



**MEDICAL SCIENCES COUNCIL  
OF NEW ZEALAND**

TE KAUNIHERA PŪTAIAO HAUORA O AOTEAROA

# POLICY AND GUIDELINES: CODE OF ETHICS

February 2018

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## Introduction

The Medical Sciences Council (the Council) under the Health Practitioners Competence Assurance Act 2003 (the Act) is the responsible authority that governs the practice of medical laboratory sciences and anaesthetic technology in New Zealand. The principle purpose of the Act is to protect the health and safety of members of the public by providing mechanisms to ensure health practitioners are competent and fit to practise their professions. The Council sets and monitors standards in the interests of the public and the profession. The Council's primary concern is public safety. This Code outlines the standards of ethical conduct set by the Council under section 118(i) of the Act.

This Code complements the legal obligations that medical laboratory sciences and anaesthetic technology practitioners have under the Act, the Health and Disability Commissioner (Code of Health and Disability Services Consumers' Rights) Regulations 1996, and the Health Information Privacy Code 1994. The Act and Code of Rights can be found at [www.legislation.govt.nz](http://www.legislation.govt.nz).

The Code of Ethics for medical laboratory sciences and anaesthetic technology practitioners is a set of standards defined by the Council describing the behaviour or conduct that registered medical laboratory sciences and anaesthetic technology practitioners are expected to uphold. Failure to uphold these standards of behaviour could lead to a disciplinary investigation.

This Code of Ethics needs to be read in conjunction with the Council's [Competencies and Standards for the practice of medical laboratory science](#), and the [Required Competencies for Anaesthetic Technicians](#), which can be found on the Council's website: [www.msccouncil.org.nz](http://www.msccouncil.org.nz).

## Code of Ethics

Medical laboratory science and anaesthetic technology practitioners will:

1. Relationship with the New Zealand public:
  - 1.1 Act in such a manner to justify public trust and confidence.
  - 1.2 Demonstrate commitment to the provision of the best possible service to patients.
  - 1.3 Provide services in such a manner as to show respect for each individual.
  - 1.4 Protect the patient's right to privacy and keep all patient information in the strictest confidence.
  - 1.5 Treat people fairly, and with integrity in all professional activities.
2. Relationship with colleagues and the profession
  - 2.1 Continually strive to improve their knowledge and skills in their profession.
  - 2.2 Be respectful of fellow workers and work in a professional and co-operative manner with other health care workers.
  - 2.3 Be responsible for reporting any unethical conduct, unsafe practise, or illegal professional activities to the appropriate bodies.
  - 2.4 Be accountable for their clinical decision-making.
  - 2.5 Accept responsibility for upholding the integrity of the profession.
  - 2.6 Practitioners should have their own General Practitioner.
3. Cultural Competence
  - 3.1 Practise with due care and respect for an individual patient's/client's culture, needs, values, worldviews and beliefs.
  - 3.2 Practise with due care and respect for the needs, values and beliefs of Māori.

## Code of Ethics Expanded

<b>1. Relationship with the New Zealand public</b>	
<i>Principle</i>	How this will be achieved
<b>1.1</b> <i>Act in such a manner to justify public trust and confidence.</i>	1.1.1 This will be achieved through high standards of professional competency as well as through professional conduct and appearance.
<b>1.2</b> <i>Demonstrate commitment to the provision of the best possible service to patients</i>	1.2.1 Maintain a working knowledge of all legislation pertinent to their practise and operate within such legislation. 1.2.2 Ensure they operate within their scope of practice, delivering only those services for which they are registered and competent to do so.
<b>1.3</b> <i>Provide services in such a manner as to show respect for each individual.</i>	1.3.1 Act in the best interests of each patient and will maintain their standards of practice for all patients. 1.3.2 Have regard for a patient's religious and political beliefs, gender, sexual orientation, race/ethnicity, nationality, social or economic status, and the nature of the person's health problems.
<b>1.4</b> <i>Protect the patient's right to privacy and keep all patient information in the strictest confidence.</i>	1.4.1 The practitioner should hold all patient/client information in confidence. 1.4.2 The practitioner should not disclose identifiable health information about a patient without the patient's permission, unless disclosure is required or permitted by law. 1.4.3 Not access patient information unless contributing to the individual's care, treatment and investigation.
<b>1.5</b> <i>Treat people fairly, and with integrity in all professional activities</i>	1.5.1 The practitioner should always put the needs of the patient first. 1.5.2 If the practitioner is unwilling to treat the patient for any given reason, they must find a practitioner who is willing to do so. 1.5.3 The practitioner must not engage in a personal relationship with patients. 1.5.4 The practitioner should not accept substantial gifts from patients, or should declare gifts to their employer.

## 2. Relationship with colleagues and the profession

Principle	How this will be achieved
2.1 Continually strive to improve their knowledge and skills of their profession.	2.1.1 Commit to ongoing learning and the maintenance and development of clinical and professional skills.
2.2 Be respectful of fellow workers and work in a professional and co-operative manner with other health care workers.	2.2.1 Engage in effective communication and cooperate with colleagues, other health professionals and agencies to achieve optimal outcomes for the patient. 2.2.2 Behave respectfully in communication to and about colleagues or other health professionals.
2.3 Be responsible for reporting any unethical conduct, unsafe practise, or illegal professional activities to the appropriate bodies.	2.3.1 The practitioner should bring unsafe or unethical behaviour by another health professional to the attention of the appropriate authority wherever legally required. 2.3.2 The practitioner should take particular care to uphold the values within this code when using electronic communication and social networking sites.
2.4 Be accountable for their clinical decision making.	2.4.1 Make sound professional judgements within their scope of practice and level of expertise and be accountable for their professional activities. 2.4.2 Provide health services that are clinically justifiable.
2.5 Accept responsibility for upholding the integrity of the profession.	2.5.1 The practitioner must disclose all relationships with commercial activity, and must not be under the influence of commercial enterprises. 2.5.2 Not engage in any conduct that is misleading as to the nature, characteristics and/or suitability of any product and/or service.
2.6 Practitioners should always seek medical advice from their own General Practitioner.	2.6.1 Practitioners should have their own GP, and should not seek medical advice from, or provide medical advice for their friends and colleagues.

### 3. Cultural Competence

<i>Principle</i>	How this will be achieved
<i>3.1 Practise with due care and respect for an individual patient's/client's culture, needs, values, worldviews and beliefs.</i>	3.1.1 The practitioner should acknowledge that: <ul style="list-style-type: none"><li>• New Zealand has a culturally diverse population;</li><li>• each patient has cultural needs specific to him/her;</li><li>• a positive outcome for both the practitioner and the patient is achieved when they have mutual respect and understanding.</li></ul>
<i>3.2 Practise with due care and respect for the needs, values and beliefs of Māori.</i>	3.2.1 The practitioner should behave in a respectful manner towards patients as well as whanau. 3.2.2 The practitioner should not impose their own values and beliefs on others.

## Practitioner Responsibilities

As a registered medical laboratory science or anaesthetic technology practitioner, you have certain responsibilities under the Health Practitioner's Competence Assurance Act 2003.

### Scope of Practice

You must:

- not practise outside the scope of practice in which you are registered [section 8],
- not describe yourself as or imply that you are a health practitioner of a particular kind unless you are registered and qualified to be a practitioner of that kind. [section 7 (1)],
- comply with any conditions that the Council may place on your scope of practice [section 22(3)],
- not perform certain activities restricted to health practitioners (section 9) unless these activities fall within your scope of practice.

### Annual recertification

You must:

- not practise without a current annual practising certificate (APC) (section 7[2][b]),
- provide the information determined by the Council when applying for an APC along with the relevant fee [section 26 (2)].

### Recertification programme

You must meet the requirements of the recertification programme set for your profession by the Council under section 41 of the Act.

### Competence

You must:

- notify the Registrar immediately [section 38(3)] if you employ a health practitioner who resigns or is dismissed from their employment for reasons relating to competence,
- comply with any orders that the Council may make following a review of your competence (section 38),
- comply with the requirements of any competence programme that the Council may set [(section 40)].

### Information on the Register

You must:

- inform the Council of the current postal address, residential address and (if applicable) work address, and promptly advise us of any changes in your address (section 140),
- advise the Council of any changes in your name within one month (section 141).

## Health concerns

You must:

- promptly notify the Registrar if you have reason to believe that another practitioner, or your self is unable to perform the functions required for your scope of practice because of some mental or physical condition [section 45(2)].

## Consumer rights

You must:

- abide by the [Code of Health and Disability Services Consumers Rights](#),
- comply with the Health Information Privacy Principles.

The Council strongly recommend that you:

- notify the Registrar in writing if you believe another health practitioner poses a risk of harm to the public by practising below the required standard of competence [section 34(1)],
- assist in the regulation of your profession; for example, by participating in professional conduct committees or competence review committees when asked to do so.

## Threshold standards to maintain a safe practice

The Council seek to ensure practitioners provide safe, high-quality care by setting the minimum threshold standards.

## Legislation

Under section 118 of the Health Practitioners Competence Assurance Act 2003 (HPCA Act), the Medical Sciences Council is responsible for setting standards of clinical competence, cultural competence and ethical conduct for medical laboratory science or anaesthetic technology practitioners. This code has been developed to be the foundation document for those standards.

This Code should be read in conjunction with relevant legislation in Aotearoa New Zealand and with policies, procedures, competencies and standards that regulate professional practice.

## Te Tiriti o Waitangi/The Treaty of Waitangi

The Code acknowledges Te Tiriti o Waitangi/The Treaty of Waitangi as the founding document of Aotearoa New Zealand, and recognises and respects the specific importance of health services for Māori as the indigenous people of Aotearoa New Zealand.

## Disclaimer

The principles expressed in this document reflect the values considered fundamental to the practice of medical laboratory science or anaesthetic technology in Aotearoa New Zealand.

The aim of the Code is to cover areas of ethical concern experienced by practitioners. It is not intended to address all ethical concerns, nor provide solutions to all ethical problems.

Practitioners are expected to exercise their ethical judgement and balance ethical values.

## References used developing this code of ethics:

Physiotherapy Board of New Zealand. October 2011

*Aotearoa New Zealand Physiotherapy Code of Ethics and Professional Conduct*

Dental Council of New Zealand

*Your responsibility as a practitioner*

New Zealand Medical Association. 2014

*Code of ethics for the New Zealand medical profession*

Occupational Therapy Board of New Zealand. April 2015

*Code of ethics for occupational therapists*