



Health and Disability Services
Complaints Office



Information Sheet

Code of Conduct for certain health care workers

The Health and Disability Services Complaints Office (HaDSCO) is an independent Statutory Authority providing an impartial resolution service for complaints about health, mental health and disability services in Western Australia and the Indian Ocean Territories.

HaDSCO is responsible for the Code of Conduct for certain health care workers (Code of Conduct).

What is the Code of Conduct?

The Code of Conduct sets minimum standards of practice for health care workers who are not registered under the National Registration and Accreditation Scheme (NRAS), or who provide services unrelated to their registration, or who are student or volunteer health care workers. The NRAS is administered by the **Australian Health Practitioner Regulation Agency**.

It does not restrict entry into practice but allows for action to be taken against a health care worker who fails to comply with the standards in the code. This includes issuing prohibition orders to cease practice or placing conditions on a health care worker's practice where their conduct presents a serious risk to public health and safety.

The Code of Conduct contains 17 clauses which set out the way in which health care workers should undertake their practice.

Among other things, the Code of Conduct will require unregistered health care workers to:

- Provide services in a safe and ethical manner.
- Not provide health care of a type outside of their experience or training, or services they are not qualified to provide.
- Not make claims to cure certain illnesses.
- Not financially exploit clients.
- Not engage in improper personal relationships with a client.
- Be covered by appropriate professional indemnity insurance.
- Display the code clauses and information about how to make a complaint.

The 17 code clauses are included as an Appendix at the end of this information sheet.

Which health care workers will the Code of Conduct apply to?

The Code of Conduct will apply to counsellors, doulas, massage therapists, naturopaths, psychotherapists, social workers, and other types of allied, alternative and community health service workers.

What is HaDSCO's role?

Implementation of the Code of Conduct in Western Australia allows HaDSCO to:

- Investigate complaints about alleged Code of Conduct breaches.
- Undertake 'Director-initiated' investigations into possible Code of Conduct breaches, allowing for investigations to be undertaken without a complaint being received.
- Issue an interim prohibition order (IPO) against a health care worker to allow an investigation into their conduct to be completed.
- Issue a prohibition order (PO) against a health care worker at the end of an investigation where their continued practice represents a serious risk to public health and safety.
- Monitor compliance with IPOs and POs and take action for breaches.
- Issue public health warning statements.

What are some other features of the Code of Conduct?

- Anyone can make a complaint about an alleged breach of the Code of Conduct.
- Health care workers have a right of review to the State Administrative Tribunal in regard to the issuing of IPOs, POs and public health warning statements.
- IPOs and POs issued in New South Wales, South Australia, Queensland, Victoria, and Western Australia are mutually recognised in each of these States and it is an offence to deliver health services where IPOs and POs have already been issued in one of these States.
- A penalty of \$30,000 applies where a health care worker fails to comply with an IPO or PO. Failure to comply with an interstate IPO or PO is an offence with a penalty of \$30,000 for an individual and \$60,000 for a body corporate.

What can health care workers do to prepare for the Code of Conduct?

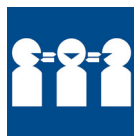
Health care workers who are not registered through the NRAS are automatically covered by and must comply with the Code of Conduct. Further information is available on HaDSCO's website.

How do I get more information?

Phone: (08) 6551 7600

Email: mail@hadsco.wa.gov.au

Web: www.hadsco.wa.gov.au



Interpreter Service

Phone: 131 450

Web: www.tisnational.gov.au

National Relay Service

Phone: 1800 555 660

Web: www.relayservice.com.au

Appendix

Clauses of the Code of Conduct for certain health care workers

- Clause 1: Health care workers to provide services in a safe and ethical manner
- Clause 2: Health care workers to obtain consent
- Clause 3: Appropriate conduct in relation to treatment advice
- Clause 4: Health care workers to report concerns about conduct of other health care workers
- Clause 5: Health care workers to take appropriate action in response to adverse events
- Clause 6: Health care workers to adopt standard precautions for infection control
- Clause 7: Health care workers diagnosed with infectious medical conditions
- Clause 8: Health care workers not to make claims to cure certain serious illnesses
- Clause 9: Health care workers not to misinform their clients
- Clause 10: Health care workers not to practise under the influence of alcohol or unlawful substances
- Clause 11: Health care workers with certain mental or physical impairments
- Clause 12: Health care workers not to financially exploit clients
- Clause 13: Health care workers not to engage in sexual or other misconduct
- Clause 14: Health care workers to comply with relevant privacy laws
- Clause 15: Health care workers to keep appropriate records
- Clause 16: Health care workers to have appropriate insurance
- Clause 17: Health care workers to display code and other information

