

4.3 Employee Code of Conduct

Application: All Employees of the Tennessee Department of Children's Services

Authority: TCA 37-1-403; TCA 37-5-105 (3), 37-5-106; TCA §8-30-104 – 8-30-319; Rules of the Tennessee Department of Human Resources, Chapter 1120-10 Disciplinary Action

Standards: PA-HR 4; PA-HR 5.0; PA-HR 5.01; PA-RPM 5.03

Original Effective Date: 10/29/24
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Supersedes: None
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Glossary:

- ◆ Impeach:
 - To call into question one's integrity and credibility.
- ◆ Integrity
 - Being honest and having strong moral principles.
- ◆ Ethics
 - Having a set or moral principles
- ◆ Social Media
 - A website or online service that facilitates communication between a network of friends, colleagues, and other personal contacts.
- ◆ Discovery
 - A phrase of pre-trial procedure during which every party can obtain evidence from the other party in a civil or criminal proceeding.

Policy Statement:

All employees of the Tennessee Department of Children's Services (DCS) will competently represent the Department with professionalism and integrity.

Purpose:

To outline and define the professional standards to which employees will adhere to promote the DCS image, mission, and vision.

Procedures:

All employees will become familiar with and comply with the [Rules of the Tennessee Department of Human Resources](#). Employees will follow the Department of Children's

Services' (DCS) Policy 4.3, Code of Conduct and the attached [Protocol for Employee Code of Conduct](#) to ensure compliance and avoid disciplinary action. Failure to comply with policy or protocol, as well as any attached guides, can result in disciplinary action, up to and including termination. If further clarification of a particular policy, protocol, or guide is needed, it is the employee's responsibility to seek guidance and explanation through their chain of command.

A. Professionalism

1. All employees will exhibit professional conduct and courteous demeanor with coworkers, clients, and members of the public in both verbal and written communication in all settings or situations, including court, DCS offices, and in the community.
2. Employees will ensure professional dress at all times during business hours to uphold the image of the Department with the public and within the community. Employees must also adhere to the court dress code for any court in which they appear.
3. All employees are expected to be fully engaged in their assigned work tasks during both regular business hours and any after-hours duties.

B. Integrity and Ethics

1. All employees will conduct themselves with integrity and ethics at all times as outlined by the employee's professional license and/or the Social Work Code of Ethics found at [Code of Ethics: English \(socialworkers.org\)](#).
2. Employees will follow all statewide and agency policies, protocols, and rules, as well as all state, federal, and local laws or regulations.
3. All employees will maintain their working and personal time behavior to the extent it does not discredit themselves as an employee of and/or the Department of Children's Services and will refrain from engaging in conduct that could potentially impeach their ability to represent the department, as noted in the ***Giglio Awareness Statement (tn.gov)***.

C. Acceptable Use of State Issued Equipment

1. All employees will utilize state issued vehicles, communication devices, and equipment (i.e. cell phones, computers, etc.) in a manner becoming of an employee of the Department of Children's Services that will not violate any State, Federal, or Local laws, rules, and regulations.
 - a) Employees are to use state issued cell phones, computers, iPads, tablets, or other electronic devices for business purposes only.
 - b) Employees are *highly discouraged* from using personal accounts or devices for conducting official Department business, except in cases of emergency, as doing

so could present with legal action that would allow for discovery of an employee's personal accounts or devices.

- c) Use of personal accounts or devices that pose a violation of Department policy, potential breach of confidentiality, or potential release of identifying client information may result in disciplinary action.
- d) Media, in any form (audio, video, photograph, etc.), is to be shared only via Department approved platforms with individuals who have a verifiable need to know or possess the information. Sharing of all forms of media between cellular devices, when not on a DCS approved platform or network and/or with individuals who have no verifiable need to receive the information, is strictly prohibited.
- e) Use of smart phones, tablet computers, mobile hotspots, and other devices/ services given access to the state network for use by employees will adhere to policy [7.2, Acceptable Use, Network Access Rights, and Obligations](#).
- f) Information regarding maintaining security of state computers may be found at [1.11, Security of State-Owned Property](#).
- g) Employees who misuse or abuse state issued communication devices or equipment are subject to disciplinary action.
- h) Further information regarding policy, rules, and regulations regarding use, misuse, or abuse of state issued electronic devices can be found at [3.15, Telecommunication Services](#).

D. Social Media

1. All employees must have express written permission from the Department of Children's Services to utilize social media for work-related purposes and use this access in a professional and ethical manner that follows all statewide and agency policies, protocols, and rules, as well as all state, federal, and local laws or regulations.
2. All employees will utilize discretion when exercising their right to express themselves on personal social media platforms. Employees will understand and be mindful of the following:
 - a) All employee posts, speech, and activity on social media reflects upon the Department of Children's Services and can impact the Department's image and relationships with the public and outside agencies, such as courts, service providers, and other entities.
 - b) Employees will ensure free expression posted on social media does not impair the working relationships of the department, impair discipline or harmony among agency co-workers, impede an employee's performance of duties, or negatively affect public perception of the Department.
 - c) Employees must adhere to the Department's *Code of Conduct* policy as it relates to the use of work-related social media, as well as personal social media, when

sharing or posting public Department information such as trainings, recruitment events, and other DCS approved public activities.

- d) As public employees, Department employees' speech or posts, both on or off-duty and made pursuant to their official duties (i.e. owes its existence to the employee's professional duties and responsibilities), on any platform are **NOT** protected speech under the First Amendment.
- e) Employees will not publicize information, acquired as a product of their employment, except to share information regarding DCS recruitments, trainings, or other publicly shared events.
- f) Employees will refrain from posting information, whether on personal or work-related social media, that could identify those served by the Department of Children's Services (DCS), as per the following policies: [9.4 Confidential Client-Specific Information](#) and [14.15 Confidentiality of Child Protective Services Cases](#).
- g) Social media posts or speech, that identifies a person as an employee of the Department of Children's Services, that contain obscene or sexually explicit language, images, statements, or acts, as well as other forms of posts/speech that ridicule, mock, belittle, and/or exhibit bias against any race, religion, or other protected class of individuals is strictly prohibited.
- h) Social media posts or speech that show an employee, or any agency personnel, engaging in what could be considered reckless or irresponsible behavior is unacceptable.
- i) Social media conduct, on or off duty, that may damage an employee's ability to credibly represent the Department in a court setting, in any capacity, is unacceptable. Review the [Giglio Awareness Statement \(tn.gov\)](#) for more information.
- j) Failure to adhere to this policy and engaging in prohibited speech/posts, as described above, could form the basis for disciplinary action. If the failure to comply is deemed detrimental to the Department of Children's Services and its image, mission, and/or vision.

E. Conduct Unbecoming

1. Any employee who violates this policy, or an employee who fails to immediately notify/report a known violation of this policy, may be subject to immediate disciplinary action.
2. In addition to an employee's immediate supervisor or chain of command, an employee aware of another employee in violation of this policy that would meet criteria for possible child abuse or neglect, will also make a report to the Child Abuse Hotline (CAH) by calling 877-237-0004. If a violation is *not* related to child abuse or neglect, employees will also report any possible infractions to their human resource representative or internal affairs liaison.

3. Any employee who is aware or suspects that Fraud, Waste, or Abuse exists within the Department is required to report their suspicions to their immediate supervisor or confidentially through the Comptrollers Fraud, Waste and Abuse hotline at 800-232-5454 or via [Report Fraud, Waste, and Abuse \(tn.gov\)](#). [1.27, Fraud, Waste, and Abuse Prevention, Reporting and Investigation](#). Employees may also complete an Internal Affairs Division referral at [Internal Affairs Referral \(teamtn.gov\)](#).

NOTE: All employees will be required to acknowledge their understanding of the DCS Code of Conduct policy and protocol by signing form [CS-0732, Employee Code of Conduct Acknowledgement](#) upon initial hire and annually thereafter.

Forms:

[CS-0732, Employee Code of Conduct Acknowledgement](#)

Collateral Documents:

[14.15 Confidentiality of Child Protective Services Cases](#)

[9.4 Confidential Client-Specific Information](#)

[Report Fraud, Waste, and Abuse \(tn.gov\)](#)

[3.15, Telecommunication Services.](#)

[1.11, Security of State-Owned Property](#)

[7.2, Acceptable Use, Network Access Rights, and Obligations](#)

[Rules of the Tennessee Department of Human Resources](#)

[Protocol for Employee Code of Conduct](#)

[Code of Ethics: English \(socialworkers.org\)](#)

[Giglio Awareness Statement \(tn.gov\)](#)

[1.27, Fraud, Waste, and Abuse Prevention, Reporting and Investigation](#)

[Internal Affairs Referral \(teamtn.gov\)](#)