

code of ethics

Som – Fundació

Catalana Tutelar

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foreword —

Som – Fundació Catalana Tutelar has worked since 1987 to fulfill its mission: to take care and protect as guardians, curators or under any other legal form, people with intellectual disabilities or development inside Catalunya, ensuring that their rights are respected as individuals and to improve their quality of life.

In order to perform this mission, SOM carries out mainly, these tasks:

GUARDIANSHIP AND PREGUARDIANSHIP and other legal forms for people with intellectual disabilities without a family or with a family who, cannot take care of them, or people with the capacity modified by court. To make a reflection on ethics, we begin with the premise that the public ethical behavior of citizens must be the one derived from the rights and dignity of the human being.

In the case of an institution like ours with legally modified capacity individuals, this ethical concern is an essential component of our task in relation to the people with disabilities or development under our guardianship, and also, in relation to the society.

For the elaboration of this Code of Ethics, the Foundation has been inspired by the Declaration of Human Rights, the UN Convention about the Rights of Persons with disabilities. They have also been source of inspiration the Ethic Code of Plena Inclusion and the document of Ethics of Dincat Plena Inclusió Catalunya, among others.

code of ethics —

This code of ethics is based on the ethics of minima required by a pluralistic society: the respect for basic human rights of freedom, equality and solidarity.

This consists of:

Fidelity to the mission: all activities that take place are aimed to improve the quality of life for the people with intellectual disabilities.

Efficiency – professionalism: Ability to obtain good results in the management of the objectives with the available resources and the existing team. The aim is to achieve the highest level of availability and attention to the users.

Austerity: due to limited resources, these shall be managed taking into account the maximum fulfilment of the proposed objectives.

However, austerity does not mean working with inadequate resources, and if the most important quality is achieved, despite working with austerity, the priority will always be the quality of service, which will project the technical image of Som - Fundació.

Transparency: accounts, patrimony and general administration must be rigorous and always meet the general accounting principles, and these have regularly to be presented to the relevant organs (Protectorate, Administration, Prosecution, etc.) so that the society can have full guarantee of the work being done.

code of ethics concerning the persons under guardianship —

Considering them a value in themselves and all their values, since “every person with intellectual disabilities is a complex human being with intellectual limitations and adaptations, skills and psychological and emotional limitations, state and physical health, etiology of the condition and unique environmental petitions”. Despite their modified capacity, they have rights which they can exercise to the fullest extent possible, and guardians have to be fully respectful in the development of their personality.

As tutors, we encourage our pupils to make their own choices, even in areas where tutors have a duty to intervene.

Judicial control is necessary to ensure the proper exercise of guardianship, to avoid abuse and violations of individual rights; this control must be sufficient and flexible to allow the tutor to meet the daily needs of pupils effectively.

It has to be alert to the possible modification or recovery capacity, regardless of what the court judgment has ordered, and the obligation to promote the best development of the guardianship.

code of ethics related to the exercise of guardianship —

Although the exercise of guardianship is a single whole dimension, we consider two broad dimensions: the personal dimension and the financial dimension. Both of them are important, but the equity dimension, i.e., the set of activities related to the administration of the property of the pupil must be subject to the personal dimension to the exercise of guardianship.

1.- Personal dimension

For **Som – Fundació Catalana Tutelar**, being a legal entity, although specialized, personal dimension of the exercise of guardianship takes on special importance and poses a permanent attention. This is because the care of a disabled person requires mainly affection and personal attention, and it is just the impersonal, abstract condition rather distant of a foundation what deals with major difficulties during the time of guardianship exercise with proximity and human sensitivities.

2.- The patrimonial dimension:

It forms a whole in the exercise of guardianship, although that is often of little importance, it is not to neglect their efficient, detailed and rigorous management. Inspiring criteria of equity dimension of the exercise of guardianship are:

- ▶ All dimensions of the operations and administration of the property are taken for the sole and exclusive benefit of the person under guardianship.
- ▶ The assets of each supervised person, regardless of their size, will be administered individually and in a personalized way.
- ▶ This will involve the pupil in the decisions, provided that the judgment so permits, the administration of his or her property, gradually moving from small to more complex decisions.

3.- Services and supports:

Som – Fundació does not provide residential services, education, work etc., and this is because we understand that the best exercise of guardianship tutor requires sufficient independence to act as informed peers regarding services provided to pupils. This independence would be very difficult to achieve, if we also dedicate as a foundation, to provide these service. In this case, it would be both a judge and jury, as it sometimes happens with directors of some centers.

As a foundation, we choose to be consumers of services provided by public or private entities. As consumers, we understand that the provision of services for persons with intellectual disabilities must be committed to quality, which is to articulate a set of principles based on values such as inclusion, individuality, respect, dignity etc. This is based mainly on customer satisfaction and a commitment to continuous improvement.

We understand that services and supports are of good quality when:

- ▶ They are designed with maximum control and participation of the people themselves, their families or guardians tutors.
- ▶ They are acceptable for people without intellectual disabilities.
- ▶ They are provided in places that anyone is willing to use.
- ▶ They are individual and relevant to the needs of people.
- ▶ They change when the needs of people change.
- ▶ They help people develop maximum independence.
- ▶ They respect the dignity and privacy of individuals.
- ▶ They have adequate financial support.

Thus, Som - Fundació will work in a cooperative manner with the various institutions and people who have some responsibility for the supervised people. However, the necessity to establish fluid communication is realized as an essential tool in an Individualized Service Plan.

concretion of the code of ethics within the organization —

The organization of Som- Fundació Catalana Tutelar is set at three different levels:

1. Patronage
2. Professional team
3. Volunteers

1. Participation and responsibility of patrons in the definition and implementation of the ethical code

The Board has to integrate the code of ethics in the reflection on the definition and fulfillment of the mission as well as the development of Action Plans that form the backbone of the institution.

Obtaining resources: The Board must ensure:

- ▶ The autonomy of the entity: Diversification in obtaining resources.
- ▶ Coherence with own purposes.
- ▶ The surplus must be used for activities that correspond to the achievement of the objectives or foundational purposes.
- ▶ The Patronage must project the image of the entity

2. The professional team and the code of ethics

The professional team is responsible for the management of the Entity, based on the following criteria:

EFFICIENCY - PROFESSIONALISM - HUMANITY: These three concepts have marked their own working style of our cultural organization. By the criteria specified in the intrinsic ethics, it is essential that our organization perform quality work with available resources and at the same time, consider working with people who have a particular problem inherent to their decline. Therefore, we cannot give cold and distant relationship effectiveness, but, on the contrary, human tone and attention to the proposed objectives, we can achieve the outcomes that are desired.

CONFIDENTIALITY. The respect all the rights of disabled persons and families who have given us a future guardianship requires us to maintain confidential information on the limitations affecting the protected, especially, to all that refers to social disability and heritage.

PARTICIPATIVE MANAGEMENT AND TEAMWORK. Professional team should collaborate to the extent of its powers, in the drafting, implementation and evaluation of both the code of ethics as management plans and incorporating the necessary aspects arising from the experience of everyday work.

SELF-ASSESSMENT. To improve in the team the analysis and regular revision of the work done by each of its members.

3. Volunteers

The reason of the existence of volunteers in an organization is based on the identification with the mission or the purposes of the entity. Therefore, their voluntary cooperation must be promoted with a good level of: **information about the tasks to be performed**, adequate **training** to the place and responsibility, and **organizational support** for their collaboration. With regards to volunteers, their task in Som – Fundació Catalana Tutelar consists in accompanying them and giving support to the people under guardianship. Their task must be a commitment to establish an individualized, warm and close personal fulfillment with disabled people who, by mutual agreement, the Foundation assign to them.

Their performance is based on their commitment and sensitivity to the rights, interests and needs of the people, with the support of the Foundation, as if those rights were of their own.

This commitment and sensitivity must take them to an active involvement in all that affects the lives of the supervised people. This includes sharing feelings and concerns, to encourage them in their progress, to promote their capabilities for decision-making, etc., keeping with them an affective relationship, without demanding any correspondence from them.

The maintenance of this implication requires, on one hand, the existence of efficient programs to ensure adequate supervision, support and the recognition that the vital contribution of Godparents performance supposes to the improvement of the quality of life of the people under guardianship and, on the other hand, the commitment of government members and staff of the Foundation.

assessment and revision of the ethical principles —

Although the basic ethical code for Som- Fundació Catalana Tutelar is required to carry out its foundational task, it is also very necessary to revise it within the framework of the Action Plan, in order to adapt it to new social needs they might arise in the future.

Barcelona, December 2008