DCYF believes everyone deserves to be treated with courtesy and respect. Staff will conduct themselves in an ethical manner to develop positive relationships with families, children, and members of the public, and in collaboration with our federal, state, local, and private colleagues. In order to develop and maintain these connections and deliver quality services, we must be committed to professional conduct and professional boundaries. Transparency, ethical standards, and accountability are essential organizational qualities in pursuit of our commitment to excellence in service.

**Purpose**

This policy establishes a work standard to supplement existing laws, Personnel Rules, DHHS Policies, and the “Executive Branch Code of Ethics” issued pursuant to Executive Order Number 98-1, on June 19, 1998. These standards govern the professional conduct of all staff employed with the Division for Children, Youth and Families. This policy is to be reviewed by staff and have the acknowledgment completed on an annual basis.

**Definitions**

“**Client**” means any individual, who does not receive financial compensation for collaborating with the Division for Children, Youth and Families and is receiving services from DCYF.

“**Colleague**” means a professional associate, including but not limited to: an employee - including supervisors, volunteer, or student intern assigned to DHHS regardless of position; court official; attorney; law enforcement officer; school employee; or employee of a provider or community agency serving children/youth.

“**Conflict of Interest**” means any activity, regardless of remuneration, which creates an actual, direct, and substantial risk, or appearance thereof, that a person’s objectiveness in his/her role and responsibility as an employee of DHHS may be influenced by a secondary interest/circumstance.

“**DCYF**” or “**Division**” means the Department of Health and Human Services’ Division for Children, Youth and Families.

“**DHHS**” or the “**Department**” means the New Hampshire Department of Health and Human Services.
“PREA” means the standards enacted on August 20th, 2012 and enforced by the U.S. Department of Justice to eliminate prison rape pursuant to the Prison Rape Elimination Act of 2003.

“Sexual Harassment,” means any unwelcome sexual advance, a request for a sexual favor, or other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;

2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or

3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile, or offensive working environment.

4. In accordance with PREA, “sexual harassment” also means any repeated verbal comments or gestures of a sexual nature to a client or colleague by a staff member, contractor, or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures.

“Staff” for the purpose of this policy means any individual employed by the Division for Children, Youth and Families or working through the Division for Children, Youth and Families in a contracted position, internship, or volunteer program (to include Parent Leaders).

“SYSC,” or the “John H. Sununu Youth Services Center,” or the “Youth Detention Services Unit” means the architecturally secure juvenile treatment facility administered by the Division for Children, Youth and Families for committed juveniles and detained youth, and for NH youth involved with the NH court system prior to their adjudication.

“Workplace” means the District Office, telework site, training site, State Office, SYSC, client’s home, foster/adoptive home, court, police department, service provider site, school, residential care facility, child care facility, or other locations where DCYF work is conducted during and after regular work hours.

**Policy**

I. All Division staff are responsible for adhering to Federal Laws, the NH statutes, and the policies and rules of the Department of Health and Human Services and of the Division for Children, Youth and Families.

   A. All statements in this policy are to supplement and reinforce existing staff expectations and responsibilities and DO NOT supersede any law, rule, or policy of DHHS.


   C. DCYF policies may be accessed through the Intranet.

   D. DHHS policies may be accessed through the DHHS Intranet.

II. DCYF maintains the following expectations of employee performance:
A. Staff will competently perform job responsibilities set forth in the class specification, supplemental job description for their position (or contract), and other duties within the scope of their position, as directed by their Supervisor, Manager, or Administrator.

1. Staff shall incorporate all applicable provisions of the NH DCYF Practice Model in the performance of their job duties.

2. Staff may only represent DCYF in court, meetings, interviews, or similar events when it is consistent with their job description and assigned cases.
   (a) Staff must request supervisory approval to represent DCYF in any other situations.
   (b) Any requests to provide a presentation in a public forum must be referred to a Supervisor and the Center for Professional Excellence through the Speaker's Bureau for Field Services staff.
   (c) When representing DCYF, staff will, to the best of their ability, reflect DCYF related laws, rules, NH DCYF Practice Model, and current DHHS and DCYF policies.

3. Staff shall refrain from using their official positions to promote any partisan political purpose and from allowing another's political affiliation or power to influence their decisions regarding a client; DCYF shall comply with all statutes and regulations related to campaigning, lobbying, and political practices.

4. Staff are accountable for their work hours and their supervisor must approve, in advance, any changes to their work schedule.

5. Exceptions will require the written approval of the staff’s supervisor.

B. Staff will maintain appropriate professional appearance while performing their assigned job duties or attending training, to foster respect and promote professionalism in the workplace.

1. Staff will possess their DHHS and DCYF issued identification badge, if issued, and equipment specified by their Supervisor while on-duty.

2. Staff will follow business casual manner of dress as determined by the office in which they are assigned.

3. Staff performing an irregular job duty may seek supervisory approval to utilize casual dress during said duty. Any casual dress must be neat, clean, and appropriate for a business setting.

C. Staff must recognize that they serve as important role models for clients and colleagues in the performance of their official duties. Accordingly, staff will demonstrate positive behavior and a responsible work ethic.

1. Staff shall represent DCYF in a professional manner and refrain from any conduct that may reflect poorly on themselves, the Division, and/or the Department.
(a) Staff shall follow the expectations set by the Governor through the training "Respect in the Workplace."

(b) Staff will conduct themselves with competence, honesty, respect, cultural sensitivity, and professionalism in all interactions, consistent with the NH DCYF Practice Model.

(c) Staff will maintain attitudes, communication, and behaviors toward clients and colleagues and others whom staff have contact with in the course of their employment, that are even, controlled, dignified, impartial, respectful, and without exploitation.

(d) Staff must work to establish trust and cooperation with clients and colleagues.

2. Staff shall promote professional cooperation with each bureau of DCYF and DHHS by:

   (a) Maintaining relationships with colleagues, of such character, as to promote mutual respect within the profession and improvement of its quality of service; and

   (b) Assuring that statements about colleagues, and their bureaus or agencies, are accurate and constructive.

3. To perform their duties competently, staff must participate in ongoing education and training, and must maintain familiarity with current policy, trends, and developments.

   (a) Staff must maintain appropriate training hours for their position as specified in their supplemental job description and pursuant to applicable policy 2901 Staff Development and Learning.

4. State property, information systems, and resources shall only be used for purposes consistent with the staff's job description, authorized by their supervisor, OIT Technology Policy, and DCYF and DHHS policies. This includes any desk, chair, and related equipment; telephones, cell phones, and their related services; state vehicles, personal computers, laptops, and any other related equipment or services such as printers, routers, scanners, etc. including email, internet services, computer applications, utilities and any other equipment, other service or resource available or accessible to DCYF staff.

5. Unprofessional conduct (during or after work, in person or through social media) that interferes with staff performance and/or interferes with the ability of the Division to meet its mission may lead to disciplinary action.

D. Consistent with the protection of the public interest, staff will serve each client with integrity and appropriate concern for the client's welfare and with no purpose of personal gain.

   1. Staff must be diligent in their responsibility for documentation while ensuring that all reports are timely, relevant, and accurate pursuant to state and federal laws, policy, and supervisory directives. All information must be:
(a) Recorded in the designated information system in compliance with any required timeframes; and

(b) All case information must be accurate and factual to contribute to sound decisions affecting client and public safety.

2. Staff shall fully and objectively advise clients of information necessary for informed decision-making and stay informed of each client’s condition and conduct.

3. Staff shall only represent themselves and make judgments which they are professionally qualified to make, through education, training, job assignment, certification, or licensure.

4. Staff shall be aware of his/her own biases, preventing them from interfering with the delivery of services to clients.

5. Staff shall exercise independent, professional judgment and prevent youth, family, social, or other relationships from influencing professional conduct or decisions, or creating the appearance of influence on professional conduct or decisions. Staff shall report all real or perceived conflicts of interest in a timely manner to their Supervisor.

6. Staff, and persons connected with DCYF, shall not use their official positions to secure privileges or advantages for themselves or engage in personal business transactions with clients (current or former) or organizations providing services to clients.

   (a) Employees shall not accept or give a gift or gratuity of value (RSA 15-B:3) except for general donations authorized by the appropriate Bureau Administrator;

   (b) Staff shall not initiate any financial or business interactions with former clients or foster /adoptive families without prior authorization from their Bureau Administrator or designee.

   (c) Unplanned financial or business interactions with former clients shall be immediately reported to their Bureau Administrator or designee.

   (d) Items (b) and (c) above shall not apply to current or former clients employed by and acting on behalf of a third party (e.g. cashiers, waitstaff, etc...).

III. Staff shall maintain appropriate professional relationships with effective and cooperative interactions with the clients they serve, and providers and community members with whom they have direct contact.

   A. Personal relationships (or the appearance of personal relationships) must not be allowed to interfere with the delivery of services to clients during or after regular work hours, including contact through internet social media sites.

   B. To ensure appropriate relational boundaries consistent with policy and best practice, the following applies:
1. Staff must not bring clients into their homes without the prior written approval of the Director of DCYF, or their designee.

2. Staff must not form personal relationships with colleagues/interns that could be perceived to create a conflict of interest with their role. Staff who have any concerns should consult with his/her supervisor to determine if there is a conflict, or the appearance of a conflict.

3. Current clients:
   (a) Staff shall contact clients in the course of their normal daily job functions during approved work hours;
      (1) Non-business-related client contact outside the staff’s conduct of their normal daily job functions and/or outside their approved work hours is not allowed. This includes communication to youth detained or committed at the SYSC and their families.
      (2) Any staff with knowledge of such non-business contact should bring this to the attention of the committing staff’s supervisor immediately.
   (b) All communications will be consistent with the recommendations of the client’s treatment team and/or case plan; and
   (c) Staff who receive any form of communication from a current client that is out of the ordinary from normal business interactions shall document the communication and report such communication to their supervisor. The supervisor shall use his/her discretion in reporting the communication to the appropriate Administrator.

4. Former Clients:
   (a) Staff should not participate in ongoing social relationships with his/her former clients.
      (1) The Division recognizes that clients and families may choose to offer staff updates on his/her/their status or situation and opportunities to attend activities after case closure (e.g. graduations, weddings, and/or military events).
      (2) Staff shall notify their Supervisor before attending such events.
      (3) Staff knowledgeable of violations of this provision shall immediately report to the committing staff’s Supervisor.
   (b) Staff shall not initiate any form of communication with former clients unless it is for a program or activity approved by the Director of DCYF, or designee. Examples of approved programs and activities include but are not limited to Operation Santa materials, recruiting parent leaders, working with the Parent Partner Program, complying with the requirements of the National Youth in Transition Database, aftercare cases, or working with a former client on a Family Engagement project;
(c) Staff who receive any form of personal or social communication from a former client shall:

(1) Respond professionally to any communication (written, telephonic, or electronic), after consultation with a Supervisor; and

(2) Seek approval from their Supervisor, or designee, to maintain communication with a former client; and

5. Staff who have a family member or friend who is a client, or staff who are related to other staff, must conduct their work according to DCYF work standards and notify their Supervisor of possible conflicts of interest because of their relationship(s).

IV. Confidentiality is a priority.

A. No confidential information may be released without permission of the DCYF Director and/or guidance from the Division’s legal services.

1. Child/youth or family case information shall only be disclosed pursuant to state and federal laws, court orders, and DCYF policy to individuals who have a proper professional need for such information using written authorizations for release when required.

2. Staff shall not initiate/acknowledge clients in public without justification or permission from said client.

B. Staff shall seek only such information regarding clients and colleagues as necessary to perform their duties and responsibilities, and maintain such information as confidential.

C. Any secondary employment by staff outside DCYF must not conflict with case management or other assignments. DCYF staff participating in outside employment must not profit or otherwise benefit from decisions made as a DCYF employee and must not jeopardize the confidentiality of the families served.

D. Subject to the client’s rights of privacy and the responsibility to protect confidential or privileged information, staff shall respect the public’s right to know and share information with the public according to the provisions of applicable state laws, federal laws, and DCYF and DHHS policies.

1. When making any statements in public, staff shall clearly distinguish views that are personal and those that are statements and positions on behalf of the agency.

2. Staff shall refer/direct all media inquiries to the DHHS Public Information Office at:

   Public Information Office  
   Office of the Commissioner  
   Department of Health & Human Services  
   129 Pleasant Street  
   Concord, NH 03301  
   Telephone: (603) 271-4957  
   Toll Free: (800) 852-3345 ext. 4957
3. Any such referral shall be reported to the staff's immediate Supervisor.

V. Physical Contact Between Staff and Clients:

A. Physical contact initiated by DCYF staff with clients shall be limited to the following:

1. Restrictive Interventions or Use of Force – When an incident occurs that necessitates a use of force, staff may make physical contact with the client according to Division policies governing the use of force or restrictive interventions pursuant to their job assignment and applicable policy;

2. First Aid – When staff must initiate physical contact in order to provide appropriate first aid for which they are trained;

3. Transfer – When a child who is non-ambulatory needs assistance in changing locations;

4. Personal Care – When a child is under the age of three (3) and in the custody of the Division, assistance with diapering/toileting or feeding may be necessary; and

5. Sports Activities – When staff and youth are engaged in sanctioned sporting activities.

B. Sexual or sexualized behavior, sexual harassment, or other forms of sexual misconduct from staff-to-client is expressly prohibited (PREA 115.311(a)). Staff with knowledge of any offenses that may have been committed are mandated to report as identified in the Mandated Reporting section, immediately below.

Mandated Reporting

I. Staff shall be responsible to immediately report and document any injuries or concerns about safety/security for themselves, colleagues, or clients to their immediate Supervisor.

II. Staff must immediately report any observed illegal activity in the workplace or violations of DCYF or DHHS policy to their Supervisor.

A. Any location defined as a workplace for DCYF staff shall be a Drug-Free Workplace in accordance with DHHS’s policy on "Drug-Free Workplace;"

1. The Division for Children, Youth and Families interprets drugs to include alcohol and cigarettes (including electronic cigarettes).

2. JJS field staff who confiscate substances from youth that may violate a Drug-Free Workplace shall abide by policy 1346 "Search and Seizure."

III. DCYF establishes zero tolerance towards all forms of sexual abuse, sexual harassment and/or other forms of sexual misconduct.

A. All employees of the State of New Hampshire are entitled to work in an environment free of sexually inappropriate behavior. The State of New Hampshire is committed to preventing
and eliminating such misconduct in the workplace before it rises to the level of sexual harassment.

1. Staff must follow the Governor’s State of New Hampshire Policy on Sexual Harassment.

2. Staff with knowledge of any offenses that may have been committed during an incident of sexual abuse, sexual harassment or other sexual misconduct must report the incident to their supervisor or, if the Supervisor is implicated in the allegation, to staff of comparable status.

3. All alleged incidents must be reported either in writing or verbally, to the Director of the Division of Personnel, or the agency Human Resource Administrator, who shall then refer the complaint to the Director.

4. Any alleged incident involving a client must be reported in compliance with item IV as detailed below.

B. Additionally, staff at the SYSC must follow all applicable provisions of PREA pertaining to the elimination, prevention, response, and reporting of sexual harassment according to applicable DCYF policies.

IV. Prevention and Reporting Abuse or Neglect of Clients:

A. Staff shall act to prevent practices that are inhumane, unethical, or disrespectful towards clients and colleagues.

B. Staff who have reason to suspect that any child/youth has been abused or neglected shall make the report(s) required by RSA 169-C:29 by calling DCYF Central Intake Unit at (800) 894-5533 or 271-6563 (115.361(b)).

C. Staff shall also abide by all applicable provisions of PREA.

1. Staff employed at the SYSC must follow policies regarding the prevention and reporting of abuse or neglect of youth committed or detained including, but not limited to: Policy 2055 Sexual Assault and Sexual Harassment and Policy 2475 Abuse or Neglect of Committed or Detained Youth.

2. Alleged incidents involving sexual abuse, sexual assault, or sexual harassment of youth committed or detained at the SYSC must be reported on Form 2055 Reporting Form For Sexual Abuse, Sexual Assault, and Sexual Harassment (115.361(a)).

3. Intermediate and higher level supervisory staff at the SYSC must make unannounced rounds pursuant to Policy 2071 SYSC Master Schedule (115.313 (e)).

D. Staff who have reason to believe that an adult is, or is suspected to be, incapacitated and subject to abuse, neglect, self-neglect or exploitation shall make a report as required by RSA 161-F:46 by calling BEAS Central Intake at (800) 949-0470 or 271-7014.

V. Retaliation of any kind for staff making a report described above, including reports related to PREA, is expressly prohibited. Reports of retaliation are subject to investigation and may lead to disciplinary action.
VI. Discrimination is prohibited. Staff shall not discriminate because of race, creed, color, sex, age, political affiliation or belief, veteran status, religion, national origin, sexual orientation, gender identity, or disability.

A. Staff wanting to learn more about filing a discrimination complaint should contact the Office of the Ombudsman at:

State of New Hampshire
Department of Health & Human Services
Office of the Ombudsman
129 Pleasant Street
Concord, NH 03301-3857 (603) 271-6941
(800) 852-3345 ext. 6941
FAX (603) 271-4632
TDD Access: relay NH 1-800-735-2964
E-mail: ombudsman@dhhs.state.nh.us

B. Any employee of the Department with HIV is protected by the same laws regarding unlawful discrimination, which are applicable to individuals with other diseases or disabilities. For more information, staff should contact the Department of Public Health AIDS/HIV program at 271-4502 or the Office of the Commissioner at 271-4602.

C. The Division shall work with LGBTQ2I (lesbian, gay, bisexual, transgender, queer/questioning, 2 spirit, and intersex) children/youth and families in an individualized manner to identify and support the services that will best meet their needs without discrimination.

VII. Staff shall respect and protect the right of the public to be safeguarded from criminal activity. Staff shall refrain from participation in illegal activity for any reason and shall notify the DCYF Director and the appropriate Bureau Administrator, or the Director of Operations- SYSC if the staff is employed at the SYSC, within 24 hours of any:

A. Arrests or charges related to:

1. RSA 632-A:2 (Aggravated Felonious Sexual Assault);
2. RSA 632-A:3 (Felonious Sexual Assault);
3. RSA 632-A:4 (Sexual Assault);
4. RSA 631:1 (First Degree Assault);
5. RSA 631:2 (Second Degree Assault);
6. RSA 631:4 (Criminal Threatening);
7. RSA 633:1 (Kidnapping);
8. RSA 639:3 (Endangering Welfare of Child or Incompetent);
9. RSA 645:1, I (b), II, or III (Indecent Exposure and Lewdness);
10. RSA 649-A (Child Sexual Abuse Images);
11. RSA 650:2 (Obscene Matter- where the act involves a child);
12. RSA 318-B (Controlled Drug Act); or
13. RSA 637 (All Theft offenses) or RSA 638 (All Fraud offenses) if the staff’s role provides control or management over client benefits or Departmental financial transactions.

B. Criminal or serious motor vehicle offense, or offense that interferes with his/her valid driver’s license or access to statewide transportation; or

C. Criminal conviction.

Violations of This Policy:
At all times, staff shall faithfully and responsibly perform the legal responsibilities, duties, and obligations imposed upon them by the United States Constitution, New Hampshire Constitution, federal laws, NH laws, court decisions, administrative rules, DHHS and DCYF policies, and their oaths of office, if applicable.

Staff who violate these standards of Professionalism and Ethics are subject to disciplinary actions described in NH Personnel Rules, PER 1000, up to and including dismissal from State Service.

Staff Acknowledgment:

I have read the DCYF Professionalism and Ethics policy and understand the expectations contained herein.

I will abide by the DCYF Professionalism and Ethics policy.

________________________________________  Date: _______________________
Signature of DCYF Employee, Contractor/Volunteer, or Intern

________________________________________  _______________________
Printed Name              Position Title
Practice Guidance – Social Media Guidelines

Division employees are role models for the children, youth, families, community, and public we serve. It is important to remember that even when not working, we are Division employees and therefore must hold ourselves to a high standard of conduct, reflecting the dignity and esteem in which the Division should be held. Division employees need to have an understanding that any use of social media that could be deemed inappropriate may affect their credibility and ability to perform duties associated with their supplemental job description.

The following guidelines were written to caution and make all Division employees aware about the possibility, even inadvertently, of violating the Division’s code of conduct through inappropriate use of social media. Social Media means websites and applications that enable users to create and share content or to participate in social networking.

- Employees owe a common law of duty to their employer and this duty does not end at the end of their workday. Social media should not interfere with employee’s responsibilities to their employer or affect their ability to perform their duties with credibility and integrity.

- It is important that employees understand that social media sources are not necessarily private and the great majority of posts are public domain for all to read. Even anonymous posts can be traced back to the person who generated them.

- Employees must understand privacy does not exist in the world of social media and the Internet. Once posted, your content is immediately disseminated throughout the Internet and cannot be retrieved or rescinded.

- If an employee makes a derogatory social media post about the Division or Department that puts them in a negative light they may be subject to corrective action.

- Employees should use their best judgment in posting material that may be deemed inappropriate or harmful to the Division, other employees, programs, children, youth and families we serve.

- Employees must understand that their personal opinions are not representative of the Division and therefore must not be posted as such.

- Employees should be aware that the Division may observe content and information made public by the use of social media.

- Employees are not to publish, post, or release any information that is considered confidential. If there are questions surrounding what is considered confidential, employees should speak to their immediate supervisor.

- Although not an exhaustive list, some specific examples of prohibited social media conduct include posting commentary, content or images that are defamatory, pornographic, proprietary, harassing, libelous, could create a hostile work environment or effect your credibility or ability to perform duties associated with your supplemental job description.

When creating a professional media application, employees must gain approval from the DCYF Director/Designee and refer to DHHS Social Media Guidelines, DoIT Usage Policy, and any information available through the Public Information Office.
Think of someone you work with in the community who you respect as a professional. Why is that? What about them do you respect? Would they view you the same way?

As a representative of the State of New Hampshire you are a professional who plays a key role in working with children, families and stakeholders across the State. How you present yourself strengthens your credibility, how you are perceived, the respect you receive, and the role you play.

Everyone has heard the saying that most judgments are made within the first 10 seconds of meeting you. As such you want to look your best to make the best first impression. It is appropriate and important for you to dress professionally for all work-related activities. Unprofessional dress can inhibit the ability to be a productive worker inside and outside the office. Guidelines such as these are geared towards enhancing your ability to achieve professional success. Studies show a more professional work appearance can lead to:

- Increased productivity and quality of work;
- Increased commitment to the mission and vision of the agency;
- Increased timeliness to work and work appointments;
- Increased use of polite and respectful language in the workplace; and
- Increased teamwork and office morale.

Be considerate of your work environment, co-workers, colleagues and clients.

Strive for consistency in professionalism.

Below are some guidelines to consider as acceptable dress:

- General Attire:
  - Suits;
  - Dress slacks;
  - Shirts with collars (dress or polo);
  - Sweaters;
  - Dresses;
  - Loose fitting knit pants;
  - Gauchos (below the knee);
  - Skirts; and
  - Blouses.
• Attire for Court:
  ✓ Dress pants and a shirt with collars and ties;
  ✓ Suits, blazers or sports jackets;
  ✓ Simple dresses; and
  ✓ Blouses paired with skirts.

• On business casual or “Casual Fridays” dress still must be neat and clean and always appropriate for a business setting.
  ✓ Examples are sweaters, shirts with collars, polo shirts, casual blouses, cotton khaki-type slacks, and jeans (in accordance with administration policy).
  ✓ Casual Friday doesn’t mean “messy.”

• Hemlines for any dress or skirt should not be shorter than two inches above the knee.

**Suggestion:**
If you would normally wear the outfit or footwear for the beach, yard work, weekend around the house, dance clubs, exercise sessions or sports contests, then it would likely not be appropriate for the workplace.

**Please Note:**
This document serves as an example of professional and appropriate attire. Any questions or decisions needed beyond the scope of this document are at the Supervisors/administrations’ discretion.