

Code of Conduct - Effectively Communicating the NSW Health

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Personnel/Workforce - Conduct and ethics
Personnel/Workforce - Conditions of employment

Summary This document outlines NSW Health policy for effectively communicating the NSW Health Code of Conduct within Health Services.

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Applies to Area Health Services/Chief Executive Governed Statutory Health Corporation, Board Governed Statutory Health Corporations, Affiliated Health Organisations - Non Declared, Public Health System Support Division, Community Health Centres, Dental Schools and Clinics, NSW Ambulance Service, NSW Dept of Health, Public Health Units, Public Hospitals

Audience Staff involved in communicating the NSW Health Code of Conduct.

Distributed to Public Health System, Community Health Centres, Dental Schools and Clinics, Health Associations Unions, Health Professional Associations and Related Organisations, NSW Ambulance Service, NSW Department of Health, Public Health Units, Public Hospitals, Tertiary Education Institutes

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Director-General

This Policy Directive may be varied, withdrawn or replaced at any time. Compliance with this directive is **mandatory** for NSW Health and is a condition of subsidy for public health organisations.

Effectively Communicating the NSW Health Code of Conduct: Policy and Guidelines

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1.0 About this document

- 1.1 Title** Effectively Communicating the NSW Health Code of Conduct: Policy and Guidelines.
Copies may be obtained at <http://internal.health.nsw.gov.au/>
- 1.2 Responsibility** Employee Relations Division, NSW Department of Health
- 1.3 Version** July 2005
- 1.4 Updates and feedback** Feedback is welcome and should be addressed to the Director, Employee Relations Division, NSW Department of Health
- 1.5 The NSW Health Code of Conduct** *Health Services should refer to Policy Directive PD2005_626 to view the NSW Health Code of Conduct.*

2.0 Introduction

2.1 Purpose and scope of this document

This document outlines NSW Health policy for effectively communicating the NSW Health Code of Conduct within NSW Health.

Even the most clearly written Codes of Conduct will have limited effect in influencing the ethical culture of an organisation if staff are not fully conversant with the document and have an understanding of how the requirements outlined translate into their day to day work environment.

In the publication '*Codes of Conduct: The Next Stage*', the Independent Commission Against Corruption (ICAC) advise that simply having a Code of Conduct is not enough to strengthen agency integrity and corruption resistance – it must be developed and implemented effectively, then regularly reviewed.

The NSW Health Code of Conduct will be most effective if it is integrated into NSW Health culture and its principles embraced by management and staff and reflected in systems and processes. The Code's value also depends on its ongoing use and relevance.

To effectively communicate the NSW Health Code of Conduct Health Services should consider a range of strategies aimed at increasing understanding and compliance with the document as well as integrating it into the day to day operations and decisions made across NSW Health.

2.2 The development of the NSW Health Code of Conduct – background

As a result of changes to relevant legislation and recommendations arising from external investigations into selected matters within NSW Health the Department (of Health) commenced a review of Policy Directive PD2005_130 (*Principles and Minimum Standards for the Development of Health Service Codes of Conduct*).

In recognition of the core values and requirements that apply across NSW Health it was determined that the review would result in the development of one Code of Conduct which would then be adopted by the Department and each Health Service.

The review was oversighted by a working party that included representatives from Health Services, Department of Health, Ambulance Service of NSW, NSW Nurses' Association, Health Services Union, Australian Salaried Medical Officers' Federation (NSW Branch), Australian Medical Association (NSW Branch), and the Public Service Association.

In addition to the advice and feedback provided by the members of the working party, formal consultation also occurred with volunteer groups, external bodies such as ICAC, health unions/associations and staff within Health Services with a view to engaging as many individuals as possible in the development of the document.

2.3 Key definitions

Health Service – for the purpose of this policy document, Health Service refers individually to the NSW Department of Health, all Area Health Services, all statutory health corporations, all affiliated health organisations, Public Health System Support Division, the Health Professionals Registrations Boards, Institute of Psychiatry, Mental Health Review Tribunal and the Ambulance Service of NSW.

NSW Health – for the purpose of this policy document, Health Services refers collectively to the NSW Department of Health, all Area Health Services, all statutory health corporations, all affiliated health organisations, Public Health System Support Division, the Health Professionals Registrations Boards, Institute of Psychiatry, Mental Health Review Tribunal and the Ambulance Service of NSW.

Staff – for the purposes of this policy staff refers to any person working in a permanent, temporary, casual or honorary capacity within NSW Health. It includes volunteers, patient advocates, contractors, visiting practitioners, students, consultants and researchers performing work within NSW Health facilities.

2.4 Related policies

PD2005_180 – Managing for Performance: A Better Practice Approach for NSW Health
 PD2005_301 – Coaching and performance System Policy (NSW Department of Health staff only)
 PD2005_187 – Orientation Policy for NSW Health
 PD2005_244 – Induction Program (NSW Department of Health staff only)
 PD2005_113 – Workplace Learning and Development Strategy for NSW Health
 PD2005_255 - Learning and Development Policy (NSW Department of Health Staff only)
 PD2005_112 – Management Development Strategy
 Premier’s Department – Model Code of Conduct for NSW Public Agencies (1997)

2.5 Additional references

Standards Australia – AS8002-2003: Organisational Codes of Conduct (2003)
 Independent Commission Against Corruption – Codes of Conduct: The Next Stage – Chapter 3 (March 2002)

3.0 NSW Health policy

- 3.1 NSW Health policy statement** Health Services, in consultation with staff and their representatives, must develop:
- A communication strategy that includes initiatives/mechanisms to:
 - Ensure every staff member has read the NSW Health Code of Conduct and
 - Foster staff awareness and understanding of the standards contained in the NSW Health Code of Conduct and
 - A mechanism for reviewing and evaluating the effectiveness of the communication strategy.
- 3.2 Policy objective** It is acknowledged that Health Services, by and large, have developed and implemented a number of effective strategies to ensure awareness and understanding of Codes of Conduct.
- The purpose of this policy therefore is to formalise those initiatives within the context of a communication strategy and review mechanism. In addition the guidelines outlined in section 4 of this document support the policy statement by providing information on a range of initiatives to be considered by Health Services.

4.0 Guidelines for effectively communicating the NSW Health Code of Conduct

4.1 Introduction

How effectively the NSW Health Code of Conduct is implemented across NSW Health will determine its success. The common features of effective implementation include:

- Senior management support the Code and lead by example
- Staff involvement in all stages of the Code's development and implementation
- Support mechanisms in place to encourage the use of the Code
- On-going communication of the Code
- On-going training in the features of the Code, and other ethics/governance issues
- Enforcement of the Code when necessary and
- Regular review of the Code.

Contained in this section is a range of strategies to assist with the communication of the NSW Health Code of Conduct.

4.2 Planning and consultation

Health Services should allocate clear responsibility for the overall communication of the NSW Health Code of Conduct to ensure a co-ordinated approach.

To assist with the development of an effective communication strategy Health Services should establish a planning group/committee with a role in developing initiatives and monitoring the success of the strategy. The working group should consist of representatives from clinical and non-clinical areas and include communications and human resource staff.

4.3 Senior management commitment

Management support for a Code of Conduct is important.

To assist with demonstrating senior management commitment Health Services should add a *Chief Executive/Executive Team Foreword* to the NSW Health Code of Conduct. The foreword should reflect the language and terminology familiar to staff within the Health Service.

More broadly, examples of ethical action taken by senior management are useful for setting an ethical tone and should be included, for example, in the foreword to the Code of Conduct, in newsletter articles and at inductions and other learning and development activities. A useful and effective way for senior managers to demonstrate ethical action taken is through the relaying of stories of specific incidents and the action taken. Stories educate and inspire staff and quickly become fixed in the corporate culture. Conversely, stories of management displaying doubtful ethical conduct can have a very damaging impact on ethical standards throughout an organisation.

An Ethical Culture Survey, undertaken by the ICAC in 2000, indicated that statements from the Chief Executive about his or her own stance on ethics have more impact on staff decision making in the workplace than do staff's own ethical beliefs and goals.

Induction and other training initiatives looking at the Code of Conduct and other ethical issues should include a briefing from a member of the senior management team.

Joint Union/Management Statements are also an effective way to foster commitment and build partnerships within the Health Service to address a range of integrity and corruption resistance issues.

Health Services may also consider holding an official 'launch' of the Code of Conduct.

Health Services are encouraged to add their official banner under that of NSW Health.

4.4 Supporting the NSW Health Code of Conduct

Australian Standard 8002-2003 considers the establishment of a single point of contact as an essential element of effective implementation of an organisation's Code of Conduct.

Staff should be encouraged to initially raise issues or questions regarding the Code of Conduct (or general ethics issues) with their immediate supervisor. However Health Services should identify a single point of contact for staff who either have questions that couldn't be answered by the immediate supervisor or they do not wish to raise with their supervisor.

This point of contact will provide guidance and information to staff with questions regarding the Code of Conduct. Additionally a point of contact should, where necessary, refer staff to the correct mechanism/procedure for reporting suspected corrupt conduct, maladministration or serious and substantial waste.

In addition to assisting staff with questions or concerns a single point of contact will be a useful source of information for reviewing the effectiveness of the Health Service's communication strategy.

4.5 Recruitment and new staff

Recruitment Action

Health Services should utilise the following initiatives to raise awareness of the Code of Conduct (and the principles it reflects) prior to staff joining NSW Health:

- Include the Code of Conduct in job information packages
- Refer to the Code of Conduct in job/position descriptions
- Make an awareness of public sector values part of the job selection criteria and
- Ask questions in job interviews regarding the Code of Conduct and public sector values.

Once staff have been selected to join NSW Health the following initiatives should be implemented:

Letters of Offer/Contract appointment-reappointment

Health Services should include the NSW Health Code of Conduct with letters of offer or other contractual documentation and specify the requirement to adhere to the standards established in the document.

Induction/Orientation

Induction/orientation is an essential and important part of the recruitment process and creates a framework for new staff to become effective members of the organisation.

Policy Directive PD2005_187 (*Orientation Policy for NSW Health*) requires, as a minimum standard, that staff be given information and guidance on codes of conduct including the behaviours and standards expected within the Health Service.

The ICAC, in the publication '*Codes of Conduct: The Next Stage*' suggest that induction programs cover the following areas:

- Discussion of the Code of Conduct
- The meanings of corrupt conduct, maladministration and serious and substantial waste
- Local policies and procedures for managing conflicts of interests etc and for reporting suspected incidents of corrupt conduct, maladministration and serious and substantial waste and
- Contact points for more information or for support.

Induction programs create an opportunity for senior managers within the Health Service to communicate their expectations regarding the behaviour of staff and the Health Service response to proven cases of corrupt conduct.

4.6 Existing staff

Sign-off

The most effective way of ensuring every staff member has read the NSW Health Code of Conduct is for Health Services to implement a 'sign-off' mechanism.

This initiative should include a mechanism for 'sign-off' for any subsequent updates/amendments to the NSW Health Code of Conduct.

Health Services have, to date, implemented this initiative using one or a combination of the following approaches:

- 1 Electronic signoff of receipt/understanding/acceptance.

This approach will require IT advice/expertise to create a computer based package that allows for auditable sign-off, a point of contact for staff wishing to clarify matters, staff access to a computer, resources for following-up non responses and a procedure for managing cases of non-compliance.

- 2 Issuing a **full copy** of the NSW Health Code of Conduct to all staff with the requirement for them to return a signed sheet acknowledging receipt/understanding/acceptance.

This approach will require the establishment of a central point for return, resources to follow-up non-responses, a point of contact for staff wishing to clarify matters and a procedure for managing cases of non-compliance.

- 3 Issuing copies of the NSW Health Code of Conduct to managers with instructions to discuss with staff. Managers sign off that all staff have seen and discussed the document.

This approach will require resources to identify all managers and distribute copies of the package to them, the establishment of a central point for return, education for managers to enable them to facilitate discussion of the provisions of the Code with their staff and answer questions, a point of contact for managers or staff who wish to clarify matters and a procedure for managing cases of non-compliance.

- 4 Inclusion of discussion of the Code and sign-off of receipt/ understanding/acceptance during the annual performance appraisal.

This model will require education for managers to enable them to facilitate discussion and answer questions, the establishment of a central point of contact for staff and managers wishing to clarify matters, resources to follow-up non-responses and a procedure for managing cases of non-compliance.

Learning and Development

Ethics education should form part of the Health Service's learning and development strategy. Policy Directive PD2005_113 (Workforce Learning and Development Strategy for NSW Health) provides a framework for the development of a learning and development strategy.

Ethics related learning and development activities should be relevant and challenging. Consideration should be given to providing scenario-based activities which assist staff to recognise and respond appropriately to potential ethical challenges, thereby reducing personal and organisational risk (eg accepting gifts or benefits).

Ethics related learning and development activities may be offered as 'stand-alone' initiatives as well as being integrated into existing activities (eg management education, project management programs etc) and should be available to staff throughout their working life within a Health Service (eg: induction, refreshers, management training etc)

FAQ/Fact Sheets

Frequently Asked Questions (FAQ) and Factsheets provide a mechanism through which Health Services can extract and present some key messages to staff and focus on areas of potential risk.

Agenda Items

As previously mentioned the success of a Code of Conduct is based, amongst other things, on the ability of an organisation to integrate ethics matters into day to day management. One way for Health Services to achieve this outcome is to ensure that issues related to the Code of Conduct are included on the Agendas of management and staff meetings within the Health Services.

Initially the Agenda item may involve providing an overview of the document and what it means for managers/staffs however over time the Agenda item may relate to broader ethics related issues including identifying risk areas within the immediate work environment/Health Service.

It is also important for Health Services to ensure the Code of Conduct is contained/referenced in HR Manuals, Staff Handbooks and in other relevant policies (eg use of resources, communication policies etc).

Other Communication Strategies

In addition to the strategies discussed above Health Services should consider the following initiatives:

- The production of publicity material including brochures, posters and stickers
- Health Service specific video or audio tapes. This is particularly useful where staff are located in rural or remote areas or for showing during inductions where senior management are not able to be present.
- The placement of the document on the Health Service intranet
- Displaying the document in high traffic areas. It is not a concern if visitors or patient/clients view the document and it may in fact foster a greater understanding of the environment within which health staff operate.
- Articles in Health Service newsletter or internal publications.

4.7 Workplace diversity

To effectively communicate the NSW Health Code of Conduct throughout a Health Service consideration should be given to the diversity that exists within the staff profile.

To this end the NSW Health Code of Conduct should be communicated using a variety of strategies to effectively get the message across including:

- The publication of material in community languages
- The publication of material which is culturally appropriate for Aboriginal staff
- The development of audio tapes for staff with visual impairment and
- The use of language interpreters and sign language interpreters for people with hearing impairment.

Health Services should engage the relevant staff in the development of material to communicate the Code of Conduct.

4.8 Evaluation, review and continuous improvement

Health Services should regularly review and evaluate their communication plan to ensure it is contributing to an overall increase in staff awareness and understanding about the behaviours and standards expected of them.

The following sources of information can be used to evaluate effectiveness:

- Investigation reports arising from suspected breaches of the Code of Conduct
- Education Program Evaluation Forms
- Random checks with staff members to ascertain their level of awareness of the Code of Conduct and how and when to consult it
- Data generated by the single point of contact and
- Snapshots.