

Nurses and Midwives Board
New South Wales

Code of Conduct
for members of the Board
and committees of the Board

adopted June 2002
re-issued August 2004

Nurses and Midwives Board, New South Wales

Code of Conduct for members of the Nurses and Midwives Board and Committees of the Board

Introduction

The Nurses and Midwives Board is established and functions in accordance with provisions of the Nurses and Midwives Act 1991. The functions of the Board are set down in Section 10 of the Nurses and Midwives Act 1991. The Board is subject to the control and direction of the Minister for Health in the exercise of its functions.

Sections 12 and 12A of the Act provide for the establishment of committees to assist the Board in connection with the exercise of its functions. The majority of committee members will be registered nurses, registered midwives or enrolled nurses.

Purpose

The following Code of Conduct has been developed by the Nurses and Midwives Board to guide members of the Board and committees in fulfilling their obligations. The Code outlines fundamental values and principles that define expected standards of behaviour.

Principles of Conduct

Members must adhere to standards of conduct and ethics that maintain public confidence and trust.

Public confidence means that the public has the right to expect the highest integrity and competence in the fair, reasonable and equitable treatment of all members of the community.

Members are expected to perform functions with integrity, impartiality, honesty, conscientiousness, care, skill, diligence and loyalty to the public interest.

Principle 1 - Responsibility

Members must comply with, and operate within, the provisions of the Nurses and Midwives Act and other relevant legislation. They should have an understanding of their public duty and must act for the proper purpose and without exceeding their powers. They should understand their role and the role of the Minister in relation to the functions of the Nurses and Midwives Board.

Having accepted appointment to the Board or a committee, members should properly prepare for and attend all meetings.

Principle 2 - Impartiality and Respect for People

Members of the public and colleagues are to be treated fairly and consistently, in a non-discriminatory manner with proper regard for their rights and obligations.

Members should perform their duties in a professional and responsible manner. Decisions and actions should be reasonable, fair and appropriate to the circumstances, based on a consideration of the relevant facts, and supported by adequate documentation.

Principle 3 - Honesty Integrity and Public Interest

Members should always act honestly and in the public interest, rather than in their private interest. In performing their duties they must promote confidence in the integrity of public administration.

Acceptance of gifts and benefits can place a public official in a position where they feel obliged to act contrary to rules of integrity, impartiality and honesty.

Board and committee members must not accept gifts or benefits that could place them under an actual or perceived financial or moral obligation to other organisations or to individuals. Money or gifts offered to obtain benefit is illegal.

Principle 4 - Economy and Efficiency

Members should ensure the efficient and responsible expenditure of public funds and look to improve organisational performance and standards of public administration.

Principle 5 - Confidentiality

Members must not use or disclose confidential information or documents acquired as a consequence of membership of the Board or committee other than is required by law or when the member has been given proper authority to do so.

Principle 6 - Conflicts of Interest

Members must disclose a perceived or real conflict of interest. A member's interests include those of an associate or close relative. Disclosure and management of conflicts of interest are detailed in schedule 1 clause 7 and schedule 1A clause 7 of the Nurses and Midwives Act 1991. In summary, this requires that members absent themselves and not take part in any discussion or decision relating to the matter, unless the Minister, Board or committee (as appropriate) determines otherwise.

Principle 7 - Corrupt Conduct

Members must not engage in corrupt conduct.

Corrupt conduct can be generally understood as the non impartial or dishonest exercise of public official functions. It may also involve the conduct of non-public officials which adversely affects the honest and impartial exercise of a public official's functions.

Principal officers are required to report corrupt conduct or suspected corruption to the Independent Commission Against Corruption (Section 11 of the Independent Commission Against Corruption Act). Principal officers include the President of the Board and chairpersons of committees. Suspected corrupt conduct should be reported, in the first instance, to the principal officer.

Members can also report directly to the following investigative bodies. Disclosures concerning:

- Corrupt conduct should be made to the Independent Commission Against Corruption
- Maladministration should be made to the NSW Ombudsman
- Serious and substantial waste of public money should be made to the NSW Auditor General

Relevant Legislation

Relevant legislation which relates to above principles is recorded below:

- Anti Discrimination Act 1977
- Freedom of Information Act 1989
- Independent Commission Against Corruption Act 1988
- Nurses and Midwives Act 1991
- Ombudsman Act 1974
- Protected Disclosures Act 1994
- Public Finance & Audit Act 1983

Acknowledgement

In developing this document reference was made to *Conduct Guidelines for Members of NSW Government Boards and Committees* published by the Premier's Department, November 2001.

I have read the Code of Conduct for members of the Board and committees of the Board and I agree to abide by the Code.

Name (Block letters please)

Signature

Date

Please detach this page, sign and return to the Nurses and Midwives Board of New South Wales