

# Learning Guide

# Professional and ethical behaviour



28542 Demonstrate and apply knowledge of professional and ethical behaviour in a health or wellbeing setting

Level 3

5 credits

Name:

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Workplace:

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te toi pukenga

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# Contents

Introduction .....	1
Professionalism and ethics .....	2
Workplace codes .....	6
The Code of Rights .....	6
Workplace conflict .....	16
Ethical disputes or grievances .....	19



# Introduction

This learning guide is about behaving professionally and ethically in your workplace.

## How to use your learning guide

This learning guide supports your learning and prepares you for the unit standard assessment.

This guide relates to the following unit standard:

- 28542 Demonstrate and apply knowledge of professional and ethical behaviour in a health or wellbeing setting (level 3, 5 credits).

This learning guide is yours to keep. Make it your own by writing notes that help you remember things, or where you need to find more information.

Follow the tips in the notes column.

You may use highlighter pens to show important information and ideas, and think about how this information applies to your work.

You might find it helpful to talk to your workmates or supervisor.

Complete this learning guide before you start the assessment.

## What you will learn

This guide will help you to understand:

- what professional and ethical behaviour means at work.
- how codes are applied in your workplace.
- why people with different attitudes and values clash, and some ways to deal with these.
- how to behave professionally and ethically at work.

# Professionalism and ethics

Whatever your role within a health or wellbeing sector, you need to behave ethically and professionally at all times.

You need to make sure that you meet any rules or codes that your employer uses, as well as New Zealand law.

## What does professionalism mean?

There are lots of unwritten rules about what professionalism means in the workplace. These unwritten rules can include:

- your attitude and how others see you.
- how you deal with conflicts at work.
- your values.
- how you communicate with other people at work.

Your own professionalism is really tough to measure. Often your professionalism can only be judged by someone else. Professionalism is measured against someone's expectations, or a standard that has been set, such as codes of conduct, rules and international conventions. Using a standard in a workplace takes a lot of the guesswork out of how you need to behave.

*Professionalism is in the eye of the beholder.*

### Characteristics of professional people

Professional people:

- are trustworthy.
- are competent.
- are respectful.
- act with integrity.
- are considerate of others.

## What are ethics?

Ethics are moral principles or values that influence how a person behaves or the way they do an activity. Ethics is about knowing the difference between right and wrong, and always doing the right thing. For example, ethics are rules or standards that stop a person from stealing, committing murder or being fraudulent. Ethical standards also include honesty, compassion and loyalty, such as the right to life and the right to privacy.



**More info**

**Health and wellbeing** sectors includes the aged care, acute care, community support, disability, mental health, social services and youth development sectors.

## What is ethical behaviour?

Behaving ethically means doing the right thing, rather than what is easy or convenient. Because everyone has their own culture, beliefs and morals, there can sometimes be differences in opinion, which can lead to differences in our actions. Ethics is about being fair and honest.

People working in our sector are required to support people based on the ethical principles of the organisations they work within. All people who work within a health or wellbeing setting are required to work in an ethical and professional way. Workers are also part of a multidisciplinary team and must therefore work within the codes of practice relevant to their place of work and the type of work that they are doing.

In New Zealand, most professions and organisations have a code of ethics that define a set of values representing the ethical ideals of the organisation. These are usually found in the mission statement, or the organisation's policies and procedures. You will find it easier to work in a place if you agree with your organisation's goals and philosophy.

No matter what your role is in an organisation that provides health and wellbeing services there are core pieces of legislation that everyone must follow, including:

- the Code of Health and Disability Services Consumers' Rights (1996) often simply called 'the Code of Rights'.
- the Privacy Act (1993).
- Health and Disability Sector Standards.
- your organisation's specific codes of ethics (philosophy, policies and procedures, code of conduct).

As a health and wellbeing worker, these core Acts, codes and regulations underpin your work practice and all interactions with the people you support. Following these guidelines will ensure that you behave ethically.

### More info

A **code** is an agreed set of foundation or guiding principles established by a health or wellbeing service provider, professional organisation or regulatory body. This may include an organisation's code of conduct or ethics; code of rights; professional association codes of conduct, rules, or ethics; and international conventions.

## Characteristics of ethical people

Ethical people:

- **are honest with others.** They admit mistakes instead of blaming others. They don't steal or cheat others. They work their correct number of work hours and they don't abuse sick leave or lunch breaks.
- **have integrity.** They treat other people fairly and with dignity and respect. They treat everyone the same regardless of their differences and put their company's interests above their own. They stay away from unethical behaviour like spreading gossip about other workers or playing company politics for personal gain.
- **are accountable.** They complete their tasks properly and on time and don't leave messes for other people to clean up. They know what they are meant to do and make sure they have the information and resources to get the job done.

## Ethical responsibilities

Your ethical responsibilities are determined by what other people expect of you.

These expectations are based on the attitudes of the people you deal with. Your expectations may be different to the person you are supporting. This is why the Code of Rights, the Privacy Act and other regulations are so important as they will guide your work practice in all interactions with your colleagues and the people you support.

Here are some examples of how people may have different expectations about ethical behaviour.

Community member	Possible ethical expectations
Elderly parent of someone you support.	They will expect that you will care for their son and ensure that he does not come to any harm.
Neighbour of someone you support (who has limited understanding of disability).	They will expect that you will ensure that the person you support does not harm anyone in the community.
Business owner in the community.	They will expect you to be well trained and knowledgeable, to ensure that their tax dollar is being spent on quality service.



Any organisation that provides a support service (a provider) has obligations (duties) to the people it supports. These obligations are available for public scrutiny and will therefore be part of a community's expectations.

## What is unethical behaviour?

Unethical behaviour in your workplace is when people do not follow the approved standards set out by your organisation. You may sometimes see or hear things about other people behaving unethically in your workplace. Examples of unethical behaviour may involve people:

- failing to report incidents of challenging behaviour in case it makes them look bad.
- not reporting a problem or issue because they think they can resolve it before anyone else finds out.
- manipulating the people they support into agreeing to something they don't necessarily want to do. For example, bribing them to attend a netball game while they're on duty because they want to watch their partner play.
- fabricating records or making up and recording false details about an incident.
- passing on an unfair demand to a colleague. For example, not completing the required paperwork during your shift and leaving it for the next person to do on your behalf.
- asking someone that you support to conceal an error you have made.

Your organisation will have policies and procedures for you to follow in these instances. These may involve:

- completing an incident form.
- following the organisation's complaints process.

If you are in doubt you should contact your supervisor immediately and inform them of the situation.

# Workplace codes

Just about every organisation has a code that informs people how to behave ethically and professionally.

As well as your organisation's code, you must adhere to the Code of Rights.

## The Code of Rights

The Health and Disability Commissioner Act was passed by the New Zealand Government in 1994.

This Act created the Office of the Commissioner. One of the Commissioner's first tasks was to find out what people expected from service providers in terms of quality of care, and then define these expectations by means of legally enforceable rights.

A regulation established the Code of Health and Disability Services Consumers' Rights (1996). It is often simply called 'the Code of Rights' or 'the Code'. The Code has been updated several times.

### The purpose of the Code

The Code was created to promote and protect the rights of health and disability service users, and to promote fair, simple, speedy and efficient resolution to any complaints that these rights were not being met.

This is achieved by:

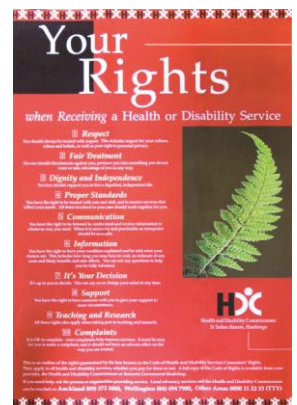
- the promotion and protection of consumer rights.
- the facilitation of effective resolutions of complaints where a breaching of the code has taken place.
- the ongoing education of providers and consumers.

The Code outlines the rights of people using a health or disability service in New Zealand. The Code calls these people consumers.

The Code also sets out the duties of people and organisations providing health and disability services. These people and organisations are called providers.

The Code places all staff and organisations under an obligation to inform people of their rights and to respect and adhere to the rights of their clients, consumers and patients.

Talk to your employer about your organisation's code of ethical and professional behaviour. Get a copy and make sure you read and understand the code for your workplace.



Providers can include:

- hospitals.
- rest homes.
- doctors.
- nurses.
- counsellors.
- orderlies.
- family members.
- support workers.

Support workers may also be called:

- nurse aides.
- caregivers.
- health care assistants.
- home care providers.

### **What the Code covers**

The Code covers both paid and unpaid work. It even applies to people who care for a family member. The Code covers services such as:

- care of the elderly.
- supporting a person with a brain injury.
- hearing therapy.
- supporting a person with a physical disability.
- diversional therapy.
- moving and handling people.
- going to the doctor or hospital.

### **What the Code does**

The Code tells consumers how they can expect to be treated when they receive a health or disability service. The Code also tells providers the things they need to do when they provide a health or disability service.

The Code sets out the procedure for a consumer to make a complaint and for a provider to respond to that complaint. If the consumer is not happy with this process, the complaint can be referred to the Health and Disability Commissioner.

The Health and Disability Commissioner enforces the Code and can investigate breaches of the Code and tell organisations what they must do or what they must change as the result of a complaint that has been upheld.

For more information about the Code of Rights, you can contact the Commission at [www.hdc.org.nz](http://www.hdc.org.nz)

## Getting a copy of the Code

The Code is available in many different formats including pamphlets and posters.

As a health and wellbeing worker you need to know where to get a copy of the Code. There may be times when the people you support want to check their rights, or when you need to check what your duties are in a particular situation. The way you behave at work must reflect the legal obligations set out in the Code of Rights.

You can obtain a copy of the Code from the Health and Disability Commissioner's office or online at the Commissioner's website [www.hdc.org.nz](http://www.hdc.org.nz)

Many health and disability service providers, for example, rest homes and residential service providers, have copies of the Code at their offices. You may also find a copy of the Code in places such as doctors' surgeries, hospitals, physiotherapists and chemists.

All organisations will incorporate the Code in their policies and procedures. If you are unsure of where to find a copy of the Code in your workplace, ask your supervisor.

## The ten consumers' rights

The Code outlines ten rights that all consumers have when receiving a health and disability service in New Zealand.



## Right 1: Right to be treated with respect

Every consumer has the right to:

- be treated with respect.
- have their privacy respected.
- be provided with services that take into account the needs, values, and beliefs of different cultural, religious, social, and ethnic groups, including the needs, values and beliefs of Māori.

An example of treating someone with respect might be supporting someone to attend church without you expressing your own views about religion.

Personal privacy is being free from being watched or disturbed by other people. A person's right to privacy also includes control over what happens with personal information about them, and the freedom to live without personal details being shared unnecessarily, or without consent. This means that the information is kept confidential.

Consumers have the right to personal privacy. As much as possible, they have the right to receive personal care in private, not to have their bodies exposed unduly, to use the bathroom privately, and to only have people present in their care who are directly involved in that care unless the person being supported has given permission for others to be present.

People have the right to have both personal information and information about their care remain confidential and not to be shared with others who are not directly involved in their care. Nursing care plans, goal ladders, medical and financial information must be kept confidential.

A person must give consent for records to be released or information given to other people not involved in their care.

Being respectful of a person's information includes:

- not discussing the information in a public environment where others could overhear.
- not leaving files or the results of tests, screens, interviews, questionnaires, surveys or observations where others could see or read it.
- not discussing the information with others who are not authorised to hear it, such as family members or other staff not involved in that person's care.
- storing the information in a secure environment to protect its confidentiality.

## **Right 2: Right to freedom from discrimination, coercion, harassment and exploitation**

Every consumer has the right to be free from discrimination, coercion, harassment, and sexual, financial or other exploitation. As a support worker you can ensure you behave ethically in regard to this right by:

- ensuring that the people you support have the opportunity to make decisions without being pressured, manipulated or judged.
- treating people fairly, ensuring that you do not favour one person over another, or use a person's disability as an excuse to not do something.
- not taking advantage of a person's vulnerability.

## **Right 3: Right to dignity and independence**

Every consumer has the right to have services provided in a manner that respects the dignity and independence of the individual. As a support worker you can ensure you behave ethically in regard to this right by:

- providing opportunities for the people you support to try new things in environments where they feel safe and have your support.
- ensuring that you adequately prepare people for new experiences or changes, so that they are more able to cope.

For example:

- a person should not have their body exposed unnecessarily during personal care.
- you allow a person to do as much of a task as they are able to, even if it takes a longer time.

## **Right 4: Right to services of an appropriate standard**

Every consumer has the right to:

- have services provided with reasonable care and skill.
- have services provided that comply with legal, professional, ethical and other relevant standards.
- have services provided in a manner consistent with their needs.
- have services provided in a manner that minimises the potential harm to, and optimises the quality of life of, that consumer.
- cooperation among providers to ensure quality and continuity of services.

For example:

- support workers need to be trained in using specific equipment such as a hoist before transferring consumers.
- if a consumer is moving to a new service provider, the previous organisation must provide information to help with the transition.

### **Right 5: Right to effective communication**

Every consumer has the right to:

- effective communication in a form, language, and manner that enables the consumer to understand the information provided. Where necessary and reasonably practicable, this includes the right to a competent interpreter.
- an environment that enables both consumer and provider to communicate openly, honestly and effectively.

For example, it might be hard for a person to understand complicated sentences. As a support worker you could speak in shorter sentences and use more gestures to make your meaning clearer.

### **Right 6: Right to be fully informed**

Every consumer has the right to the information that a reasonable consumer, in that consumer's circumstances, would expect to receive including:

- an explanation of their condition.
- an explanation of the options available, including an assessment of the expected risks, side effects, benefits and costs of each option.
- timeframes for services to be provided.
- notification of any proposed participation in teaching or research, including whether the research requires and has received ethical approval.
- any other information required by legal, professional, ethical and other standards.
- the results of tests and/or procedures.

Every consumer has the right to honest and accurate answers to questions including:

- the identity and qualifications of the provider.
- the recommendation of the provider.
- how to obtain an opinion from another provider.
- the results of research, tests etc.

Every consumer has the rights to receive a written summary of information provided.

For example, providing a person with a picture showing what will happen during a hospital procedure and what the outcome will be would help to ensure that the person you support understands what is going to happen to them.



## Right 7: Right to make an informed choice and give informed consent

Services may be provided to a consumer only if that consumer makes an informed choice and gives informed consent.

Every consumer must be presumed competent to make an informed choice and give informed consent, unless there are reasonable grounds for believing that the consumer is not competent.

Where a consumer has diminished competence, that consumer still retains the right to make informed choices and give informed consent, to the extent appropriate to their level of competence.

Where a consumer is not competent to make an informed choice and give informed consent, and no other person entitled to provide consent on behalf of the consumer is available, the provider may provide services where:

- it is in the best interest of the consumer.
- all reasonable steps have been taken to ascertain the views of the consumer, and the provider believes on reasonable grounds that the provision of the services is consistent with the informed choice the consumer would make if they were competent.
- the consumer's views have not been ascertained, but the provider takes into account the views of other suitable persons who are interested in the welfare of the consumer and are available to advise the provider.

Where informed consent to a health care procedure is required, it must be in writing if:

- the consumer is to participate in any research.
- the procedure is experimental.
- the consumer will be under general anaesthetic.
- there is a significant risk of adverse effects on the consumer.

Every consumer has the right to:

- use an advance directive in accordance with the common law.
- refuse services and withdraw consent to services.
- express a preference as to who will provide services and have that preference met where practicable.
- make a decision about the return or disposal of any body parts or bodily substances removed or obtained in the course of a health care procedure.

An example may be that if a person would prefer a female doctor they can request this, or they could request a specific support worker to be their key person. Sometimes these requests are able to be met, but other times it may not be possible.



A person may give **power of attorney** to someone else (the ‘attorney’) to act for that person.

An enduring power of attorney (EPA) is designed for long-term protection and will continue if the consumer becomes mentally incapable. There are two types of EPA:

- for property.
- for personal care and welfare.

An EPA for personal care and welfare only comes into effect when a person becomes mentally incapable. A personal care and welfare attorney is usually a close friend or family member. The kind of decisions made might be about medical treatment or admission to residential care. Attorneys have responsibilities to act in the consumer’s best interests at all times. They should involve the person in the decision making as far as possible, and not abuse the trust that has been placed in them.

It is important for a support worker to know if a person has an enduring power of attorney in place, and if so, who needs to be contacted when a decision needs to be made such as a change in medication or consent for an operation.

There are some significant decisions that cannot be made by a personal care and welfare attorney, for example, refusing to consent to life-saving medical treatment.

Future choices about such medical care, to cover a situation when someone is unable to communicate, can be made by recording them in an **advance directive**.

Advance directives are written or oral directives (also known as living wills) that allow people to record decisions about the medical care they would like to receive at the end of their lives if they are no longer competent to make choices, for example, if they are unconscious. It is a form of communication that makes the wishes of the person clear, which can be helpful to family, friends and healthcare professionals.

In a healthcare setting, it is important to know if a person has made an advance directive and where it can be accessed. The type of things that might be in an advance directive include:

- whether someone wants CPR (cardiopulmonary resuscitation) to be performed if their heart stops beating.
- whether the consumer wishes to be kept alive on a ventilator if unable to breathe without assistance.
- whether being kept alive by tube feeding is acceptable.

 **More info**

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Age concern has information and hand-outs on enduring power of attorney.

For further information go to [www.ageconcern.org.nz](http://www.ageconcern.org.nz)

 **More info**

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The New Zealand Medical Association has further information at [www.nzmq.org.nz](http://www.nzmq.org.nz)

### **Right 8: Right to support**

Every consumer has the right to have one or more support persons of his or her choice present, except where safety may be compromised or another consumer's rights may be unreasonably infringed. As a support worker you can ensure you behave ethically in regard to this right by checking with the person you support to find out if they would like someone present when they use a health and disability service, or attend a meeting within your organisation.

An example may be that they may wish to have you or someone else present when they visit their GP, or to have family members attend their individual plan meeting.

### **Right 9: Rights in respect of teaching or research**

The rights in this code extend to those occasions when a consumer is participating in, or it is proposed that a consumer will participate in teaching or research. As a support worker you can ensure you behave ethically in regard to this right by:

- informing the person you support of their rights and making sure they know that they can refuse to participate if they want to.
- supporting the person to get all the information they need to make an informed decision about participating. Written information should be provided, and a consent form must be signed before a person can participate in teaching or research.
- making sure the person fully understands what is involved and is aware of any risks.

People have the right to refuse to participate in any medical research, and would be asked to sign a consent form if they are taking part in a drug trial.

### **Right 10: Right to complain**

Every consumer has the right to complain about a provider in any form appropriate to the consumer. Every consumer may make a complaint to:

- the individual or individuals who provided the services.
- an independent advocate provided under the Health and Disability Commissioner Act 1994.
- the Health and Disability Commissioner.
- any other person authorised to receive complaints about that provider.

Providers must:

- facilitate the fair, simple, speedy, and efficient resolution of complaints.
- inform a consumer about progress on the consumer's complaint according to specified timeframes.
- comply with all the other relevant rights in this code when dealing with complaints.
- have a complaints procedure.

The provider's complaints procedure must ensure that:

- the complaint is acknowledged in writing within five working days of receipt, unless it has been resolved to the satisfaction of the consumer within that period.
- the consumer is informed of any relevant internal and external complaints procedures.

Within ten working days of giving written acknowledgement of a complaint, the provider must decide whether the complaint is justified or not. If the provider decides that more time is needed to investigate the complaint they must determine how much additional time is needed, and where this extra time exceeds more than 20 working days, they must inform the consumer of that determination and of the reasons for it.

As soon as practicable after a provider decides whether or not the complaint is justified, the provider must inform the consumer of:

- the reasons for their decision.
- any actions it proposes to take.
- any appeal procedure it has in place.

# Workplace conflict

## Personal values

Values are the internal rules that we live by relating to morality and ethics. Values also include religious and political views. Values tell people what is good, bad, right, wrong, important and useful.

Our personal ethics or values are the standards and principles that we think are valuable or important in life. The reason why someone acts in a particular way can be based on their personal or cultural values. The difference between ethics and values is not always clear. You need to respect people's values and beliefs even if they are different from your own.

Your personal values/ethics may be different in some way to those of the people you support, your colleagues, and people in the wider community. You need to behave ethically in your workplace by making decisions, and then acting in a way that is consistent with the guiding principles of the sector. This can only be done if we know what the principles are, and if we consciously think about them when making decisions.

On the next page you will find a list of different personal values. Read through the list and tick the ones that apply to you. Also think about the ones you didn't tick – should these apply to you?

accomplishment and success	freedom	punctuality
accountability	friendship	quality of work
accuracy	fun	regularity
adventure	global view	resourcefulness
all for one and one for all	goodwill	respect for others
beauty	goodness	responsiveness
calm, quietude and peace	gratitude	results oriented
challenge	hard work	rule of law
change	harmony	safety
cleanliness and order	honesty	satisfying others
collaboration	honour	security
commitment	independence	self-giving
communication	inner peace, calm, quietude	self-reliance
community	innovation	service to others and society
competence	integrity	simplicity
competition	justice	skill
concern for others	knowledge	speed
content over form	leadership	stability
continuous improvement	love and romance	standardisation
cooperation	loyalty	status
coordination	meaning	strength
creativity	merit	systemisation
customer satisfaction	money	teamwork
decisiveness	openness	timeliness
democracy	patriotism and love for your country	tolerance
discipline	peace, non- violence	tradition
discovery	perfection (eg, of details)	tranquillity
ease of use	personal growth	trust
efficiency	pleasure	truth
equality	positive attitude	unity
excellence	power	variety
fairness	practicality	wisdom
faith	preservation	
family	privacy	
family feeling	problem solving	
flair	progress	
	prosperity and wealth	

## Conflicts of values

The values people hold can be quite different.

Conflict and disagreements can occur if people's values are too different.

For example, you might value quality of work above all else and take pride in achieving excellence in everything you do. However, a colleague may value timeliness more and feel that you are spending too long working on a project that doesn't need to be perfect; therefore you are slowing them down.

Finding out what people value can help us understand what is important to them and also help us to get along better with others. This is especially important in support work, where quality relationships are vital.

Some people may hold the same values as you but prioritise them in a different order.

For example, you and a colleague may both value service to others, but your colleague may value efficiency as being more important and think that your organisation cannot afford to spend more money on the resources you feel you need to provide the best possible service to the community.

By understanding what each person values, you can work together to find a balance that means that everyone's values can be honoured.

Conflicting values can happen with:

- the people you support or provide a service to.
- the family/whānau of people you support or provide a service to.
- your workmates, or other people providing support.

## Managing conflict

It's very difficult to change another person's values. Often the best strategy you can use is to be aware that there is a conflict and adapt your own personal behaviour to make sure that the person you deal with has a positive experience of their interactions with you.

Some of the strategies you can apply include:

- modifying your body language to appear less aggressive or challenging.
- adapting the way you speak in terms of your volume, intonation or tone of voice.
- being aware of and adapting your facial expressions.
- using correct, polite and respectful language.

## Ethical disputes or grievances

Your organisation will have a procedure that you must follow. The procedure should be explained in your organisation's code of conduct. Make sure you take the time to read and understand the code. If you can't find the disputes or grievance procedure, talk to your supervisor, who may be able to help.

Generally, if anyone wishes to make a complaint against you regarding your professional or ethical behaviour, you should direct them to speak directly to your immediate supervisor.