

Policy

Code of Conduct

Applicable to: Whanganui District Health Board	Authorised by: Chief Executive
	Contact person: General Manager, Human Resources

1. Policy statement

The Whanganui District Health Board (WDHB) is committed to providing a safe and healthy work environment where employees are treated respectfully, equally and with opportunities to contribute, grow and develop. If employees do not experience this environment, the WDHB encourages them to bring it to the attention of the organisation.

With this supportive environment the WDHB expects employees to act honestly, conscientiously, reasonably and in good faith at all times. Employees are also expected to respect the interests of the WDHB and the wellbeing of colleagues, patients and the wider community.

Employees are expected to be aware of the standards of performance and conduct expected of them as outlined in this Code of Conduct. Where the WDHB has cause to believe the obligations or standards of conduct expected of an employee may have been breached, formal disciplinary procedures may be invoked. Such action is not taken lightly.

2. Purpose

This policy provides a set of expectations for behaviour and a framework for disciplinary procedures to ensure the efficient and successful operation of the Whanganui District Health Board (WDHB), and to ensure that expectations are understood and met by all employees of the WDHB.

As a State Sector Agency, WDHB adheres to the State Services Commission "Standards of Integrity and Conduct" (see Appendix 1) which requires all employees to be:

- Fair
- Impartial
- Responsible
- Trustworthy

3. Scope

This policy applies to all employees of the WDHB, including permanent, temporary and casual staff. It also applies to all persons contracted by the WDHB to provide services to, or on behalf of the WDHB, visiting medical officers, and other partners in care, contractors, consultants and volunteers.

4. Roles and responsibilities

All staff regardless of position must comply with the State Services Commission's Standards of Integrity and Conduct (see Appendix A).

WDHB leadership

WDHB leadership within their delegations are responsible for:

- ensuring all employees are made aware of and understand the standards of performance and conduct required by the WDHB, the WDHB processes for resolving problems, corrective action and potential consequences
- encouraging and enabling a positive work environment
- ensuring policies are implemented and upheld
- role modelling appropriate, respectful, professional behaviour in accordance with this Code of Conduct, State Services Commission Standards of Integrity and Conduct and the relevant professional body (as appropriate)
- seeking the advice of a Human Resources Consultant when dealing with possible breaches of conduct, before initiating any process
- dealing with breaches of conduct in accordance with the WDHB's Addressing Unacceptable Conduct Procedure within their delegations and in a just and fair manner.

Employees

Are responsible for:

- adhering to mandatory ethics and professional standards as defined by this Code of Conduct, State Services Commission 'Standards of Integrity and Conduct', professional regulatory bodies and generally acceptable values and standards of behaviour
- when they observe unacceptable behaviour bringing this to the other employee's attention in a non-confrontational manner
- familiarising themselves with key WDHB policies and where required, sign to indicate their acceptance and understanding thereof.

5. Code of Conduct

5.1 Expectations and Standards of Conduct

WDHB endeavours to provide a safe, healthy, supportive and equitable work environment that enables all employees to carry out and meet their responsibilities as employees of the WDHB. The WDHB will:

- treat all employees with respect and integrity
- be a good employer
- fully investigate any complaints
- promptly draw any unsatisfactory aspects of their work to the attention of the employee
- ensure employees are aware of the standards of performance and behaviours required of them
- ensure employees are given adequate counselling, advice and training necessary to enable them to reach the required standards
- ensure employees are given time to modify or correct their behaviour and/or attain and maintain an acceptable standard of work performance where appropriate
- ensure that the appropriate disciplinary action occurs where unacceptable behaviours or work performance persist.

WDHB equally expects employees to act honestly, conscientiously, reasonably and in good faith at all times, and to have regard to the interests of the WDHB and the welfare of colleagues, patients and the wider community. Whanganui District Health Board expects all its employees to:

- perform to the best of their ability, and be committed to a high quality of work performed in a safe manner
- be professional in both their manner and attitude to fellow employees, managers, clients/patients, and members of the public. This applies when on WDHB premises and whilst on WDHB business
- adhere to professional standards and work within the scope of practice as set by their professional regulatory body
- take the initiative and be creative in resolving problems, seeking improved productivity and responding to opportunities within their areas of responsibility
- make decisions and be responsible for those decisions and the actions that flow from them
- treat all WDHB assets with due care and respect
- be supportive of their work teams, and accept their responsibilities as team members
- be supportive of those changes in work processes and attitudes that are necessary to ensure the WDHB's continued success
- be honest and loyal to the organisation
- treat any material/information they acquire through their work with absolute confidentiality
- not engage in any private activity, without the employer's prior agreement, which could have an effect on their ability to carry out the duties as an employee
- not compromise WDHB's integrity either inside or outside work

Note: These expectations apply to all employees regardless of their role in the organisation.

5.2 State Services Commission Standards of Integrity and Conduct

As employees of a Crown Entity, employees are required to act with a spirit of service to the community and meet the standards of integrity and conduct as set out in Standards of Integrity and Conduct – a code of conduct issued by the State Services Commissioner under Section 57 of the State Sector Act 1988 (attached in Appendix 1). As well as complying with the following standards, WDHB will ensure its policies and procedures are consistent with and support this Code of Conduct.

5.3 Rules of Conduct

All employees are expected to be aware of the standards of performance and conduct expected of them. They are also expected to perform well, conduct themselves professionally and overcome minor problems without the need for formal intervention. However, where WDHB has cause to believe that the obligations or standards of conduct expected of an employee may have been breached, formal disciplinary procedures may be invoked. Such action is not taken lightly.

The following are examples of the type of actions/behaviour that are considered to be conduct detrimental to the best interests of WDHB. They may be regarded as Serious Misconduct and following investigation may therefore be likely to lead to summary dismissal without notice or formal warning:

- conviction in a court of law
- failure to follow WDHB procedures for resolving an ethical dilemma that brings the organisation into disrepute
- off-duty behaviour that affects the employee's ability to carry out normal duties, or conduct, behaviour or actions that could reasonably be perceived by others as bringing the WDHB or the standing of the employee's profession into disrepute.

This list is not exhaustive. Where appropriate, actions mentioned above and acts not specifically covered by the list above but is of a similar nature, WDHB reserves the right to treat the matter as breaches of the Code of Conduct Policy and may be subject to disciplinary action.

5.4 Complaint escalation

Where an employee wishes to put forward a request, suggestion or complaint regarding another employee's conduct, either verbally or in writing, the first approach is to be their immediate manager, unless the matter relates to that manager in which case the employee is to approach a more senior manager or professional advisor. If an employee is dissatisfied with the outcome of their request,

suggestion or complaint, they may take the matter to the next level of management, and ultimately to their General Manager or Professional Director. All employees have the right to approach the Chief Executive Officer if any matter is not able to be resolved through the above channels. Employees also have the right to seek the advice and support of their union delegate or other representative in such matters.

Note:

- For matters relating to matters of 'serious wrongdoing', please refer to the Protected Information Disclosures Policy (WDHB-2652).
- WDHB has a zero tolerance for criminal misconduct, including fraud. All reported incidents of alleged fraud, misappropriation or similar irregularity will be investigated. WDHB's Fraud Policy (WDHB-5795) sets out the WDHB's position in relation to fraud, theft and corruption.

6. Breaches of the code

Behaviour that is in contravention of an employee's obligations under their employment agreement and/or behaviour that contravenes the expectations of standards of conduct within the WDHB as set out in this Code of Conduct or any other WDHB policy, procedure, or rule may be addressed in accordance with the WDHB Addressing Unacceptable Conduct Procedure.

In cases of professional misconduct or breach of professional code of conduct or ethics, the matter may be referred to the appropriate professional body, for example, the Medical Council of New Zealand.

Under the Health Practitioners Competence Assurance Act 2003, when an employee employed as a health practitioner resigns or is dismissed for reasons relating to competence, the employer must promptly give the responsible authority, that is, appropriate relevant registration body, written notice of the reasons for that resignation or dismissal [section 34 (3)].

6.1 Misconduct

Misconduct means some form of wrongdoing. Usually it will involve deliberate wrongdoing, but there may be circumstances where an employee acts so carelessly that it amounts to misconduct such as negligence or recklessness. Each incident of misconduct will be considered on its own and could, depending on its seriousness, be considered to be serious misconduct. Misconduct may lead to disciplinary processes being invoked.

Each incident of misconduct will be considered on its own and could, depending on its seriousness, be considered to be serious misconduct. Examples of misconduct include but are not limited to the following:

1. wasting time or materials
2. misuse, unauthorised use or defacing of WDHB property
3. failure to observe safety, health or hygiene protocol/instructions, working in an unsafe manner, or failing to make proper use of safety equipment when such equipment is installed or provided
4. lateness or poor performance
5. preventing or interfering with another employee carrying out their work functions
6. failure to follow defined WDHB policies and procedures
7. reporting for work in such a condition as to be unable to perform the required duties in a safe and proper manner
8. posting offensive notices/pictures on notice boards, computer screens or elsewhere on the premises
9. unauthorised absence from work including leaving work without permission, and without good reason failing to notify the supervisor of unavailability to commence work at the specified starting time
10. unacceptable, unsafe, and/or disruptive behaviour at the place of work
11. failure to promptly report any workplace accident

12. sleeping during working hours. (This does not include situations where employees are on-call for immediate availability)
13. unauthorised gambling on WDHB premises
14. where an employee is negligent, careless, indolent, inefficient or incompetent in the performance of his or her duties
15. being in a department without proper purpose after normal working hours
16. using abusive or offensive language, while at work
17. unreasonable refusal to attend a doctor nominated by the employer for the purpose of an assessment of the employee's fitness for work
18. having a standard of dress that is below required standards of professionalism
19. smoking in a smoke-free area or in a vehicle belonging to the organisation
20. deliberate incompatibility with other employee(s), manager(s) or reporting employee(s)
21. acts otherwise falling within the category of serious misconduct, but where the particular case is such as to fall short of requiring dismissal in the particular instance

Where an act is carried out by an employee which is not specifically covered by the above misconduct, but is of a similar nature, WDHB reserves the right to implement disciplinary procedures.

6.2 Serious Misconduct

Serious misconduct is conduct of such gravity that continuation of the employment relationship between the WDHB and the employee is called into question and may result in the termination of the employment relationship. Examples of serious misconduct include but are not limited to the following:

1. conduct injuring the business, reputation or goodwill of WDHB or its employees
2. unauthorised possession or removal of property belonging to WDHB, the public at large, another employee or a client
3. intentional damage or grossly negligent damage to property belonging to WDHB, the public at large, or another employee
4. threatening physical or verbal violence, or act violently against any patient/client, employee, contractor or visitor on WDHB property or while on duty or on any social media site or platform
5. falsification of any record of WDHB including time sheets, submitting false claims for expenses
6. failure to follow defined WDHB policies and procedures
7. bringing on to WDHB property, firearms or other offensive weapons or being in possession of an offensive weapon whilst on WDHB business
8. bringing on to or consuming on WDHB premises, non-prescribed drugs, intoxicating liquor or other dangerous substances without prior authorisation (This excludes items bought over the counter for headaches or coughs and colds)
9. reporting for work in such a condition, as to be unable and/or unfit to perform designated duties effectively and/or safely
10. being under the influence of alcohol or illegal drugs while on duty
11. unauthorised use of fire protection or safety equipment
12. deliberate acts detrimental to the quality and/or efficiency of the WDHB Board services or detrimental to the safety of employees, clients or visitors
13. sleeping during working hours in situations having the potential to affect the safety of clients or employees. (This does not include situations where employees are on-call for immediate availability)
14. any unauthorised access and/or disclosure to unauthorised persons of any confidential information belonging to WDHB or concerning any clients/patients or employees
15. failure to follow the Information Systems email, internet and/or computer policies
16. failure to record and report any accident affecting clients/patients, visitors or employees
17. without authorisation, entering a restricted area of WDHB premises
18. harassment, sexual harassment, or bullying
19. accepting any personal fee, reward, gift, gratuity or remuneration other than normal salary or attempting to extract the same on account of any services provided in the normal course of duty. Unsolicited gifts of token value are an exception
20. refusal to carry out the lawful instruction of a Manager or supervisor, including refusal to perform work, or walking off the job, except where working conditions are unsafe
21. professional misconduct or breach of professional code of conduct, scope of practice or ethics

22. take all practicable steps to ensure that they do not present themselves to others in a manner that is perceived as unacceptable behaviour, harassment or bullying; and when they observe unacceptable behaviour bring this to the individual's attention in a non-confrontational manner
23. not publicly comment, either positively or negatively, on the work, policy, actions or efficiency of other organisations without agreement from the organisation concerned
24. raise concerns regarding perceived shortcomings of other organisations with their manager in the first instance
25. not make public comments including deliberate or careless use of social media that could be perceived to be on behalf of the WDHB or in their role as a WDHB employee
26. not being in possession of an annual practising certificate or any other professional practising requirement where required by legislation and/or falsely claiming reimbursement from the Board
27. failure to notify the Board of a change in your scope of practice that may have an effect on your ability to carry out the duties and functions of your position
28. removal, copying, falsification, destruction or disclosure of computer software, records or confidential information belonging to WDHB
29. failure to account for cash or failure to follow correct procedures for the handling of money
30. failure to follow safety requirements where the safety of other employees, clients/patients or customers is put at risk. This includes the use of and failure to wear or use safety equipment and/or protective clothing
31. using the employee's position of influence over a patient/client to cause the patient/client to enter into any relationship with the employee, or do any other thing which may result in any benefit (financial or otherwise) to the employee or any relative of an employee or which might cause the patient/client to suffer any loss or detriment
32. absence from work, without good cause, including during a period for which a request for leave of absence has been denied
33. being absent for three consecutive days without reporting
34. submission of false sick leave claim
35. lending keys/electronic cards, identity cards, or giving details of combination locks, or access passwords to persons not authorised to hold these items or have this information
36. misuse of WDHB vehicle fleet cards
37. acts otherwise falling within the category of misconduct where the particular case is so serious a breach as to warrant dismissal in the particular instance.

This list is not exhaustive. Where an act is carried out by an employee which is not specifically covered by the above serious misconduct but is of a similar nature, WDHB reserves the right to implement disciplinary procedures.

7. Related Whanganui District Health Board documents

WDHB-5583 v1 Addressing Unacceptable Conduct Procedure
 WDHB-2652 v3 Protected Information Disclosures Policy
 WDHB-7652 v2 Protected Information Disclosures Procedure
 WDHB-2018 v2 Conflict of Interest Policy
 WDHB-5795 v2 Fraud Policy
 WDHB-2644 v5 Delegation Policy

8. Appendix

Appendix 1: State Services Commission Standards of Integrity and Conduct - A code of conduct issued by the State Services Commissioner under Section 57 of the State Sector Act 1988

9. Key words

Standards of performance
 Standards of integrity
 Rules of conduct

State Services Commission
Fairness
Impartiality
Responsibility
Trustworthiness
Fraud
Theft
Bribery
Corruption
Conflict of Interest
Misconduct
Serious misconduct
Breaches of conduct
Disciplinary
Code of conduct
Suspension



STATE SERVICES COMMISSION
Te Kaitiaki a Te Kaitiaki

STANDARDS OF INTEGRITY & CONDUCT

A code of conduct issued by the State Services Commissioner
under the State Sector Act 1988, section 57

WE MUST BE FAIR, IMPARTIAL, RESPONSIBLE & TRUSTWORTHY

The State Services is made up of many organisations with powers to carry out the work of New Zealand's democratically elected governments.

Whether we work in a department or in a Crown entity, we must act with a spirit of service to the community and meet the same high standards of integrity and conduct in everything we do.

We must comply with the standards of integrity and conduct set out in this code. As part of complying with this code, our organisations must maintain policies and procedures that are consistent with it.

For further information see www.ssc.govt.nz/code

FAIR

We must:

- treat everyone fairly and with respect
- be professional and responsive
- work to make government services accessible and effective
- strive to make a difference to the well-being of New Zealand and all its people.

IMPARTIAL

We must:

- maintain the political neutrality required to enable us to work with current and future governments
- carry out the functions of our organisation, unaffected by our personal beliefs
- support our organisation to provide robust and unbiased advice
- respect the authority of the government of the day.

RESPONSIBLE

We must:

- act lawfully and objectively
- use our organisation's resources carefully and only for intended purposes
- treat information with care and use it only for proper purposes
- work to improve the performance and efficiency of our organisation.

TRUSTWORTHY

We must:

- be honest
- work to the best of our abilities
- ensure our actions are not affected by our personal interests or relationships
- never misuse our position for personal gain
- decline gifts or benefits that place us under any obligation or perceived influence
- avoid any activities, work or non-work, that may harm the reputation of our organisation or of the State Services.

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