts that positively reflect on The Baker Center and its activities
- Staff shall ensure privacy and confidentiality considerations, such as seeking written permission or consent from people served for posts or pictures that include them and not sharing information about people served in personal posts
- Staff shall not engage on social media during work hours, unless required for their role.
- Leadership shall monitor social media to ensure adherence to The Baker Center’s expectations

- **Other Policies and Procedures:** All employees are expected to act in accordance with agency policies and procedures, and other personnel directives established by the President and CEO. Inciting others through false statements, rumors, or malicious gossip; willful falsification of records;

unauthorized absenteeism; tardiness; theft or embezzlement; or other waste or abuse of materials, property, equipment or working time are not permitted.

- **Corrective and Mandatory Sanctions:** The standards of the agency's Code of Ethics, as well as those of professional disciplines, are important to the agency and must be taken seriously by all employees. Accordingly, violations of these standards and/or of those of related disciplines will not be tolerated and, in accordance with agency procedures outlined in the Employee Handbook, may result in corrective action up to and including termination.
- **Code of Conduct:** Each employee has an obligation to observe and adhere to The Baker Center's policies and to properly conduct themselves at all times. Failure of employees to properly conduct themselves may result in corrective action, up to and including termination of employment.

Employees do not properly conduct themselves if, among other things, they:

- Fail to adhere to The Baker Center's policies, procedures, and safety rules, including those set forth in the employee handbook, whether or not they indicate that a violation may result in corrective action.
- Fail to work cooperatively with management, co-workers, clients, and others who do business with The Baker Center.
- Engage in the unauthorized or illegal possession, use, or sale of alcohol or controlled substances on Baker Center work premises or during Baker Center working hours.
- Engage in the unauthorized possession, use, or sale of weapons, firearms, or explosives on Baker Center work premises, Baker Center event, or during Baker Center working hours.
- Commit a theft of Baker Center property or act dishonestly in the performance of their duties for The Baker Center.
- Engage in inappropriate or violent physical contact in the performance of their duties for The Baker Center. Perform work for other companies during their Baker Center working hours.
- Use Baker Center property, equipment, or facilities in connection with work for others not affiliated with The Baker Center.
- Manifest poor attendance.

Ethics Violation Policy:

The Baker Center recognizes that it has an obligation to respond to any allegation of illegal/improper activities which any of its employees participate in. The Baker Center expects and encourages all employees to report any suspected violation of the Ethical Code of Conduct by contacting the President and CEO, Compliance Officer, or Senior Director of Human Resources. Information provided by the reporting employee will be treated as confidential and will be provided only to those who have the need for the information or when it is required in the course of investigating the concern or resolving the concern. False information provided in the course of an investigation may lead to discipline, including discharge.

The Baker Center prohibits any retaliation against employees who provide information to or assist in an investigation of any violations of the Ethical Code of Conduct.

Ethics Violation Procedures:

1. Any employee who suspects any violation of the Code of Conduct should contact any of the above-named individuals via the following means:

- A. In person: Appointments to meet with the President and CEO, Compliance Officer, or Senior Director of Human Resources may be made by requesting a time through email or telephone.
 - B. E-mail:
 - 1. President & CEO: rfranks@bakercenter.org with CC to lahumada@bakercenter.org
 - 2. Compliance Officer: cokeefe@bakercenter.org (Christina Minassian)
 - 3. Senior Director of Human Resources: ccannonier@bakercenter.org (Christine Cannonier)
 - C. Telephone:
 - 1. President & CEO: 617-278-4136
 - 2. Compliance Officer: 617-278-4275
 - 3. Senior Director of Human Resources: 617-278-4278
 - D. In writing: The Baker Center, 746 South Street, Waltham, MA 02453
- 2. If anyone other than the President and CEO has been notified of suspected wrongdoing, they will notify the President and CEO of the suspected wrong-doing within one (1) working day.
 - 3. The President and CEO, upon receipt of any wrong-doing will call a meeting of the senior management team within three (3) working days to start an investigation. Individuals with expertise in the area of concern, such as accounting or information technology, will be used as needed.
 - 4. Results of the investigation will be presented for appropriate action within five (5) working days, unless there are extenuating circumstances that require a longer investigatory timeline.
 - 5. The Baker Center staff that have supervisory responsibilities are required to report suspected violations of any illegal or improper activities.

Non-Retaliation Policy

In the event that a complaint is filed either internally within The Baker Center or with an outside organization, it is the strict policy of The Baker Center that the complaint will not result in retaliation toward the complainant.