Review of the Aotearoa New Zealand Code of Ethics and Professional Conduct with Commentary (2011) - Proposed changes

March 2017

The purpose of this consultation is to seek feedback on the proposed changes to the Aotearoa New Zealand Code of Ethics and Professional Conduct with Commentary (2011) (the Code).

Background
The Code was due for review in 2016 and with the implementation of the Physiotherapy practice thresholds in Australia and Aotearoa New Zealand in May 2016 an opportunity was provided to ensure that these two important documents are appropriately linked. In addition Physiotherapy Board Standards, currently in the process of development, can be referenced as appropriate.
A steering group was formed with input from Physiotherapy New Zealand (PNZ) and the Physiotherapy Board, as well as expert advice from Associate Professor Lynley Anderson from the Bioethics Centre in the Division of Health Sciences at the University of Otago. Other members of the steering group were Jess Radovanovich (PNZ National Executive), Sue Doesburg (PNZ Professional Advisor), Maarama Davis (Physiotherapy Board member) and Cheryl Hefford (Physiotherapy Board Professional Advisor).

Initially consultation was sought on the current Code in order to

1. To ensure that the Code meets the needs of all physiotherapists and provide an opportunity for comment, additions or alterations.

2. Meet routine review requirements.

The Initial consultation via Survey monkey ran from 29/02/2016 until 28/03/2016. An email with a link to the survey was sent to all registered physiotherapists and other relevant stakeholders.

Each Principle was listed and participants were asked if they were happy or unhappy with the points in each Principle. They were also asked to comment in a text box.

There were 240 respondents to the consultation of which 88% were currently practising physiotherapists. The majority (96%) were happy with the statements in each Principle of the Code. There was a total of 224 comments that were all read and considered by the steering group to inform decision making about any changes to the Code.

The steering group also considered Codes of Ethics for other health professions in New Zealand and physiotherapy professions in other countries with comparable health systems.

A draft of the amended Code was sent for legal opinion and assistance with updating relevant law.

Proposed changes to the Code

1. Proposed changes to the Code (without commentary)

There have been no changes to the Code Principle headings other than to replace the term patient / client with the term patient. This has been done to improve readability. A rider has been under Terminology in the preamble to allow the term ‘patient’ to be substituted with the term ‘client’.

Some changes have been made to the professional conduct expected under these Principles as follows:

**Principle 1: Physiotherapists respect patients and their whānau and families.**

- The word *carers* has been added to 1.2 and 1.4 which is particularly relevant for patients who are dependent on carers.
Principle 2: Physiotherapists act to promote the health and wellbeing of the patient, while acknowledging, respecting, and facilitating patient autonomy.

- 2.9 has been expanded to include the unacceptability, in most instances, of engaging in sexual contact with former patients.
- A new expectation of professional conduct has been added to include maintaining appropriate professional boundaries when supervising students (2.10).
- ‘Make provision of continuity of care’ has been expanded to include when closing or relocating a practice as well as when absent from the practice (2.12).


- 3.2 has been expanded to include not disclosing identifiable personal information

Principle 4: Physiotherapists treat people fairly

- No changes.

Principle 5: Physiotherapists practise in a safe, competent and accountable manner

- No changes.

Principle 6: Physiotherapists act with integrity in all professional activities

- 6.4 has been expanded to include not entering into financial arrangements that may influence professional judgement.
- ‘Ensure financial remuneration is commensurate with work performed’ has been removed (6.6).
- Two new expectations of professional conduct have been added to reflect the importance of admitting when things have gone wrong as well as supporting patients and carers who raise concerns about their care, treatment or other services (6.6 and 6.7).

Principle 7: Physiotherapists strive for excellence in the practice of physiotherapy

- 7.2 ‘engage in peer review activities’ has been removed as this is considered implicit in ongoing professional development.

Principle 8: Physiotherapists communicate effectively and cooperate with colleagues, other health professionals and agencies, for the benefit of their patients and the wider community.

- No changes.

Principle 9: Physiotherapists take responsibility for maintaining their own health and wellbeing.

- The order of 9.2 and 9.3 have been changed, with the original 9.3 now being two separate expectations of professional conduct (9.2 and 9.4).

Principle 10: Physiotherapists accept responsibility for upholding the integrity of the profession
• A new expectation of professional conduct has been added to include *raising concerns about issues, wrongdoings or risks that may be witnessed in the practice setting* (10.2).
• Care when using electronic communication and social networking sites has been expanded to include *in a professional and private capacity* (10.3).
• ‘avoid treating close family members’ has been expanded to include *whānau and others close to you* (10.7).

Minor word changes have been made throughout to improve readability.

2. Changes to the commentary
The changes to the commentary have primarily been made to update the document and to improve readability.

Some sections have been added or expanded to reflect current issues faced by practitioners, the Physiotherapy Board and Physiotherapy New Zealand.

Commentary 10.2 on social networking has been removed and replaced with a reference to the Physiotherapy Board Standard which contains the same information.

Commentary under 6.6 has been added.

3. Updating relevant law references, linking the Code to other relevant documents and updating the preamble, glossary of terms and references.

For each Principle
• All relevant law has been reviewed and updated where appropriate.

Other relevant documents pertaining to the Principle standards have been referenced. These include the Physiotherapy Practice Thresholds in Australia and Aotearoa New Zealand, Physiotherapy Board Standards and relevant Physiotherapy New Zealand guidelines.