Nursing and Midwifery Board of Australia (NMBA) - Code(s) of Conduct

Developed by Joanne Purdue & Ally Kerr – Professional Officers, NSWNMA
Code(s) Of Conduct

• TheCodes set out the legal requirements, professional behaviour, and conduct expectations for all nurses and midwives – in all practice settings – in Australia.

• Describes the principles of professional behaviour that guide safe practice.

• Clearly outlines the conduct expected of nurses and midwives by their colleagues and the broader community.
Code(s) Of Conduct

• Individual nurses and midwives have their own personal beliefs and values. However, the Codes **outline a specific standard** which all nurses and midwives are expected to adopt in their practice and personal lives.

• You have a professional responsibility to **understand and abide by the Codes**.

• In practice, nurses and midwives also **have a duty to make the interests of people in their care their first concern**, and to practise safely and effectively.
Professional conduct

• If professional conduct varies significantly from the values outlined in the Codes, nurses and midwives should be prepared to explain and justify their decisions and actions.

• Serious or repeated failure to abide by this code may have consequences for nurses and midwives’ registration and may be considered as unsatisfactory professional conduct or professional misconduct.
Code(s) of Conduct

• The Codes are consistent with the National Law.

• They include **seven principles of conduct**, grouped into domains, each with an explanatory value statement.

• Each value statement is accompanied by practical guidance to demonstrate how to apply it in practice.

• Underpinning the code is the **expectation that nurses and midwives will exercise their professional judgement** to deliver the best possible outcomes in practice.
# Code(s) of Conduct – Nurses and Midwives

## 4 domains in the Code(s)

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Code(s) of Conduct – Nurses and Midwives

DOMAIN: PRACTICE LEGALLY

Principle 1: Legal Compliance

Value: Nurses and midwives respect and adhere to professional obligations under the National Law, and abide by relevant laws.

- 1.1 – Obligations
- 1.2 – Lawful behaviour
- 1.3 – Mandatory reporting
Code(s) of Conduct – Nurses and Midwives

DOMAIN: PRACTICE SAFELY, EFFECTIVELY AND COLLABORATIVELY

Principle 2: Person-centred / woman-centred practice

Value: Nurses and midwives provide safe, person-centred / woman-centred, evidence-based practice for the health and wellbeing of people /women and, in partnership with the person / woman, promote shared decision-making and care delivery between the person / woman and baby, nominated partners, family, friends and health professionals.

- 2.1 – Nursing / midwifery practice
- 2.2 – Decision-making
- 2.3 – Informed consent
- 2.4 – Adverse events and open disclosure
Code(s) of Conduct – Nurses and Midwives

DOMAIN: PRACTICE SAFELY, EFFECTIVELY AND COLLABORATIVELY

Principle 3: Cultural practice and respectful relationships

Value: Nurses and midwives engage with people / women as individuals in a culturally safe and respectful way, foster open, honest and compassionate professional relationships, and adhere to their obligations about privacy and confidentiality.

- 3.1 – Aboriginal and/or Torres Strait Islander peoples’ health
- 3.2 – Culturally safe and respectful practice
- 3.3 – Effective communication
- 3.4 – Bullying and harassment
- 3.5 – Confidentiality and privacy
- 3.6 – End-of-life care
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DOMAIN: ACT WITH PROFESSIONAL INTEGRITY

Principle 4: Professional behaviour

Value: Nurses and midwives embody integrity, honest, respect and compassion.

- 4.1 – Professional boundaries
- 4.2 – Advertising and professional representation
- 4.3 – Legal, insurance and other assessments
- 4.4 – Conflicts of interest
- 4.5 – Financial arrangements and gifts
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DOMAIN: ACT WITH PROFESSIONAL INTEGRITY

Principle 5: Teaching, supervising and assessing

Value: Nurses and midwives commit to teaching, supervising and assessing students and other nurses / midwives in order to develop the nursing / midwifery workforce across all contexts of practice.

- 5.1 – Teaching and supervising
- 5.2 – Assessing colleagues and students
DOMAIN: ACT WITH PROFESSIONAL INTEGRITY

Principle 6: Research in health

Value: Nurses and midwives recognise the vital role of research to inform quality healthcare and policy development, conduct research ethically and support the decision-making of people/women who participate in research.

• 6.1 – Rights and responsibilities
Principle 6: Health and wellbeing

Value: Nurses and midwives promote health and wellbeing for people and their families, colleagues, the broader community and themselves and in a way that addresses health inequality.

• 7.1 – Your and your colleagues’ health
• 7.2 – Health advocacy
Case study – Nursing and Midwifery Board of Australia (NMBA)
Case study – Under-involvement/lack of care

Summary of conduct

Mary is an enrolled nurse working in residential aged care.

Mary’s colleagues had noticed that the residents in Mary’s care were looking uncared for over several shifts and that wet sheets were unchanged and urine bottles not emptied. Mary was also spending a lot of time at the nurses’ station while her residents were left unattended. Mary’s manager raised the issues that both she and her colleagues had noticed with Mary.
Case study – Under-involvement/lack of care

Applying the Code of conduct for nurses

Mary and her manager discussed the concerns that were raised. They considered the codes of conduct and specifically discussed applying Principle 2 and Principle 4 of the code in practice to improve her conduct at work.

• **Principle 2.1:** Nurses apply person-centred and evidence-based decision making for the delivery of safe and quality care.

• **Principle 4.1:** (h) Nurses must actively address indifference, omission, disengagement/lack of care and disrespect to people that may reflect under-involvement including escalating the issue to ensure the safety of the person if necessary.
Case study – Under-involvement/lack of care

Outcome

Mary also agreed to contact Nurse and Midwife Support (health support service) for help with her personal difficulties.

While Mary’s conduct fell below the standard expected in the Code of conduct for nurses, and care of the residents may have been affected, it was **appropriate to be addressed by her manager within her workplace.**

If Mary’s conduct does not improve during her performance plan or deteriorates further directly affecting patient safety, **it may be necessary to notify the NMBA.**
NSWNMA Professional Assistance

NSWNMA offers members assistance and advice with professional and practice issues.

- Medications query or dilemma and need clarification on professional obligations
- Practice issue or medication issue and need to know your legal and professional obligations
- Legal advice and representation (for matters relating to your practice of nursing or midwifery)
- Professional representation and advice on professional standards, codes and guidelines

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