

National Code of Conduct for Health Care Workers (Queensland)

Information for health care workers

Protecting yourself and your clients

Health care workers generally deliver services to improve the health of their clients, but sometimes a health care worker may operate unethically or unsafely and compromise other people's health.

In early 2015, all Australian State and Territory government health ministers agreed to the terms of the *National Code of conduct for healthcare workers* (National Code) to help give greater protection to consumers for services provided by unregistered health practitioners or registered practitioners providing a service not related to their registration. Each State and Territory is responsible for ensuring the National Code is enforced within their jurisdiction, with the ability to investigate breaches and issue prohibition orders in relation to serious matters.

In Queensland, the National Code will be recognised as the *National Code of Conduct for Health Care Workers (Queensland)* (Queensland Code).

What are my responsibilities under the Queensland Code?

The Queensland Code outlines the minimum standards that must be followed by unregistered healthcare workers, and registered healthcare workers providing a service unrelated to their registration.

Under the Queensland Code, health care workers must:

1. Provide services in a safe and ethical manner.
2. Obtain consent from their clients.
3. Display appropriate conduct when giving treatment advice.
4. Report concerns about treatment or care provided by other health care workers.
5. Take appropriate action in response to adverse events.
6. Adopt standard precautions for infection control.

7. Practice safely if diagnosed with infectious medical conditions.
8. Not make claims to cure certain serious illnesses.
9. Not misinform their clients.
10. Not practice under the influence of alcohol or unlawful substances.
11. Modify or stop practicing if they have certain mental or physical impairments.
12. Not financially exploit clients.
13. Not engage in sexual misconduct.
14. Comply with relevant privacy laws.
15. Keep appropriate records.
16. Be covered by appropriate insurance.
17. Display the code and other information (unless exempt).

Health care workers must also display, or make available, a copy of the Queensland Code in all premises or locations where they practice, and give information to consumers about how and where complaints can be made if they have concerns about the service provided to them.

When does the Queensland Code take effect?

The Queensland Code applies from **1 October 2015**.

What actions may be taken against health practitioners to whom the Queensland Code applies?

The majority of health care workers already follow the minimum standards outlined in the Queensland Code when they practice.

Amendments to the *Health Ombudsman Regulation 2014* will identify the Queensland Code in Queensland as a prescribed conduct document to which the Health Ombudsman and Queensland Civil and Administrative Tribunal may refer when considering what actions to take in relation to a health care worker, including the

issuing of an interim prohibition order or prohibition order.

The Health Ombudsman may issue an interim prohibition order to protect the health and safety of the public, whether or not a complaint has been made.

The Health Ombudsman must notify an employer if an interim prohibition order is issued or if a complaint is investigated. The Health Ombudsman must also give notice of a QCAT decision to an employer.

A penalty of 200 penalty units applies if a person contravenes an interim prohibition order, a prohibition order or a corresponding interim prohibition order.

Interim prohibition orders issued by the Health Ombudsman in Queensland must be published and can be found at www.oho.qld.gov.au/prohibition-orders

For additional information relating to the powers of the Health Ombudsman, please refer to the *Health Ombudsman Act 2013* and the *Health Ombudsman Regulation 2014*.

Do prohibition orders apply interstate?

There will be mutual recognition of prohibition orders between States and Territories, so that a corresponding order issued in one State or Territory will be recognised across borders. Queensland currently recognises prohibition orders issued in New South Wales and South Australia, and this will expand as other States and Territories implement the national code.

Consumers will be able to check a national website (under development) to see if a health care worker has a prohibition order recorded.

How can consumers make a complaint?

If consumers are concerned with the health, conduct or performance of a registered or unregistered health practitioner, or believe a healthcare worker has not adhered to the Queensland Code, they are entitled to make a complaint.

If the complaint is not resolved after first talking with the health care worker or provider, then consumers can lodge a formal complaint with the Office of the Health Ombudsman, by:

- submitting an online complaint form at www.oho.qld.gov.au
- filling in a complaint form (available at www.oho.qld.gov.au) and
 - sending it to:
PO Box 13281, George Street
Brisbane Qld 4003
 - faxing it to (07) 3319 6350
 - emailing it to complaints@oho.qld.gov.au
- making an appointment to speak to them by calling 133 OHO (133 646). They are open from 9 am to 5 pm, Monday to Friday.



Consumers requiring an interpreter can access the Office of the Health Ombudsman using the Translating and Interpreting Service (TIS) by calling 131 450.

Consumers with a hearing or speech impairment can access the Office of the Health Ombudsman using the National Relay Service:

- TTY/voice call – 133 677
- Speak and Listen – 1300 555 727
- SMS relay – 0423 677 767
- Website – www.relayservice.gov.au

More information

To find out more about the Queensland Code, visit <https://www.health.qld.gov.au/national-code-of-conduct/>