



Code of Conduct

Message from the Director General

Our vision is to deliver a safe, high quality, sustainable health system for all Western Australians, regardless of location or circumstance.

We aim to achieve this by promoting and protecting the health of all Western Australians by caring for individuals and the community, using resources and funds efficiently and effectively and working in a way that is collectively supportive and respectful.

This Code seeks to provide the basis for developing a positive workplace culture. It builds upon the standards explained in the Public Sector Code of Ethics to reflect our own CORE values of Collaboration, Openness, Respect and Empowerment.

Everyone working across the WA health system deserves to be treated with mutual respect, compassion and fairness. The standards of behaviour expected of employees are outlined in the Principles of Conduct. These Principles support the WA health system to deliver high quality care to patients, promote professional and collaborative working relationships, and contribute to an overall improved workplace culture.

I ask everyone working across the WA health system to familiarise themselves with the Code and commit to implement and adhere to the Code in all the work they do.

A handwritten signature in black ink, appearing to be 'DJ Russell-Weisz'.

Dr DJ Russell-Weisz
DIRECTOR GENERAL

1. Purpose

The WA health system Code of Conduct (**Code**) identifies our CORE values fundamental in all of our work and translates these values into principles that guide our conduct in the workplace. It defines the standards of ethical and professional conduct and outlines the behaviours expected of all Staff within the WA health system.

The intent of the Code is to promote a positive workplace culture by providing a framework to support ethical day-to-day conduct and decision making. It is not practicable for it to cover every situation that may arise in the workplace.

The Code is part of the *Employment Policy Framework* issued by Director General (**DG**) pursuant to section 26 of the *Health Services Act 2016* (WA) (**HSA**) and section 9 of the *Public Sector Management Act 1994* (WA) (**PSMA**).

2. Applicability

The Code applies to all WA health system Staff (**Staff**), whether permanent, fixed term or casual, employed in the Department of Health (**Department**) or by Employing Authorities established under the HSA which at the time of publication includes:

- Child and Adolescent Health Service;
- East Metropolitan Health Service;
- Health Support Services;
- North Metropolitan Health Service;
- South Metropolitan Health Service;
- WA Country Health Service; and
- Quadriplegic Centre.

The Code also applies to trainees, students, volunteers, researchers, contractors for service (including all visiting health professionals and agency staff) and persons delivering training or education within the Department or a WA health system Employing Authority. For the purpose of this Code these persons are also referred to as Staff.

3. Policy requirements

CORE Values

The WA health system CORE values are underpinned by the Western Australian Public Sector Code of Ethics which refers to the principles of personal integrity, relationships with others and accountability.

WA health system CORE values are:

1. Collaboration
2. Openness
3. Respect
4. Empowerment.

Collaboration

- We value the contribution of our Staff, who work together as a cohesive team to deliver an excellent level of care to all Western Australians.
- Our teams are strong and successful because we collaborate and always seek ways to improve.
- Our leaders are role models of our CORE values and trust their teams.

Openness

- We display confidence and cooperation through open and honest communication.
- We communicate clearly and with integrity.
- Our performance is open to public scrutiny and we welcome feedback to perform better.
- We value open communication and encourage those around us to voice their ideas as well as their concerns.

Respect

- We treat each other, patients, clients and members of the public with respect, compassion and fairness.
- We have zero tolerance for bullying, harassment and discrimination.

Empowerment

- We encourage and support local decision making and accept responsibility and accountability.
- We encourage and recognise outstanding performance and innovation.
- We are all responsible for workplace culture and performance.
- We empower everyone to make a difference and strive to improve our workplace culture and performance.
- We provide high quality, accessible and safe health care services to all Western Australians.

Principles of Conduct

The WA health system CORE values underpin the Principles of Conduct which all Staff are required to adhere to.

The Principles of Conduct are:

1. Act professionally and ethically.
2. Demonstrate honesty and integrity.
3. Promote a positive work environment.
4. Maintain professional relationships.
5. Communicate and use official information responsibly.
6. Use public resources responsibly.
7. Not engage in fraudulent or corrupt behaviour.
8. Maintain records in accordance with expected standards.

1. Act professionally and ethically

Staff must:

- 1.1 Comply with all lawful and reasonable directions.
- 1.2 Comply with all applicable WA health system policy frameworks.
- 1.3 Perform their duties diligently to the standard reasonably required of them.
- 1.4 Avoid conduct that could bring the WA health system or any of its Staff, patients or clients into disrepute, including when using social media.
- 1.5 Act in a way which protects and promotes the interests of the WA health system.
- 1.6 Not absent themselves from the workplace without proper notification or reason, when meant to be at work.
- 1.7 On presentation and while at work be in a fit and proper condition and not under the influence of alcohol or drugs.
- 1.8 Dress in a way that is appropriate for the work they do, and comply with any dress or uniform policies and procedures.
- 1.9 Immediately report any incident of clinical care which raises concerns about standards of clinical care to a more senior member of Staff.
- 1.10 Report any charges or convictions involving a serious offence as defined in section 80A of the PSMA to their Chief Executive or the DG within seven days of the charge being laid or a conviction recorded (in accordance with section 145(1) of the HSA and section 92 of the PSMA).
- 1.11 If they are health professionals:
 - report all changes in professional registration (such as the imposition of conditions or suspension of registration) to their manager;
 - maintain and enhance their professional standards and skills and keep up to date with best practice;
 - report all changes in professional membership or eligibility for membership of their professional association if impacting on their ability to practice;
 - report any misconduct finding made against them under the *Health Practitioner Regulation National Law (WA) Act 2010* (**National Law Act**) to

the responsible authority, within 7 days of receiving notice of the finding (in accordance with section 145(2) of the HSA); and

- observe all laws, professional codes of conduct and ethics relating to their profession.

2. Demonstrate honesty and integrity

Staff must:

- 2.1 Act with honesty and transparency in all of the work that they do.
- 2.2 Make decisions based on fair and objective processes.
- 2.3 Use the powers granted to them responsibly for the purpose and manner they are intended.
- 2.4 Avoid situations which may give rise to pecuniary or other conflicts of interest and immediately declare any conflicts of interest, or possible perceptions of such conflicts of interest, to their manager.
- 2.5 Disclose any personal or professional matters that may lead to actual or perceived conflicts of interest.
- 2.6 Ensure their actions and decisions are not influenced by self-interest, considerations of personal gain or other improper motives.
- 2.7 Not accept inducements or incentives that are intended to influence their decisions or actions.
- 2.8 Not accept gifts which are, or could reasonably be interpreted to be, designed to secure influence or preferential treatment in favour of the giver.
- 2.9 Disclose any gift or benefit received or intended to be accepted in accordance with the *Acceptance of Gifts Policy*.
- 2.10 Familiarise themselves and act in accordance with the *Managing Conflict of Interest Policy and Guidelines, Acceptance of Gifts Policy* and section 102 of the PSMA.

3. Promote a positive work environment

Staff must:

- 3.1 Collaborate and treat each other in a way that promotes harmonious and productive working relationships.
- 3.2 Treat each other, patients, clients and members of the public with courtesy and respect.
- 3.3 Not bully or harass, or support colleagues to bully or harass each other, patients, clients or members of the public.
- 3.4 Take reasonable care to ensure their own safety and that of others in the workplace.
- 3.5 Not discriminate against each other, patients, clients or members of the public on the basis of age, breastfeeding, family responsibility, family status, gender history, impairment, marital status, political conviction, pregnancy, religious conviction, race, sex or sexual orientation.
- 3.6 Familiarise themselves and act in accordance with the *Equal Opportunity and Diversity Policy*.

4. Maintain professional relationships

Staff must:

- 4.1 Not use their position with patients, clients, anybody under their care or supervision (including those close to the patient such as their carer, guardian, spouse or the parent of a patient) to:
 - establish or pursue a sexual, exploitative or other inappropriate relationship;
 - take unfair advantage of, or exploit any relationship (whether physical, emotional, sexual or financial); or
 - obtain possession or control of their finances and/or private property.
- 4.2 Avoid expressing personal beliefs to patients or clients in a way that exploits their vulnerability or is likely to cause them distress.
- 4.3 If they are health professionals, familiarise themselves and act in accordance with the standards relevant to their profession as prescribed by Australian Health Practitioner Agency (**AHPRA**) or their professional association.
- 4.4 Familiarise themselves and act in accordance with the *Employee Use of Social Media Policy*.

5. Communicate and use official information responsibly

Staff must:

- 5.1 Maintain confidentiality about any personal or other information that becomes available to them in the course of their employment and only use the information in connection with their position.
- 5.2 Not use official information obtained through the course of their employment to provide public comment or communicate in writing, online or via social media without written authorisation from the relevant delegated authority.
- 5.3 Familiarise themselves and act in accordance with the *Use of Official Information and Public Comment and Employee Use of Social Media Policies*, the PSMA and related Administrative Instructions 102, 711 and 728.

6. Use public resources responsibly

Staff must:

- 6.1 Use resources of the State Government in a responsible and accountable manner.
- 6.2 Use equipment and facilities for legitimate and approved purposes only.
- 6.3 Familiarise themselves and act in accordance with the *Acceptable Use Policy - Information and the Communications Technology and Intellectual Property Management in WA Health Policy*.

7. Not engage in fraudulent or corrupt behaviour

Staff must:

- 7.1 Act ethically and not engage in conduct which is, or may be interpreted as, fraudulent or corrupt.

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- 7.2 Not engage in conduct which is dishonest or may cause harm to a person.
 - 7.3 Not engage in acts of minor or serious misconduct as defined in the *Corruption, Crime and Misconduct Act 2003* (WA) (**CCM Act**).
 - 7.4 Familiarise themselves and act in accordance with the *Discipline Policy*, HSA, PSMA, CCM Act and relevant health professional codes of conduct.

8. Maintain records in accordance with expected standards

Staff must:

- 8.1 Ensure all information is properly recorded, managed and maintained.
- 8.2 Record actions and decisions to ensure transparency of decision making processes.
- 8.3 Maintain confidentiality of all records and personal information obtained through the course of their employment and not disclose without written authorisation from the relevant delegated authority.
- 8.4 Ensure secure storage of confidential or sensitive information.
- 8.5 Familiarise themselves and act in accordance with any relevant policies and procedures governing records management.

Reporting Suspected Breaches of the Code

If Staff suspect a breach of the Code has occurred, their manager should be made aware of the suspected breach in the first instance. If the Staff member is not comfortable reporting a suspected breach to their manager, they should report the matter to a more senior member of Staff. The manager or the more senior member of Staff must report a suspected breach of the Code to the Human Resources (**HR**) unit.

All suspected breaches of the Code must be reported by HR to the relevant local Integrity and Ethics (**I&E**) unit at the earliest possible opportunity. The relevant I&E unit will assess whether the suspected breach is reportable to the Corruption and Crime Commission (**CCC**), the Public Sector Commission (**PSC**) and/or the Western Australian Police. Reports must contain a description of the suspected breach, full details of the Staff involved and any relevant information. A Staff member can report any suspected breach of the Code directly to the CCC or the PSC.

For health professionals, some suspected breaches may be deemed Notifiable Conduct as defined in section 140 of the National Law Act. These breaches must be reported to AHPRA in accordance with sections 141 and 142 of the National Law Act.

The WA health system seeks to protect all persons who report a suspected breach of the Code. Staff must not attempt to intimidate, coerce, take reprisal or retaliate against Staff who have disclosed a suspected breach of the Code. Any attempt to do so will be treated seriously and may result in disciplinary action.

Consequences of Breaching the Code

The range of consequences which may occur for breaches of this Code will depend on the nature and seriousness of the breach.

A breach of the Code may result in:

- Improvement Action or Disciplinary Action in accordance with the *Discipline Policy*;
- Breach of Discipline under Part 11, Division 3 of the HSA; or
- Breach of Discipline under Part 5 of the PSMA.

4. Compliance, monitoring and evaluation

The Department and Health Service Providers are required to ensure Staff compliance with the Code.

Monitoring and evaluation activities will assist with ensuring system-wide compliance with the Code. Monitoring and evaluation will also help to ensure that the Code is fit for purpose and assure the System Manager that the Code is being complied with effectively.

For the purposes of the Code, the Department on behalf of the DG will undertake systematic reviews of the Code for currency and quality assurance. This assurance role includes providing training and education on the Code to raise the awareness of all WA health system Staff.

5. Related documents

The following documents are required to give affect to this policy (i.e. the documents included are mandatory) as amended or replaced from time to time:

Legislation and Instructions

- Commissioner's Instruction No. 7 – Code of Ethics
- Commissioner's Instruction No. 8 – Codes of conduct and integrity training
- *Corruption, Crime and Misconduct Act 2003 (WA)*
- *Equal Opportunity Act 1984 (WA)*
- *Freedom of Information Act 1982 (Cth)*
- *Health Practitioner Regulation National Law (WA) Act 2010*
- *Health Services Act 2016 (WA)*
- *National Code of Conduct for Health Care Workers (Western Australia)*
- *Occupational Safety and Health Act 1984 (WA)*
- *Public Sector Management Act 1994 (WA)*
- *State Records Act 2000 (WA)*
- WA Public Sector Management Administrative Instructions 102 – Official Communications, 711 – Official Information, 728 – Media & Public Communications
- *Working with Children (Criminal Record Checking) Act 2004 (WA)*.

Policies and Guidelines

- *Acceptable Use Policy – Information and Communications Technology*
- *Acceptance of Gifts Policy*
- *Discipline Policy with Explanatory Notes and Template Letters*
- *Digitisation and Disposal of Patient Records Policy*
- *Electronic Messaging Policy*

- *Email Management Policy*
- *Employee Grievance Resolution Policy*
- *Employee Use of Social Media Policy*
- *Equal Opportunity and Diversity Policy*
- *Freedom of Information Reporting within the Public Health System*
- *Intellectual Property Management in WA Health*
- *Managing Conflict of Interest Policy and Guidelines*
- *Notifying Misconduct Policy*
- *Patient Information Retention and Disposal Schedule*
- *Preventing and Responding to Workplace Bullying Policy*
- *Release of Information under the Freedom of Information Act 1992 ('FOI Act') – Policy and Guidelines*
- *Reporting of Criminal Conduct and Professional Misconduct Policy*
- *Policy on Use of Official Information and Public Comment*
- *WA Health Working with Children Check Policy.*

6. Supporting information

The following documents inform this policy (i.e. documents that are not mandatory to the implementation of this policy but may support the implementation of the policy) as amended or replaced from time to time:

- N/A

7. Definitions

The following definitions are relevant to this policy.

Term	Definition

8. Policy owner

Deputy Director General, Strategy and Governance Division

Enquiries relating to this policy may be directed to:

Title: Executive Director, Governance and System Support

Division: Strategy and Governance Division

Email: EmploymentPolicyFramework@health.wa.gov.au

9. Review

This mandatory policy will be reviewed and evaluated as required to ensure relevance and recency. At a minimum it will be reviewed within three years after first issue and at least every three years thereafter.

Version	Effective from	Effective to	Amendment(s)
MP0031/16	1 July 2016	21 September 2017	Original version
MP0031/16 v.2.0	21 September 2017	21 July 2019	Major Amendment Code contemporised and applicability

			extended to include the Department of Health.

The review table indicates previous versions of the mandatory policy and any significant changes.

10. Approval

This mandatory policy has been approved and issued by the Director General of the Department of Health.

Approval by	Dr David Russell-Weisz, Director General, Department of Health
Approval date	14, September, 2017
Published date	21, September, 2017
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