

TARANAKI DISTRICT HEALTH BOARD CODE OF CONDUCT

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Date Issued:	March 2020
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Responsibility:	General Manager People and Capability
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Introduction

The Taranaki District Health Board's (DHB) mission (Te Kaupapa) is improving, promoting, protecting and caring for the health and well-being of the people of Taranaki. Taranaki DHB's values define who we are as an organisation, the way we work with each other, our patients, whanau and external partners. Our Te Ahu Taranaki DHB values are:

Partnerships	WHANAUNGATANGA	We work together to achieve our goals
Courage	MANAWANUI	We have the courage to do what is right
Empowerment	MANA MOTUHAKE	We support each other to make the best decisions
People Matter	MAHAKITANGA	We value each other, our patients and whanau
Safety	MANAAKITANGA	We provide excellent care in a safe and trusted environment

Taranaki DHB is committed to ensuring the Treaty of Waitangi informs policy and practice across all service units. Development and implementation of this document has been undertaken in the spirit of partnership, participation and protection.

Purpose

1. The purpose of this Code is to establish the standards of conduct expected of all Taranaki District Health Board (TDHB) employees, contractors, volunteers and students, to ensure the efficient and successful operation of TDHB. It sets out accepted standards of behaviour that TDHB believes are essential for promoting harmony in relationships for all workers (employees, contractors and volunteers), protecting the interests of its clients, employees, contractors, volunteers, students, assets and information and ensuring all are treated in a fair and consistent manner.

Scope

2. The Code of Conduct applies to all Taranaki District Health Board employees, including permanent, temporary or casual employees. The Code also applies to persons engaged by TDHB including contractors, volunteers and students, and forms part of the contractual agreements between those persons and TDHB.

Title: Code of Conduct	Responsibility: General Manager – People and Capability	Version: 5.0
Date Issued: March 2020	Review By Date: March 2023	Authorised By: EMT

3. The Code of Conduct operates in conjunction with professional codes of conduct and does not replace the existing regulatory professional codes of conduct.

TDHB Values and Expected Behaviours - How we work together and with others (Nga Tikanga)

4. The actions and behaviours described below are how we aim to contribute to all our relationships including those with our patients, clients, whanau, funded agencies, staff and members of the public and form the core of this Code of Conduct. Therefore, we will work together by:

<i>Partnerships</i>	WHANAUNGATANGA	We work together to achieve our goals
<p>All employees understand that their role and behaviours have a direct effect on others within the organisation, and the public. All employees are expected to respect and contribute to the rights of colleagues, patients and the diverse community they serve, by:</p> <ul style="list-style-type: none"> Avoiding behaviour which might cause distress to or disrupt TDHB. Avoiding discriminating behaviour or language in accordance with the Human Rights Act. Respecting the privacy of individuals at all times and ensure personal and confidential information is used only for the purposes for which it was intended. Treating everyone fairly and with respect and dignity. Respecting the cultural background of colleagues, members of the public and patients in all dealings with them. Being supportive of work teams, and accepting responsibility as team members. Not influencing patients for personal gain or that of an associated person. Focussing on issues, rather than personalities. Not reproducing, photographing, filming or recording another employee, contractor, patient/client or visitor, or their records, without their permission or the permission of someone authorised on their behalf. Ensuring organisational and professional standards are maintained in any use of social media, particularly in respect of confidentiality. 		
<i>Courage</i>	MANAWANUI	We have the courage to do what is right
<p>Employees are committed and loyal to the vision, values and goals of TDHB. They inspire trust and communicate openly, honestly and with integrity:</p> <ul style="list-style-type: none"> All employment related matters are conducted in good faith, in an open and truthful manner. Employees take responsibility for their own actions and decisions, and challenge unethical or unprofessional behaviour. TDHB Employees are required to maintain open communication and share information where appropriate. Employees avoid oppressive, harassing or overbearing behaviour or language. Employees observe and protect the right of others to privacy and confidentiality. Employees shall behave with integrity; carry out assigned duties safely, faithfully and expeditiously. Employees will not withhold relevant information, or obstruct or delay a decision in dealings within the DHB or the community. All communications and dealings will be fair and transparent. Prior to any employee making a public disclosure, approval must be obtained from a member of the TDHB Executive Management Team. (Except for Whistle Blowers legislation). Employees will disclose events or proceedings that are relevant to their role and employment at TDHB in a timely manner. 		

Title: Code of Conduct	Responsibility: General Manager – People and Capability	Version: 5.0
Date Issued: March 2020	Review By Date: March 2023	Authorised By: EMT

Empowerment	MANA MOTUHAKE	We support each other to make the best decisions
<p>Employees are encouraged to celebrate their professional achievements and publicise them in relevant internal communication channels.</p> <ul style="list-style-type: none"> • Employees are supported in taking the initiative and being creative in resolving problems, seeking improved productivity and responding to opportunities within their areas of responsibility. • Employees are encouraged and supported, to the best of TDHBs ability with on-going learning relevant to their field of expertise and role. This is whether training is taken internally or externally, within disclosed financial parameters. Employees shall inform appropriate colleagues/managers of any relevant qualifications received. <p>Employees are aware that the expectations and culture of healthcare within New Zealand are constantly evolving. To ensure that TDHB meets the expectations of those in the community employees will support and encourage change.</p> <ul style="list-style-type: none"> • Employees actively seek innovative ways to improve efficiency, and embrace these changes as they occur. • Employees work with Management and Unions to implement change. • Employees support the DHB through the change management process. • Employees actively encourage and embrace feedback, without blame, to inform understanding and continuous improvement. 		
People Matter	MAHAKITANGA	We value each other, our patients and whanau
<p>Employees are committed to carrying out faithfully the duties and obligations of the role for which they are employed, in an efficient, competent and loyal manner, and avoid behaviour that might impair their effectiveness. Employees are proactive in protecting and enhancing TDHB's interests, rather than merely refraining from damaging them.</p> <ul style="list-style-type: none"> • Employees will comply with all reasonable and lawful instructions of TDHB. • Employees ensure that all work is undertaken in accordance with the accepted standards of behaviour, code of ethics and competency requirements for their profession. • Ensure professional boundaries are kept in dealings with patients and other employees, including appropriate distance from the personal affairs of patients. • Employees perform their duties with all reasonable skill and diligence. • Employees read, understand and comply with all policies and procedures implemented by TDHB. • Employees avoid conduct which may, or does, impair work performance, including the use of alcohol and other drugs or substances. • Care is taken with the handling of information, ensuring it is used only in accordance with the Privacy Act and applicable legislation and recognised standards, policies and directives. • Private information is only to be accessed for a lawful purpose. • All employees maintain a professional image and ensure their actions, do not bring TDHB into disrepute. 		
Safety	MANAAKITANGA	We provide excellent care in a safe and trusted environment
<p>Each and every employee is committed to creating healthy and safe environments, both in the workplaces and in the community, for the benefit of employees and the public. All employees understand that their contribution makes a difference to the lives and experiences of others.</p> <ul style="list-style-type: none"> • Employees will consider the safety of themselves and others in the workplace at all time. • Employees will comply with instructions given for workplace health and safety, including using any personal protective equipment supplied. 		

Title: Code of Conduct	Responsibility: General Manager – People and Capability	Version: 5.0
Date Issued: March 2020	Review By Date: March 2023	Authorised By: EMT

- Employees will support and promote actions and initiatives in the workplace which enable hazards and risks to be identified and isolated, eliminated or reduced.
- Employees follow all relevant policies and procedures regarding health and safety, including reporting near-misses, accidents and staff deficits.

All employees are also expected to work within the expectations of the State Services Commission Standards of Conduct and Integrity (see appendix 1).

Managers at Taranaki District Health Board are Responsible for:

5. Ensuring that each TDHB employee/contractor/volunteer/student under their direction reads, understands and meets the standards set out within the TDHB Code of Conduct, the Health and Safety at Work Act 2015 and the State Services Commission’s Standards of Integrity and Conduct.
6. Taking appropriate action where the standards within these Codes are not met.
7. Acting as a good employer on behalf of TDHB, consistent with TDHB’s aims, objectives and values.

TDHB Employee’s, Contractors, Volunteers and students are responsible for:

8. Maintaining the trust and confidence of TDHB.
9. Adhering to this Code of Conduct and the State Services Commissions Standards of Integrity and Conduct and reporting any breaches of these Codes.
10. Adhering to the Health and Safety at Work Act 2015.
11. Conducting their duties in the best interests of TDHB and the employment relationship and ensuring their actions support TDHB’s aims, objectives and values.

Use of TDHB Computer Systems, Network and Data

12. All users of the TDHB computer systems, networks, equipment and data must comply with the terms and conditions of use outlined in the **TDHB Information Technology Use Policy**.

Failure to comply with the Code of Conduct

13. Failure to comply with the code will result in appropriate action being taken, as set out in the **TDHB Disciplinary Policy & Procedures**.
14. The following definitions provide some examples of behaviours or performance that are not acceptable. This list is not exhaustive. The fact that a certain unsatisfactory behaviour or action is not listed does not mean it is condoned or acceptable. Depending on the context and the severity and impact of the conduct, any action or event could be **misconduct** or **serious misconduct**. These definitions are not restricted to the stated classifications.

Title: Code of Conduct	Responsibility: General Manager – People and Capability	Version: 5.0
Date Issued: March 2020	Review By Date: March 2023	Authorised By: EMT

<p>Serious misconduct includes</p>	<ul style="list-style-type: none"> • Wilful, or deliberate, behaviour that is inconsistent with the continuation of the employee’s employment agreement; or • Conduct that causes imminent and/or serious risk, to: <ul style="list-style-type: none"> • The health, or safety, of a person; or • The reputation and/or, viability of TDHB; or • Theft, fraud, assault, and intoxication at work or refusing to carry out a lawful or reasonable instruction that is consistent with the employment agreement. • Accessing, using or disclosing information concerning patients, clients/employees or any other confidential information without proper authorisation. (This does not preclude the sharing of patient/client information among health professionals involved in the care/treatment of the individual on a ‘need to know’ basis.
<p>Misconduct includes</p>	<ul style="list-style-type: none"> • Any misconduct or misbehaviour that does not meet the above criteria to be considered serious misconduct; or • Continual or repetitive unacceptable behaviour; or • Negligence in the performance of role duties; or • Refusing to carry out a lawful and reasonable instruction that is consistent with the employee’s employment agreement; or • Wilful or gross breach of TDHB’ policies, regulations or procedures.

These are only example definitions and possible breaches of the code are not limited to the classifications outlined above. It is not possible to foresee every breach situation. Depending on the context and the severity and impact of the conduct, any action or event could be misconduct or serious misconduct.

An extensive list of **Examples of Breaches to the TDHB Code of Conduct** is included as Appendix 2.

(Please sign and return a copy to Human Resources, TDHB Base Hospital)

EMPLOYEE’S DECLARATION

I have received a personal copy of the Code of Conduct issued by Taranaki District Health Board.

I understand that it is my obligation to read and understand the Code of Conduct, and that I may be subject to the disciplinary procedures existing in Taranaki District Health Board for breaches of the Code.

I agree to abide by all reasonable written company policies, procedures and protocols and recognise the employer's right to vary or add to these and this Code of Conduct from time to time, following consultation.

Signature:.....

Name:.....Date.....

<p>Title: Code of Conduct</p>	<p>Responsibility: General Manager – People and Capability</p>	<p>Version: 5.0</p>
<p>Date Issued: March 2020</p>	<p>Review By Date: March 2023</p>	<p>Authorised By: EMT</p>

Appendix 1

State Services Commission Standards of Integrity & Conduct

The State Services is made up of many organisations with powers to carry out the work of New Zealand's democratically elected governments. As part of the public sector TDHB is required to act with a spirit of service to the community and comply with the standards of integrity and conduct set out in the State Services Commission Standards of Integrity & Conduct.

Incorporated into the TDHB Code of Conduct, all TDHB employees contractors, volunteers and students are required to be fair, impartial, responsible and trustworthy, as outlined in the following standards:

Fair	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • 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, which may harm the reputation of our organisation or of the State Services.

For further information go to www.ssc.govt.nz/code

Title: Code of Conduct	Responsibility: General Manager – People and Capability	Version: 5.0
Date Issued: March 2020	Review By Date: March 2023	Authorised By: EMT

Appendix 2 - Examples Of how the TDHB Code of Conduct can be breached

Overview

To help illustrate those standards the following definitions provide some examples of behaviours or performance that are not acceptable. This list is not exhaustive. The fact that a certain unsatisfactory behaviour or action is not listed does not mean it is condoned or acceptable. Depending on the context and the severity and impact of the conduct, any action or event could be misconduct or serious misconduct. These definitions are not restricted to the stated classifications.

Misconduct

The following are some specific examples of the types of unsatisfactory behaviours which may constitute the misconduct and could lead to a formal warning, a final warning, or dismissal following due process:

1. Negligence or carelessness during employment.
2. Ongoing involvement in conflict with fellow employees that adversely impacts on other employees or service delivery.
3. Wilful misuse, mistreatment, or otherwise not taking reasonable care of TDHB property.
4. Absence from duty or place of work without proper reason or authorisation.
5. Repeated lateness for work, or repeated absenteeism without just cause.
6. Non-performance of assigned duties, including unauthorised sleeping whilst on duty.
7. Failure to comply with a lawful instruction, including a reasonable and lawfully given warning, unless there is good and sufficient cause to do otherwise.
8. Witnessing the signing of any personal patient/client documentation if requested to do so by patients/clients, which could result in any personal gain or cause a conflict of interest.
9. Breach of any professional protocols or standards, whether established by the DHB or the relevant professional body (including breach of professional boundaries).
10. Undertaking secondary employment which is in conflict with your engagement at TDHB, or which is likely to interfere with your ability to adequately perform the duties of your role.
11. Failure to declare a reasonably foreseeable conflict of interest.
12. Using abusive or offensive language.
13. Reporting to work in such a condition that you are unable to perform the required duties in a safe and/or proper manner.
14. Any act of non compliance with TDHB's policy on the use of the internet and email, systems, and any TDHB owned computer equipment or devices. This includes using Board computers to download or make unauthorised copies of any computer software, or the use of any unauthorised software.
15. Any other behaviour that TDHB considers is misconduct.

Title: Code of Conduct	Responsibility: General Manager – People and Capability	Version: 5.0
Date Issued: March 2020	Review By Date: March 2023	Authorised By: EMT

Serious Misconduct

The following are some of the specific examples of unsatisfactory behaviour that may be considered serious misconduct and which could justify dismissal without notice following due process:

16. Acts indicating gross incompetence.
17. Behaving in a manner that causes unreasonable distress to other employees or persons, including causing distress via indirect means (Inappropriate and/or disruptive behaviour including sexual, verbal, physical or personal harassment of any other person).
18. Deliberate or negligent behaviour adversely affecting the safety of a patient, client, visitor or another employee.
19. Failure to follow any health and safety related working practice, policy or instruction, including the failure to record and report any accident affecting patient/residents/staff.
20. Not being in possession of or eligible to hold a required Annual Practising Certificate or equivalent.
21. Any attempt to mislead the DHB, or any employee, or patient/client, or a member of the public in connection with the DHB's business; this includes falsification of any documentation.
22. Possession of or access to patient, client or TDHB property or information without proper authorisation lawful consent.
23. Possession of another person's property without that persons consent.
24. The unauthorised disclosure, use or access to confidential information.
25. Unauthorised possession of drugs or illegal intoxicating substances on TDHB property, or being under the influence of any of these substances while performing the duties of your role.
26. Assaulting (physically or verbally) or threatening anyone in the workplace.
27. Being in possession of offensive weapons in the workplace.
28. Unauthorised use of TDHB time, facilities, premises or equipment to undertake other employment.
29. Undertaking acts likely to bring TDHB into disrepute.
30. Conduct outside of work that impacts adversely on the organisation or raises concerns that your employer can no longer have the trust and confidence in you to perform the duties of the position in which you are employed.
31. Deliberately not maintaining yourself in a fit or capable state to undertake your duties, in so far as this has been identified as a contributing factor (for example, criminal conviction affecting employment, loss of drivers license, non-compliance with medical treatment or advice).
32. Deliberately undermining reasonable and lawful instructions from management
33. Accessing, transmitting, storing, downloading or displaying any form of pornographic, sexually explicit or inappropriate material or copyrighted material using DHB equipment, computers or resources, or other breach of the TDHB IT Use Policy.
34. Being absent for three consecutive days without reporting to your manager or without proper consent.
35. Misuse of position of trust and authority for the purpose of personal gain. This includes the failure to report to management any donations or monetary gifts received.

Title: Code of Conduct	Responsibility: General Manager – People and Capability	Version: 5.0
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