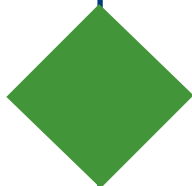


# CODE OF ETHICS

**Centre de réadaptation  
en déficience intellectuelle  
Montréal-Est**



**CRDI Montréal-Est**  
Centre de réadaptation  
en déficience intellectuelle

## **CRDI Montérégie-Est**

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1255, rue Beauregard  
Longueuil (Québec)  
J4K 2M3

Telephone: (450) 679-6511  
Facsimile: (450) 928-3315  
Web Site: [www.crdime.qc.ca](http://www.crdime.qc.ca)

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## DEFINITION

The Code of Ethics is a document which specifies the rights of the users of the CRDI Montérégie-Est and which prescribes the practices and behavior expected of the people who work there.

## PURPOSE

The Act respecting health services and social services stipulates that all institutions must adopt a code of ethics.

The Code is part of the daily life of the Centre, in that:

- ◆ the Code is designed to ensure the quality of life of everyone who receives services from the CRDI Montérégie-Est, as individuals in their own right;
- ◆ the Code is designed to ensure the protection of these individuals and to promote their rights;
- ◆ the Code is designed to unite the people who work at the Centre around certain practices and behaviors and to encourage self-discipline and accountability;
- ◆ the Code of Ethics is designed to encourage reflection concerning the rights of these individuals with a view to influencing the way in which services are organized and dispensed.

# INTRODUCTION

The Code of Ethics applies to all the staff who, within the scope of the activities of the CRDI Montérégie-Est, work directly or indirectly with the clientele, including direct practitioners, professionals, managers, administrators, contract workers, volunteers or trainees.

The Code of Ethics, which respects the values, principles and philosophies established in the Centre's Organization Plan, specifies the human rights which must be respected. These rights must be exercised in so far as they do not breach the rights and safety of other people or the individual's own safety.

People with an intellectual disability or a pervasive developmental disorder (including autism) often require the support of a third person to take care of their own interests. Many are vulnerable since they largely depend on decisions made by others due to the difficulty they experience in judging situations and making the appropriate choices.

If a user is unable to express his needs or make decisions, his representative shall ensure his rights are respected<sup>1</sup>.

People who work with the clientele must, within the scope of their interventions, encourage the user to exercise his rights, as well as allowing him to assume his responsibilities. These interventions must take the form of a helping relationship, expressed by attitudes and behavior which promote the development of the individual's independence and quality of life.

The Code of Ethics provides guidelines to form a framework for interventions with the clientele. It cannot provide ready-made answers for problem situations, but is rather designed to be used as a basis for discussion.

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<sup>1</sup> The following persons are deemed to be representatives, according to the circumstances and subject to the priorities provided for in the Civil Code of Quebec:

- 1) the holder of parental authority of a user who is a minor or the user's tutor;
- 2) the curator, tutor, spouse or close relative of a user of full age under legal incapacity;
- 3) an authorized person mandated by the incapable user of full age before his incapacity;
- 4) a person proving that he has a special interest in the user of full age under legal incapacity.

The Code of Ethics must also allow the organization of services to be questioned in order to ensure the institution's priority is to respond to the needs of the clientele.

The Code of Ethics is a dynamic and useful tool when it is employed as a source for reflection and questioning.

Within this context, the Code of Ethics plays an important role within the organization and calls on everyone who contributes to the services offered to the clientele. As its primary promoter, the administration must therefore ensure that everything is done to encourage everyone concerned to abide by the Code.

# RIGHTS AND BEHAVIORS EXPECTED

## 1

### The right to dignity

#### 1.1 Recognize the uniqueness and inviolability of the individual and his environment

- ◆ The staff member<sup>2</sup> shall recognize that the person is a unique being, endowed with an intrinsic value, therefore inviolable and worthy of respect.
- ◆ The staff member shall also consider the person regardless of his ethnic, social, cultural, psychological, intellectual or physical differences.
- ◆ The staff member shall take into account the person's language, culture, values, beliefs and religion.
- ◆ The staff member shall take into account the economic and social situation of each environment and the skills, values and particularities of each family.
- ◆ The staff member shall develop all the necessary skills required to interact effectively with the person and is rigorous in maintaining the quality of his interventions. He knows and respects the philosophy of the Centre, its Code of Ethics and the approaches advocated.

#### 1.2 Address the person with respect

- ◆ The staff member shall address the person with warmth, attention and consideration.
- ◆ The polite form, "Mr., Mrs." is suggested when presenting a person in a formal situation, while the first name and family name shall be used to present the person to a group.
- ◆ When presenting a person in an informal manner to friends, only the first name shall be used, never a nickname. Nicknames or diminutives shall only be used between intimate friends.

<sup>2</sup> The term "staff member" covers everyone who works directly or indirectly with the clientele, including: direct practitioners (educators, orderlies, instructors, monitors,...) professionals, managers, administrators, contract workers, volunteers and trainees.

### **1.3 Give a positive and enriching image of the person and his friends and family**

- ◆ The staff member shall support the family in developing a social network for a child and support the adult in this process.
- ◆ The staff members shall help the person to emerge from his state of dependence and to learn how to give and receive and show consideration for others.
- ◆ The use of nicknames with a negative connotation by members of the staff is unacceptable, particularly those which refer to a physical trait or which humiliate the person.
- ◆ Attitudes or words which make the person appear childish before others are prohibited.
- ◆ The staff member shall accompany the person in choosing clothing and a hairstyle which compliment him and take his age and the activities in which he participates into account.
- ◆ The staff member shall make sure that his own appearance is neat, shows respect for the person and meets generally accepted social standards.
- ◆ The staff member shall help the person to perform his social roles and to develop the necessary skills for living in society (respect of social rules, social skills).
- ◆ The staff member shall provide information to the community concerning intellectual disability, the development potential of the clients and the services available.
- ◆ The staff member shall try to reduce common prejudices in regard to people with an intellectual disability. He shall take into account the reactions of the community regarding steps taken to integrate the person and, if necessary, readjust his ways of doing things.
- ◆ The staff member shall encourage the involvement of all resources liable to contribute positively to the integration of the person in the community. He shall help members of the community and practitioners who provide general services to the population in intervening with the person, as well as sharing his knowledge, know how and abilities with them and supporting their initiatives.

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## 1.4 Respect for the physical integrity of the person

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- ◆ All reasonable means shall be employed to ensure the well being and comfort of the person (temperature, ambient noise, position, dry clothing,...).
- ◆ The staff member shall watch the person for any sign which could indicate that he is suffering from a physical problem.
- ◆ The staff member shall ensure that the person is entitled to the same health services as everyone else.
- ◆ Any form of physical violence toward the person or his property is prohibited and must be reported.
- ◆ The use of force or constraint is forbidden, except in situations in which they are necessary in order to control a person who is in a state of crisis and who represents a danger to himself or those around him<sup>3</sup>.
- ◆ The use of restrictive measures (withdrawal of privileges, punishment, restraint, isolation...) is forbidden. Exceptionally, if the situation demonstrates beyond all reasonable doubt that positive or less restrictive interventions will be ineffective, these measures may be applied as part of an intervention plan, based on the results of an analysis of the person's skills, his social environment and the reason for the behavior. The plan must provide training in socially acceptable behavior and be authorized according to the policies and procedures in force in the institution, before being applied. In no case shall these measures cause harm to the person's health.

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<sup>3</sup> When required, this type of intervention must be performed in accordance with the policy concerning use of restrictive measures

## 1.5 Respect for the psychological integrity of the person

- ◆ The staff member shall not take advantage of the power conferred by his role. He shall not use blackmail, threats, rough behavior or verbal violence, etc.
- ◆ Behavior which has the effect of wounding, hurting or humiliating the person is unacceptable, particularly offensive comparisons, ridiculing, sexist remarks, emphasizing the person's clumsiness or faults, shouting and abusive language. The staff member shall avoid reprimanding the person in front of a group.
- ◆ The staff member shall show tact in his affective relations with the person. He is attentive to the psychological consequences and maintains the distance necessary to his role as helper. Any words, actions or gestures with a sexual connotation which affect the dignity or the physical or psychological integrity of the person are forbidden.
- ◆ The staff member has the duty to prevent and report to the competent authorities any situation of abuse, discrimination or exploitation of which the person is victim and to ensure the matter is followed-up. He shall support the person and, if applicable, direct him to other resources which could offer assistance and, if necessary, participate in defending the person's rights and freedoms.
- ◆ The staff member shall ensure that the person receives services in a climate which encourages his development.

### 2.1 Consider the person as a valid interlocutor

- ◆ The staff member shall encourage the person to communicate and participate in group discussions, even if he has difficulty in doing so.
- ◆ The staff member shall use the means necessary to communicate with the person and allow him to express himself. If necessary, the practitioner acts as an interpreter rather than answering for the client.

### 2.2 Encourage the person to express himself and make decisions

- ◆ The staff member shall encourage the person to affirm his choices and express himself when he wishes to refuse. He shall help the person to affirm himself with others, and to take an equal position in relationships in order to prevent situations in which he could be exploited or subordinated.
- ◆ Except in emergencies, the staff member shall make sure he receives the authorization of the person or his representative for any medical intervention.
- ◆ The staff member shall make sure that the person or his representative approves the objectives to be established during the preparation of the ISP/IP.
- ◆ The staff member shall develop listening and observation skills in order to be able to decode the messages expressed by the person, encourage the expression of his tastes, feelings and preferences and take them into account in various areas such as his choice of clothing, food, etc.
- ◆ The client's personal objects and decorations indicate his preferences and values, not those of the practitioner. When necessary, the latter shall support the person in developing a socially favorable image.
- ◆ The staff member shall encourage the person to express his preferences in terms of tasks to be accomplished and his work environment and shall consider these preferences while taking his capacities into account. He shall allow the person to decide whether or not to get involved in volunteer, community or work activities either temporarily or on a long term basis.
- ◆ The staff member shall ensure that the person receives the training necessary to improve the skills he wishes to acquire.

- ◆ The staff member shall take the person's opinion into account in defining his working conditions.
- ◆ The staff member shall encourage the person's integration in the community to as great an extent as possible.

### **2.3 Encourage accountability**

- ◆ The staff member shall encourage situations which enhance the value of the person's social roles (family, school, work, recreation, community).
- ◆ The staff member shall involve the person in decisions affecting his timetable, routines and management of his budget. The staff member shall ensure that there is flexibility in the person's timetable to enable him to make choices or take advantage of a last minute opportunity.
- ◆ The staff member, after having helped the person develop his skills and having prepared him psychologically, shows confidence in him; he allows the person to decide, act and learn through the consequences of his acts, in so far as his security and the security of others is not compromised (calculated risk).

# 3

## The right to information

### 3.1 Inform the person

- ◆ The staff member shall inform the person of his rights and support him in exercising these rights. He shall also make him aware of the responsibilities involved in these rights, among others, by ensuring he is aware of the consequences of his actions on himself or on others.
- ◆ The staff member shall take the necessary measures to ensure that the person understands all the information which concerns him. The information received should offer the full range of possibilities and allow the client to make an informed choice.
- ◆ At the person's request, the staff member shall inform him of the content of his file, according to the policies and procedures in force in the institution.

## 4

# The right to confidentiality

### 4.1 Respect for the person's private life

- ◆ All information which concerns the person or his family and the people around him is confidential and may not be revealed without the permission of the person or his representative. Only the authorized members of the staff have access to this information and they must ensure it is treated with discretion.
- ◆ If the person requests or if the staff members realize that a topic may seriously upset him, they shall agree with the person to avoid bringing up this topic during the ISP/IP meeting.
- ◆ The staff member shall respect the confidential nature of the person's mail, telephone conversations or any other conversation which he may hear.

## 5

# The right to personal property

### 5.1 Respect the person's property

- ◆ The staff member shall obtain permission from the person before using his property.
- ◆ The staff member shall handle the personal property of the person with care.
- ◆ The staff member shall ensure that the person has easy access to his property.

## 6

## The right to privacy

### 6.1 Respect the person's living environment

- ◆ The staff member shall announce himself at the door of the person's residence or bedroom. He shall ask the person for permission before inviting outsiders to his home.
- ◆ The person is entitled to receive visitors at the hours considered socially acceptable, showing respect for the other residents.
- ◆ The person shall have his own room or, if not, a place where he can go to be alone. If applicable, he shall choose his room-mate. If the person cannot express his choice, care shall be taken to ensure affinity between room-mates.
- ◆ The person shall have access to all common rooms, the pantry and house-keeping equipment without any restriction, while respecting the rules of safety. When required, any restrictions applied shall conform to the policy on using restrictive measures.

### 6.2 Respect the person's privacy

- ◆ The staff member shall ensure that the person is covered appropriately, that the doors and curtains in his room, the bathroom or toilets are closed during hygiene or health care.
- ◆ The person is entitled to receive his personal care from a staff member of the same sex if the client or his representative so requests.
- ◆ The staff member shall respect the person's wish to be alone or to receive another person in private, particularly in view of love and/or sexual relations.

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### 6.3 Allow the person the freedom to choose in affective and sexual matters

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- ◆ The person is entitled to choose his friends.
- ◆ The staff member shall encourage contacts between the person in a substitute living environment and his family.
- ◆ The staff member shall give the person and his family and friends access to information concerning sexuality.
- ◆ The staff member shall ensure that the person is aware of the social values and responsibilities related to the expression of sexuality and shall provide support in this area.
- ◆ The staff member shall respect the person's sexual orientation, no matter what his personal values concerning sexuality may be.
- ◆ The staff member shall support the person in discussing his needs and choices with his residential environment in regard to his affective and sexual life, while respecting the values of the environment or the family.

## CONCLUSION

The Code of Ethics is a tool, a reminder and a guide. It does not offer answers for everything but is rather designed to be used as a basis for discussion.

The Code of Ethics may never be considered a substitute for listening, or the individual and professional conscience of the members of the staff. The ethical approach must therefore necessarily involve the respect of each person and acceptance of the other's differences.

In addition, it is important that the staff members working at *Centre de réadaptation en déficience intellectuelle Montérégie-Est* guide the clients so that they are aware of their rights and learn to exercise them, as well as assuming their responsibilities.

If a staff member feels overwhelmed, in conflict with his own values, overcome by a situation or situations and does not know what actions to take, he must ask for the support he needs from the authorities concerned. Doing so is a professional action that ensures the person's rights are respected in responding to his needs. For information purposes, the strategy to assess the rights of the person, presented in the appendix, may be a useful tool in dealing with problem situations.

## APPENDIX

Above and beyond the practices and behaviors described above, how should staff members intervene in the many situations which may occur in a person's daily life, without hindering him in the exercise of his rights? We propose a five-step method, **a strategy to assess the rights of the person**, applicable in all problem situations involving rights<sup>4</sup>:

- ◆ Does the situation affect the client's rights? Which ones?
- ◆ Is the health or safety of the person or his family and friends in question? Are the risks reasonable or excessive?
- ◆ Are the rights of other people threatened?
- ◆ What would be the least restrictive intervention?
- ◆ Should the intervention be adapted to the person's level of impairment?

Using this method on an individual or a team basis, will help identify possible solutions to a problem or difficult situation.

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<sup>4</sup> U.Q.T.R. Les droits de la personne... pour toutes les personnes. (Human rights... for everyone)

