



Te Kaunihera Tapuhi o Aotearoa  
Nursing Council of New Zealand

Code of conduct for  
**Nurses**

August 2005

# CODE OF CONDUCT FOR NURSES

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Nursing Council of New Zealand  
PO Box 9644  
Wellington  
[www.nursingcouncil.org.nz](http://www.nursingcouncil.org.nz)

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# NURSING COUNCIL OF NEW ZEALAND

## Introduction

### **Nursing Council of New Zealand**

As the statutory authority, the Nursing Council of New Zealand (“the Council”) governs the practice of nurses. The Council sets and monitors standards in the interests of the public and the profession. The Council’s primary concern is public safety.

### **Health Practitioners Competence Assurance Act 2003 (“the Act”)**

The principal purpose of this Act is to protect the health and safety of members of the public by providing for mechanisms to ensure that health practitioners are competent and fit to practise their professions.

The Act seeks to attain its principal purpose by providing for (amongst other things):

- a consistent accountability regime for all health professions; AND
- the determination for each health practitioner of the scope of practice within which she or he is competent to practise; AND
- systems to ensure that no health practitioner practises in that capacity outside her or his scope of practice; AND
- power to restrict specified activities to particular classes of health practitioner to protect members of the public from risk of serious or permanent harm; AND
- certain protections for health practitioners who take part in protected quality assurance activities; AND
- additional health professionals to become subject to the Act.

### **Protection**

Just as registration aims to ensure the public has access to qualified practitioners, so the Act confers on the Council the right to call into question, withdraw or limit the practice of any nurse whose conduct falls short of the standards, or who has a mental or physical condition which means she or he is unable to practise, or who is not competent to practise.

# CODE OF CONDUCT FOR NURSES

## **Code of Conduct for Nurses**

The Code provides a guide for:

- the public to assess minimum standards expected of nurses
- nurses to monitor their own performance and that of their colleagues

## **Principles**

Four principles with criteria form the framework for the Code. The nurse:

- complies with legislated requirements
- acts ethically and maintains standards of practice
- respects the rights of patients/clients
- justifies public trust and confidence.

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## Principles

### PRINCIPLE ONE

The nurse complies with legislated requirements.

#### Criteria

- 1.1 The name of the nurse is entered on the register held by the Council.
- 1.2 The practising nurse has a current practising certificate issued by the Council.

The nurse:

- 1.3 practises within her/his scope of practice and any conditions entered on the register
- 1.4 practises within the legislation which impacts on the practice of nursing and the delivery of health and disability services.

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## PRINCIPLE TWO

The nurse acts ethically and maintains standards of practice.

### Criteria

The nurse:

- 2.1 is guided by a recognised professional code of ethics applied to nursing
- 2.2 uses knowledge and skills for the benefit of patients/clients/community
- 2.3 is accountable for practising safely within her/his scope of practice
- 2.4 demonstrates expected competencies in the practice area in which currently engaged
- 2.5 upholds established standards of professional nursing practice
- 2.6 is responsible for maintaining her/his professional standards
- 2.7 maintains and updates professional knowledge and skills in area of practice
- 2.8 observes rights and responsibilities in the prescription, possession, use, supply, storage and administration of controlled drugs, medicines and equipment
- 2.9 accurately maintains required records related to nursing practice.

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## PRINCIPLE THREE

The nurse respects the rights of patients/clients.

### Criteria

The nurse:

- 3.1 acknowledges and allows for the individuality of people
- 3.2 provides information to enable the patient/client to exercise informed choice and consent to the delivery of professional nursing care
- 3.3 respects any privileged access, conferred by professional status, to patients'/clients' information and their possessions, residences and workplaces
- 3.4 safeguards confidentiality and privacy of information obtained within the professional relationship
- 3.5 helps patients/clients understand their rights and acknowledge their responsibilities related to the delivery of professional nursing
- 3.6 is aware of and guided by codes of rights and responsibilities for patients/clients and health care providers in area of practice
- 3.7 practises in a manner which is culturally safe
- 3.8 practises in compliance with the Treaty of Waitangi.

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## PRINCIPLE FOUR

The nurse justifies public trust and confidence.

### Criteria

The nurse:

- 4.1 provides valid identification about her/his professional qualifications and right to practise
- 4.2 offers or provides professional nursing partnerships
- 4.3 uses professional knowledge and skills to promote patient/client safety and wellbeing
- 4.4 reports to an appropriate person or authority, any limitations in professional expertise or personal health status or circumstances which could jeopardise patient/client safety
- 4.5 states any relevant, conscientious objection that could impact on her/his scope of practice
- 4.6 takes care that a professional act or any omission does not have an adverse effect on the safety or wellbeing of patients/clients
- 4.7 respects the trust implicit in the professional nursing relationship
- 4.8 claims benefits or remuneration only as and when appropriate for services rendered
- 4.9 acts in ways which contribute to the good standing of the nursing profession.

## Conduct in Question

Some examples of behaviour which could be considered as a basis for a finding of professional misconduct or imposing a penalty are listed below:

- court conviction for criminal offence that reflects adversely on fitness to practise
- neglect of responsibilities
- lack of care/supervision
- failure to provide safe surroundings
- inadequate observation/documentation
- lack of expected professional knowledge/judgement
- impaired judgement
- lack of skill in delivery of professional nursing practice
- failure to refer to appropriate persons
- violation of patients'/clients' rights
- entering into a sexual or inappropriate intimate relationship with a client or ex-client
- maltreatment
- inappropriate use of force; or intimidation
- causing injury or bodily harm

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- physical, verbal or sexual abuse
- failure to comply with legislated requirements/ethical principles
- improper disclosure of personal information about patients/clients
- harmful imposition of political, religious or cultural views or health practices/options
- offer of/acceptance of bribes, or other favours, or sexual advances
- failure to observe fiscal constraints, misappropriating funds or property
- accepting gifts from clients or ex-clients
- failure to declare relevant financial or commercial interests
- seeking to obtain undue preferential consideration
- inappropriate use of qualifications or professional status in promoting commercial products or services
- attempting to defraud, dishonest dealings and/or falsifying records
- misuse of alcohol or drugs
- practising without a practising certificate
- practising outside scope of practice
- breaking conditions on scope of practice.

The Council provides information sheets that explain the complaints and discipline process, the health process and the competence review process. These are available from the publications page of the Council's website or on request.

# NURSING COUNCIL OF NEW ZEALAND

## Glossary

Some words and phrases used in this Code have specific meanings:

***Practising Certificate*** means a renewable certificate issued by the Nursing Council of New Zealand which entitles a nurse to practise for the period specified.

***Ethical activity*** is thought and action based on the values, moral principles and ideals of professional practice.

***Legislated requirements*** are those requirements laid down by New Zealand Acts and Regulations.

***Nurse*** means a registered nurse, nurse practitioner, enrolled nurse or nurse assistant.

***Registered nurse*** means a nurse registered under the *registered nurse* scope of practice.

***Nurse practitioner*** means a nurse registered under the *nurse practitioner* scope of practice.

***Enrolled nurse*** means a nurse registered under the *enrolled nurse* scope of practice.

***Nurse assistant*** means a nurse registered under the nurse assistant scope of practice.

***Nursing Council of New Zealand*** is the responsible authority for nurses in New Zealand with legislated functions under the Act.

The Nursing Council of New Zealand governs the practice of nurses by setting and monitoring standards of registration which ensures safe and competent care for the public of New Zealand.

As the statutory authority, the Council is committed to enhancing professional excellence in nursing.

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<b><i>Professional misconduct</i></b>	<p>as defined in the Act, means the nurse has been found guilty of an act or omission that, in the judgement of the Health Practitioners Disciplinary Tribunal:</p> <ul style="list-style-type: none"><li>(a) was malpractice or negligence in relation to the scope of practice in respect of which the nurse was registered at the time the conduct occurred</li><li>b) has brought or was likely to bring discredit to the profession that the nurse practised at the time that the conduct occurred.</li></ul>
<b><i>Register</i></b>	<p>refers to the Register of Nurses maintained by the Nursing Council of New Zealand.</p>
<b><i>Rights</i></b>	<p>indicates entitlements related to having one's dignity or interests protected from harm.</p>
<b><i>Safety</i></b>	<p>refers to nursing action to protect from danger and/or reduce risk to patient/client/community from hazards to health and wellbeing. It includes regard for the physical, mental, social, spiritual and cultural components of the patient/client and the environment.</p> <p>Unsafe nursing practice is any action or omission which endangers the wellbeing, demeans the person or disempowers the cultural identity of the patient/client.</p>
<b><i>Treaty of Waitangi</i></b>	<p>is the founding document for Aotearoa New Zealand signed in 1840 by the Maori people and the British Crown.</p>

### Scopes of Practice

#### Registered Nurse

Registered nurses utilise nursing knowledge and complex nursing judgement to assess health needs and provide care, and to advise and support people to manage their health. They practise independently and in collaboration with other health professionals, perform general nursing functions and delegate to and direct enrolled nurses and nurse assistants. They provide comprehensive nursing assessments to develop, implement, and evaluate an integrated plan of health care, and provide nursing interventions that require substantial scientific and professional knowledge and skills. This occurs in a range of settings in partnership with individuals, families, whanau and communities. Registered nurses may practise in variety of clinical contexts depending on their education preparation and practice experience. Registered nurses may also use their expertise to manage, teach, evaluate and research nursing practice. There will be conditions placed on the scope of practice of some registered nurses according to their qualifications or experience limiting them to a specific area of practice.

#### Nurse Practitioner

Nurse practitioners are expert nurses who work within a specific area of practice incorporating advanced knowledge and skills. They practise both independently and in collaboration with other health care professionals to promote health, prevent disease and to diagnose, assess and manage peoples' health needs. They provide a wide range of assessment and treatment interventions, including differential diagnoses, ordering, conducting and interpreting diagnostic and laboratory tests and administering therapies for the management of potential and actual health needs. They work in partnership with individuals, families, whanau and communities across a wide range of settings. Nurse practitioners may choose to prescribe medicines within their scope of practice. Nurse practitioners also demonstrate leadership as consultants, educators, managers and researchers and actively participate in professional activities, and in local and national policy development.

#### Nurse Assistant

Nurse assistants assist registered nurses to deliver nursing care to individuals in community, residential and hospital settings. They perform delegated interventions from the nursing care plan to provide care and comfort for individuals and groups, assist and support clients with activities of daily living, observe and report changes in individual/group conditions and behaviours, safeguard dignity and promote independence and health and safety. The nurse assistant does not undertake independent nursing assessments or plan and evaluate nursing interventions. Nurse assistants are required to practise in a specific area based on their areas of focus in their education programmes and designated on their *Practising Certificates*.

#### Enrolled Nurse

Enrolled Nurses practise under the direction of a registered nurse or midwife to implement nursing care for people who have stable and predictable health outcomes in situations that do not call for complex nursing judgement. The responsibilities of enrolled nurses include assisting clients with the activities of daily living, recognising the changing needs of clients and performing delegated interventions from the nursing or midwifery care plan.

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## APPENDIX B

### Legislation

Some of the statutes and regulations which impact on the practice of nurses include:

**Statutes:**

Alcoholism and Drug Addiction Act 1966

Burial and Cremation Act 1964

Children, Young Persons and Their Families Act 1989

Commerce Act 1986

Constitution Act 1986

Consumer Guarantees Act 1993

Contraception, Sterilisation and Abortion Act 1977

Coroners Act 1988

Crimes Act 1961

Criminal Justice Act 1985

Fair Trading Act 1986

Food Act 1981

Guardianship Act 1968

Health Act 1956

Health and Disability Commissioner Act 1994

Health and Disabilities Services (Safety) Act 2001

Health and Safety in Employment Act 1992

Health Reforms (Transitional Provisions) Act 1993

Health Practitioners Competence Assurance Act 2003

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Health Sector Transfers Act 1993

Hospitals Act 1957

Human Rights Act 1993

Human Tissue Act 1964

Injury Prevention, Rehabilitation and Compensation Act 2001

Medicines Act 1981

Mental Health (Compulsory Assessment and Treatment) Act 1992

Misuse of Drugs Act 1975

New Zealand Bill of Rights Act 1990

New Zealand Public Health & Disability Act 2000

Official Information Act 1982

Privacy Act 1993

Protected Disclosures Act 2000

Protection of Personal and Property Rights Act 1988

Radiation Protection Act 1965

Retirement Villages Act 2003

Social Security Act 1964

Social Security Amendment Act 2001

Trans-Tasman Mutual Recognition Act 1997

Treaty of Waitangi Act 1975

Tuberculosis Act 1948

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## **Regulations:**

Code of Health and Disability Services Consumers' Rights

Coroners Regulations 1989

Factories and Commercial Premises Act (First Aid) Regulations 1985

Health and Safety in Employment Regulations 1995

Health (Retention of Health Information) Regulations 1996

Hospitals Regulations 1993

Medicines Regulations 1984

Misuse of Drugs Regulations 1977

Obstetric Regulations 1986

Old Peoples Homes Regulations 1987

Tuberculosis Regulations 1951

Venereal Diseases Regulations 1982

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