

CODE OF PROFESSIONAL CONDUCT FOR NURSES IN AUSTRALIA

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Introduction

The Code of Professional Conduct for Nurses in Australia (the Code) is a set of expected national standards of nursing conduct for Australian nurses. The Code is not intended to give detailed professional advice on specific issues and areas of practice, rather, it identifies the minimum requirements for conduct in the profession. A breach of the Code may constitute professional misconduct or unprofessional conduct.

The nursing profession expects that nurses will conduct themselves personally and professionally in a way that will maintain public trust and confidence in the profession. Nurses have a responsibility to the individual, society, and the profession to provide safe and competent nursing care which is responsive to individual, group and community needs, and the profession.

Purpose

The purpose of the Code of Professional Conduct for Nurses in Australia is to:

- set an expected national standard of conduct for the nursing profession,
- inform the community of the standards for professional conduct of nurses in Australia, and
- provide consumer, regulatory, employing and professional bodies with a basis for decisions regarding standards of professional conduct.

Interpretation of Terms

Nurse. Means a registered or enrolled nurse who is authorised to practise in a state or territory of Australia.

Individual/s. Refers to a person/persons receiving nursing care.

Adverse therapeutic outcome. Means a negative health outcome for a person who has received services or care from a nurse.

Significant other persons. Those persons of whatever relationship to the person receiving nursing care, who play an important role in the life of that individual.

Professional Boundaries. Means the limit of a relationship between a nurse and an individual or between a nurse and any significant other persons, which facilitates safe and therapeutic practice and results in safe and effective care.

A Sexual Relationship. Means a relationship between a nurse and an individual that includes a sexual element.

Professional Standards. Include:

- this Code,
- the Code of Ethics for Nurses in Australia,
- the ANMC Competency Standards for Registered and Enrolled Nurses,
- other endorsed standards or guidelines published by the state and territory nurse regulatory authorities, and
- standards developed by professional nursing organisations.

Code of Professional Conduct

A nurse must:

1. Practise in a safe and competent manner.
 2. Practise in accordance with the agreed standards of the profession.
 3. Not bring discredit upon the reputation of the nursing profession.
 4. Practise in accordance with laws relevant to the nurse's area of practice.
 5. Respect the dignity, culture, values and beliefs of an individual and any significant other person.
 6. Support the health, well being and informed decision-making of an individual.
 7. Promote and preserve the trust that is inherent in the privileged relationship between a nurse and an individual, and respect both the person and property of that individual.
 8. Treat personal information obtained in a professional capacity as confidential.
 9. Refrain from engaging in exploitation, misinformation and misrepresentation in regard to health care products and nursing services.
- When an aspect of care is delegated, a nurse must ensure that delegation is appropriate and does not compromise the safety of an individual.
 - A nurse has an obligation to practise in a safe and competent manner that is not compromised by personal health limitations.
2. A nurse must practise in accordance with the agreed standards of the profession.
- A nurse is responsible to ensure that the standard of that nurse's practice conforms with professional standards with the object of enhancing the safety of the individual, any significant other person and colleagues.
 - A nurse is responsible to ensure that the standard of that nurse's practice conforms with professional standards with the object of enhancing the safety of the individual, any significant other person and colleagues.

Explanatory Statements

The explanatory statements form part of the Code and may be used to clarify the meaning and scope of operation of that provision.

1. A nurse must practise in a safe and competent manner.

- A nurse is personally accountable for the provision of safe and competent nursing care. Therefore it is the responsibility of each nurse to maintain the competence necessary for current practice.
- Maintenance of competence includes participation in ongoing professional education to maintain and upgrade knowledge and skills relevant to practice in a clinical, management, education or research setting.
- A nurse must be aware that undertaking activities that are not within their scope of practice may compromise the safety of an individual. The scope of practice is based on each nurse's education, knowledge, competency, extent of experience and lawful authority.
- Nurses will advise the appropriate authorities or employers of their scope of practice including any limitations.

- A nurse's primary responsibility is to provide safe and appropriate nursing services. Any circumstance which may compromise professional standards, or any observation of questionable or unethical practice, will be made known to an appropriate person or authority. If the concern is not resolved and continues to compromise safe and appropriate care, a nurse must intervene to safeguard the individual and notify the appropriate authority.

3. A nurse must not bring discredit upon the reputation of the nursing profession.

- The actions of a nurse in their personal life may have an adverse impact on their reputation and on the profession, and may have adverse therapeutic outcomes.
- The conduct of a nurse must at all times maintain and build public trust and confidence in the profession.

Explanatory Statements (Continued)

4. A nurse must practise in accordance with laws relevant to the nurse's area of practice.

- Nurses must be familiar with relevant laws to ensure that they do not engage in practices prohibited by such laws or delegate to others activities prohibited by those laws.

5. A nurse must respect the dignity, culture, values and beliefs of an individual and any significant other person.

- In planning and providing effective nursing care, a nurse must consider and respect cultural values and beliefs, personal wishes and decisions of individuals and any significant other person.
- A nurse must promote and protect the interests of an individual, irrespective of gender, age, race, sexuality, lifestyle, or religious or cultural beliefs.
- In making professional judgements in relation to individual's interests and rights, a nurse must not contravene any law or breach the human rights of any individual.

6. A nurse must support the health, well being and informed decision-making of an individual.

- A nurse must inform an individual and any significant other person regarding the nature and purpose of that individual's care, and assist that individual to make an informed decision.
- In situations where individuals are unable to decide or speak independently, a nurse must endeavour to ensure that the perspective of that individual is represented by an appropriate advocate.

7. A nurse must promote and preserve the trust that is inherent in the privileged relationship between a nurse and an individual and respect both the person and property of that individual.

- Within a professional relationship between an individual and a nurse, there exists a power imbalance which makes the individual vulnerable and open to exploitation.
- An individual trusts that a nurse will cause no physical or psychological harm and will care for the possessions and property of that individual.
- A nurse has a responsibility to maintain a professional boundary between that nurse and an individual, and between that nurse and any significant other person.
- A nurse fulfils roles outside of the professional role, including family member, friend and community member. A nurse must be aware that dual relationships may compromise care outcomes and always conduct professional relationships with the primary intent of benefit to the individual.
- A sexual relationship between a nurse and an individual for whom they provide care is unacceptable. Consent is not an acceptable defence in the case of sexual or intimate behaviour within a relationship between a nurse and an individual for whom they provide care.

Explanatory Statements (continued)

8. A nurse must treat personal information obtained in a professional capacity as confidential.

This should be considered in conjunction with the National Privacy Principles Guidelines which support the Privacy Act 1994. (www.privacy.gov.au)

- A nurse has a moral duty and a legal obligation to protect the privacy of an individual by restricting information obtained in a professional capacity to appropriate personnel and settings, and to professional purposes.
- A nurse must, where relevant, inform an individual that in order to provide competent care, it is necessary for a nurse to disclose information that may be important to the clinical decision making by other members of a health care team.
- A nurse must, where practicable, seek consent from the individual or a person entitled to act on behalf of the individual before disclosing information. In the absence of consent, the nurse uses professional judgement regarding the necessity to disclose particular details, giving due consideration to the interests, well-being, health and safety of the individual and recognising that the nurse is required by law to disclose certain information.

9. A nurse must refrain from engaging in exploitation, misinformation or misrepresentation in regard to health care products and nursing services.

- When a nurse provides advice about any product or service, the nurse must fully explain the advantages and disadvantages of alternate products or services so that an individual can make an informed choice. Where a specific product or service is advised, a nurse must ensure that advice is based on adequate knowledge and not on commercial or other forms of gain.
- A nurse must accurately represent the nature of their services or care intended to be provided.

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