

<b>Code of Conduct</b>	
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<b>Issued by:</b> Wairarapa DHB; Hutt DHB; Capital and Coast DHB	<b>Version:</b> 1
<b>Applicable to:</b> Organisation wide	<b>Contact person:</b> Manager, Human Resources
<b>Lead DHB:</b> 3DHB People and Culture Directorate	

## Purpose

This Code of Conduct (the **Code**) describes the DHBs' expectations about conduct. Employees and others working for the DHBs are in a position of trust. Employees and the DHBs have rights and responsibilities. One of the DHBs' responsibilities as good employers is to inform employees about what is expected and to ensure employees are treated fairly and with courtesy and respect. Employees are responsible for reading and understanding the Code, and meeting the standards of conduct it describes.

A copy of the Code will be made available to all employees. New employees will receive a copy of the Code with their offer of employment and will be asked to confirm they have read and understood it.

## Scope

### This Code applies to:

- the Wairarapa, Hutt Valley and Capital and Coast DHBs (individually a **DHB**, together, the **DHBs**);
- all employees of the DHBs; and
- those volunteers, contractors, individuals covered by special staff status, and others where a DHB has advised them this Code will apply.

For ease of reference, this Code refers only to employees but applies equally to the other people referred to.

## Roles and responsibilities

### Managers are expected to:

- Provide leadership and model the expected standards of conduct.
- Be aware of, identify and take appropriate steps to deal with conduct issues in the workplace.

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- Challenge inappropriate behaviour and make it clear the DHB will not tolerate behaviour that is not in line with this Code or expected standards of conduct.

### All DHB employees are expected to:

- Adhere to the expected standards of conduct.
- Take responsibility and accountability for their behaviour and actions.

## Policy content

### Good faith

Employers, employees and unions or employee representatives must at all times deal with each other in 'good faith'. Good faith obligations are mutual and mean that the parties must (among other things):

- engage openly, honestly and respectfully;
- be responsive and communicative;
- be active and constructive in maintaining a productive employment relationship; and
- be committed to patient safety and developing, maintaining and providing high quality public health services.

### State Sector Standards of Integrity and Conduct

The DHBs and those working for them are required to act with a spirit of service to the community and meet high standards of integrity and conduct as set out in the State Sector Standards of Integrity and Conduct (a code of conduct issued by the State Services Commissioner under the State Sector Act 1988). The code of conduct issued by the State Services Commissioner requires DHBs and employees to abide by the following standards.

#### *Fairness*

- *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*

#### *Impartiality*

- *maintain neutrality as required to enable us to work with current and future governments*
- *carry out the functions of our organisation, unaffected by our personal beliefs*

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## Code of conduct

- *support our organisation to provide robust and unbiased advice*
- *respect the authority of the government of the day*

### **Responsibility**

- *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*

### **Trustworthiness**

- *be honest*
- *work to the best of our abilities*
- *ensure our actions are not affected by our personal interest 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*

## **What is expected from you?**

The DHBs expect employees to act honestly, conscientiously, reasonably and in good faith at all times, and to have regard to the interests of the DHBs, their colleagues, the DHBs' patients and the wider community.

In line with this, employees are expected to:

- Be present at work as required unless there is an agreed reason for absence or an unexpected situation has arisen that prevents them from attending work.
- Carry out their duties in an efficient and competent manner and maintain satisfactory standards of performance.
- Comply with lawful and reasonable instructions and all DHB policies, procedures, and standards.
- Neither use, nor allow the use of DHB property, resources or funds for other than authorised purposes.
- Maintain all qualifications (including registration and annual practising certificates) necessary for the performance of their duties.

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- Declare any potential conflicts of interest that their activities or relationships outside of the DHBs may have with the business or activities of the DHBs.
- Ensure that they do not bring the DHBs into disrepute through their conduct and actions either as employees or private individuals.
- Conduct themselves professionally at all times, respect the rights, interests and diversity of their colleagues, and work harmoniously and courteously with others.

### Honesty and Integrity

- Take responsibility for their own actions and decisions, and appropriately raise any incidents of unethical or unprofessional workplace behaviour.
- Avoid any activities, either work or non work related, that may in any way bring the DHBs into disrepute.
- Advise their manager immediately if they are charged or being investigated either criminally or professionally.

### Loyalty, Good Faith and Professionalism

- Abide by the provisions of all New Zealand legislation (and the DHB's policies and procedures).
- Abide by the code of ethics and conduct of their profession (if applicable).
- Avoid conduct which may or does impair work performance, including the use of alcohol and other drugs or substances.
- Conduct all employment related communications in good faith, in an open, truthful and respectful manner.
- Be professional when posting any information online, either personal or work related, and take responsibility for what they write.
- Respect people and property.
- Be fair in carrying out their duties, irrespective of their personal beliefs and values.
- Avoid any behaviour within the workplace that may cause unreasonable distress to colleagues or patients and their families.
- Take care to prevent inappropriate use, loss or damage to property and have regard for the safety of others in the use of DHB property.

### Confidentiality

- Not access or use confidential, personal, or sensitive information for personal purposes or advantage, or divulge such information to another person outside official duties, unless required by law.
- Take appropriate care while handling patient and employee information.

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## What can you expect from the DHBs?

### Employees can expect the DHBs to:

- Comply with all relevant legislative and contractual requirements, including employment agreements, and the policies and procedures.
- Act honestly, conscientiously, reasonably and in good faith.
- Ensure that bullying, harassment, discrimination and victimisation are not tolerated within the working environment.
- Provide an environment conducive to the development and effectiveness of all employees.
- Recognise the need to balance work with personal interests and commitments.
- Supply the resources necessary to fulfil work obligations.
- Provide a safe and healthy workplace.
- Offer opportunities for the enhancement of the abilities of individual employees.

## 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.
- This Code of Conduct provides examples of conduct the DHBs consider are not acceptable and could give rise to disciplinary action. Please refer to the Disciplinary Policy for further information. The examples provided in this Code are not exhaustive.
- The DHBs will consider any relevant policy or procedure in determining whether there has been a breach of this Code.

## Misconduct

- Misconduct is unacceptable conduct that does not meet the DHBs' expectations as set out in this Code or elsewhere, such as in another relevant policy or procedure. Generally speaking, misconduct will justify disciplinary action.
- Examples of misconduct are listed below, although this list is not exhaustive. Depending on the seriousness of the particular conduct, it could be considered serious misconduct.

### Misconduct includes situations where an employee:

- Does not act according to the expectations noted above (e.g. with honesty, integrity, professionalism, with respect for individuals and property, and in good faith).
- Is negligent or careless in the performance of duties.

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- Is abusive or uses obscene, offensive or threatening language.
- Behaves in a way that is likely to cause offence or distress.
- Does not promptly report a work-related accident or incident.
- Does not record hours of work, or records hours inaccurately, or fails to notify the DHB of absence in a timely way.
- Is persistently late or absent.
- Is absent from the workplace without authorisation.
- Misuses DHB resources, wastes time or materials.
- Uses computer systems and computer devices, with access to the DHB computer networks, in an unauthorised or improper manner.
- Fails to abide by DHB policies and procedures.
- Fails to follow a reasonable and lawful instruction.
- Is involved in unauthorised gambling activity on DHB premises or on any premises where DHB employees work.
- Consumes alcohol on DHB premises (or any other premises, including DHB vehicles, where our employees work) without appropriate prior approval.
- Reports for work intoxicated and unable to perform their required duties in a safe and proper manner.
- Behaves in a disruptive manner.
- Bullies or harasses others.
- Does not follow DHB health and safety instructions (including non-smoking rules).
- Breaches of their Code of Conduct/ethics for their profession
- Fails to observe safety rules, or works in an unsafe manner, or fails to make proper use of safety equipment.
- Prevents or interferes with another employee carrying out his or her duties.
- Fails to meet professional standards.
- Any conduct which falls within the category of serious misconduct, but falls short of serious misconduct in the circumstances.

### Serious Misconduct

- Serious misconduct is unacceptable conduct that seriously breaches the DHBs' expectations as set out in this Code or elsewhere, such as in another relevant policy or procedure. Generally speaking, serious misconduct will justify dismissal because the conduct undermines the trust and confidence the DHB has in the employee and calls into question whether the employment relationship can continue. Examples of serious misconduct are listed below, although this list is not exhaustive. Serious misconduct may result in summary dismissal (i.e. dismissal without notice).

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*Serious misconduct includes situations where an employee:*

- Knowingly falsifies a document or record or makes a false declaration or statement, (including making an incorrect record of attendance, giving a false explanation of absence or failing to notify a police charge and/or conviction).
- Admits, or is convicted of any offence which brings the employee's suitability for continued employment into question.
- Sends highly inappropriate or offensive communications (including emails, texts, and attachments), or uses the internet, or social media sites or DHB computer systems in serious breach of DHB policies.
- Wilfully or recklessly damages any DHB property.
- Is physically or verbally violent towards any person on DHB premises or on DHB business.
- Behaves in a manner that constitutes bullying, sexual, racial or other harassment, discrimination, victimisation or constitutes unwelcome behaviour towards DHB patients, visitors or employees.
- Reports for work under the influence of alcohol or drugs such that they are unable to perform their required duties in a safe and proper manner.
- Uses or is in unauthorised possession of restricted or illegal drugs on DHB premises or while working
- Commits a serious breach of their professional code of conduct or ethics.
- Seriously breaches The Code of Health and Disability Services Consumers' Rights.
- Practices without a current practising certificate or other certificate required by law or a responsible authority.
- Fails to notify their manager of any conditions or constraints imposed on their professional practice by a responsible authority.
- Has unauthorised possession of, removes or misuses DHB property (including information), or the property of DHB patients, visitors or employees.
- Breaches patient privacy.
- Intentionally fails to declare a conflict of interest.
- Behaves in a manner which brings the DHB into disrepute.
- Misuses or discloses personal or confidential information, or accesses personal or confidential information without authorisation or for personal reasons.
- Blatantly disregards hygiene, health or safety.
- Signs any document or makes any statement on behalf of the DHB without authorisation.
- Misrepresents or withholds criminal charges or convictions or employment history, qualifications or other information pertinent to the DHB's decision to hire or promote the employee.
- Seeks or accepts any personal gift, fee, reward, gratuity or subsidy outside of the policy to declare such gifts, fees, rewards, gratuities or subsidies.
- Gross or deliberate failure to perform work to the required standards.

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- Any misconduct of sufficient seriousness in the circumstances to be considered serious misconduct.

### Disciplinary outcomes

- Examples of disciplinary outcomes that may result for breaches of the Code include (but are not limited to) issuing a warning, dismissal (summary or on notice) and demotion. Please refer to the Disciplinary Policy.
- A copy of this Code will be made available to all employees. All new employees will receive a copy of this policy with their offer of employment and will be asked to confirm they have read and understood the policy and agree to comply with it.

### Related documents

- Disciplinary Policy guidance
- Disclosure of a Serious Wrongdoing (Whistle Blowing) Policy
- Disclosure of a Serious Wrongdoing (Whistle Blowing) Policy Guidance
- All other DHB Policies and Procedures, Rules and Regulations
- State Sector Act 1988
- Human Rights Act 1993
- The Code of Health and Disability Services Consumers' Rights 1996
- Employment Relations Act 2000
- Health and Safety in Employment Act 1992
- Crown Entities Act 2004
- The New Zealand Public Health and Disability Act 2000
- The Health Practitioners Competence Assurance Act 2003
- Privacy Act 1993
- Health Information Privacy Code 1994

### Keywords for searching

- Misconduct
- Disciplinary processes
- Staff behaviour

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## CHIEF EXECUTIVE OFFICER (CEO) COMMENT

As health professionals and others working in the health sector we are required to demonstrate the highest standards of professionalism and integrity.

To ensure the ongoing confidence of the wider community we serve, we must all be fair, impartial, responsible, and hold ourselves accountable for our behaviour.

By upholding the standards outlined in this Code of Conduct, we not only make a commitment to the people we serve but also our colleagues as we embed a positive staff culture for the three District Health Boards of mutual respect, trust and integrity.

With the ongoing integration of roles across the sub-region it is important to have a standardised Code of Conduct as we develop a culture that places a high value on the people we serve as well as providing all staff with the necessary tools to provide the best care for our communities. This Code is one of those tools.

We all must comply with the standards of integrity and conduct set out in this Code and with your continued support and commitment we are sure we will continue to deliver a first rate health service to our population.

It is our privilege to work alongside you all.

Adri Isbister

Ashley Bloomfield

Chief Executive Officer

Chief Executive Officer

Wairarapa DHB

Hutt Valley DHB

Debbie Chin

Chief Executive Officer

Capital and Coast DHB

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**DECLARATION**

I have read and understand the Standards of Conduct expected by the Wairarapa District Health Board and I agree to comply with the principles, procedures and legislation outlined in these Standards as a condition of my employment.

I further confirm my understanding that any violation of the Code of Conduct Principles may subject me to appropriate disciplinary action, which may include termination of my position.

I acknowledge that from time to time it may be necessary to update the Code of Conduct and understand that a current copy of the Code of Conduct can be found on the WDHB’s intranet at all times.

Please sign here: \_\_\_\_\_

Date: \_\_\_\_\_

Please print your name: \_\_\_\_\_

**This signed and completed form must be returned within 30 days of receiving this information to your Human Resources representative. Failure to do so will not affect the applicability of this Code of Conduct or any of its provisions to you.**

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