

# Understand your responsibilities as a disability worker

December 2025

All disability workers in Victoria must comply with the Disability Service Safeguards Code of Conduct (the Code).

The Code is a legal requirement that sets out how disability workers must provide safe, quality services to people with disability.

## About the Code

The focus of the Code is on Respect, Quality and Safety.

The Code adopts the same requirements as the NDIS Code of Conduct. This means the same requirements apply to all disability workers, regardless of whether they are funded through the NDIS or other sources.

It's in place so people with disability have choice and control, are not at risk of being hurt and receive the high-quality supports and services they deserve.

## Your obligations under the Code

You must comply with the Code alongside your other obligations, such as reporting notifiable conduct.

If you're unsure about any supports or service delivery issues, you should consult your supervisor, your organisation, talk directly to your client, or you can contact the Victorian Disability Worker Commission (VDWC) to discuss your concerns.

If you see something you think is a breach of the Code, such as the conduct of a worker or their quality of work, tell your supervisor if you work for an organisation, or contact us on 1800 497 132.

## What are the requirements under the Code?

The Code defines the eight requirements all disability workers must follow when providing supports or services to people with disability.

### Respect

1. Act with respect for individual rights to **freedom of expression, self-determination and decision-making** in accordance with applicable laws and conventions
2. Respect the **privacy** of people with disability

### Quality

3. Provide supports and services in a **safe and competent** manner, with care and skill
4. Act with **integrity, honesty and transparency**
5. Promptly take steps to **raise and act on concerns** about matters that may impact the quality and safety of supports and services provided to people with disability

### Safety

6. Take all reasonable steps to prevent and respond to all forms of **violence against, and exploitation, neglect and abuse** of, people with disability
7. Take all reasonable steps to prevent and respond to **sexual misconduct**
8. Not **charge or represent higher prices** for the supply of goods for NDIS participants without a reasonable justification

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## 1. Act with respect for individual rights to freedom of **expression, self-determination and decision-making** in accordance with applicable laws and conventions

All people with disability have full and equal human rights to make their own decisions, live how they choose and receive the support they need.

Not all adults with disability need or want support in decision-making, so you should consult with them about who, if anyone, they want to involve in decisions about their service and support. You should involve young people and children in decisions that affect them in ways appropriate to their age, development and communication skills.

People with disability have a right to question, seek extra information about or refuse any part of their service delivery. The onus is on you to communicate in a way that ensures they understand the information and make their own preferences and concerns known to you.

The Code requires you to consider their values and beliefs relating to culture, faith, ethnicity, gender, gender identity, sexuality, age, and disability. This is especially important when working with people with disability who may be more vulnerable and have specific support needs, such as children and young people, or First Nations people.

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## 2. Respect the **privacy** of people with disability

People with disability have the right to not have their personal information disclosed to others without their informed consent — unless mandatory reporting is required.

You should explain to people with disability why and what information is kept about them, who has access to it, and what they, or others on their behalf, can do if they believe their privacy has been breached.

Privacy goes beyond handling personal information to delivering services in a way that maintains personal dignity. This includes both asking permission to perform procedures and explain procedures that involve physical touch or being in personal space.

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## 3. Provide supports and services in a **safe and competent** manner, with care and skill

All disability workers in Victoria are expected to have adequate expertise and competence necessary for safe and skilful service delivery.

You should decline directions — from a service provider, person with disability or their family or carer — to undertake duties that you are not qualified or trained to deliver.

You should also comply with your own professional and/or employer codes of conduct and relevant work, health and safety requirements.

You should ensure that accurate and timely records are kept about a person with disability's service history, medication and support needs. You must never work under the influence of drugs or alcohol.

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## 4. Act with **integrity, honesty and transparency**

Integrity and honesty are crucial to developing trust between you and people with disability so you must be transparent about your qualifications and any limits on your competencies.

You must tell the person or organisation that engages you to deliver the disability service if there has been an adverse outcome or finding that is related to your conduct as a disability worker. The types of outcomes and findings that are relevant include:

- being denied a worker screening clearance
- being subject to professional misconduct findings
- being subject to disability worker exclusion in Victoria
- a failure to comply with a code of conduct that applies to you.

We may investigate if we believe you have failed to comply with the Code or any approved code of conduct, had a worker screening clearance refused, suspended or revoked, or been subject to a professional, disciplinary action or finding.

People with disability have a right to information about the comparative cost and effectiveness of treatments and the risks and benefits of service options.

You should declare and avoid any real or perceived conflict of interest in your work.

You should avoid giving, asking for or accepting inducements or gifts that may influence your decision-making or service delivery. This includes to and from people with disability, their family or carers, or other service providers.

You must avoid unethical practice such as over-charging and high-pressured sales of services to people with disability.

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## 5. Promptly take steps to **raise and act on concerns** about matters that may impact the quality and safety of supports and services provided to people with disability

If the safety or the quality of support for people with disability is at risk, you should take immediate action to address the reasons why. Ensure the person is safe and consult with them about how they would like to resolve the issue and take action.

If you work for one or more organisations, you are responsible for being familiar with each organisation's systems for complaints and incident management, and to follow established policies and procedures. This includes meeting your mandatory notification and reporting obligations.

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## 6. Take all reasonable steps to prevent and respond to all forms of **violence against, and exploitation, neglect and abuse** of, people with disability

People with disability are at a far greater risk of and are more likely to experience violence, abuse, neglect and exploitation than those without a disability.

You can play an important role in helping to prevent, intervene early and respond to violence, abuse, neglect and exploitation.

If an incident or criminal act does occur, after ensuring the safety of the person affected, you must report it to your supervisor and/or other authorities, including the police and the Victorian Disability Worker Commission where appropriate.

You should work to reduce and eliminate the use of restrictive practices. This includes behaviour involving seclusion, chemical, mechanical, physical or environmental restraint. The use of restrictive practices is regulated under law in Victoria.

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## 7. Take all reasonable steps to prevent and respond to **sexual misconduct**

People with disability have a right to sexual expression as well as to develop and maintain sexual relationships. As part of this, they need access to information and support to assist them to make informed and positive choices about sex, sexuality, relationships and reproductive health and wellbeing, as well as exercise their rights regarding privacy.

People with disability are at an increased risk of all forms of sexual violence and sexual misconduct.

### What is sexual misconduct?

Sexual misconduct is a broad term encompassing any unwelcome acts or behaviours that are experienced by the person with disability as being sexual in nature. This includes physical and verbal actions committed without consent or by force, intimidation, coercion or manipulation. It includes sexual violence and exploitation but is not limited to actions which constitute a criminal offence. It includes when a disability worker has at any time, including outside of work hours:

- engaged in sexual activity with a service user, whether or not that person has given consent
- made sexual remarks about a service user
- touched a service user in a sexual way
- engaged in sexual behaviour in front of a service user.

There is frequently a power imbalance between a disability worker and a service user.

When delivering services, workers are expected to adhere to the highest standards of behaviour, be respectful and take every action to make sure people with disability are safe. This means having professional boundaries in place for relationships between staff and people with disability and preventing and responding to any inappropriate behaviours by anyone towards a person with disability, including sexual misconduct.

If a disability worker engages in sexual activity with someone who was previously a service user, this may also be considered sexual misconduct. Whether this constitutes sexual misconduct will depend on the circumstances.

Sexual misconduct will not include sexual contact that is appropriately provided as part of a purchased service by an approved sexual service provider and to which a service user consents. You should support people with disability, so they feel safe to make a complaint without fear of retribution or loss of services.

# Help build a safer, stronger, disability sector

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## 8. Not charge or represent higher prices for the supply of goods for NDIS participants without a reasonable justification

People with disability have the right to equality and non-discrimination. Disability workers must not, without reasonable justification charge NDIS participants more than another person for the same goods. Reasonable justification may include fluctuations in market prices for goods over time.

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## Who does the Code apply to?

The Code applies to all disability workers providing disability services in Victoria. This includes employees and contractors.

A disability worker is defined by the Disability Service Safeguards Act 2018 (the Act) as a person who provides a disability service to a person with disability. Supervisors and managers of a person or people who provide a disability service are also disability workers.

## Who doesn't the Code apply to?

Family members of a person with disability who provide disability services, and people providing volunteer services are not subject to the Code, unless they receive a payment or reward, or provide the services on behalf of an organisation or agency.

### About the Victorian Disability Worker Commission

The Victorian Disability Worker Commission is an independent body established to better protect people with disability and build a stronger, safer disability sector. It is responsible for the Disability Service Safeguards Code of Conduct, setting the minimum expectations for all workers in Victoria supporting people with disability, and the complaints service. It can accept complaints and notifications, with powers to investigate and ban workers who put people's safety at risk.

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