



Midwifery Council
Te Tatau o te Whare Kahu

CODE OF
CONDUCT



Code of Midwifery Professional Conduct

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Background

When the Midwifery Council was formed in December 2003, it adopted existing standards set by the New Zealand College of Midwives (NZCOM) as standards and guidelines for the profession. In addition, it developed its own Competencies for Entry to the Register of Midwives and set its own standards for pre- registration education.

While the NZCOM Code of Ethics has provided guidance for midwives about expected professional behaviour, the HPCA Act (2003) requires the Midwifery Council to specifically develop standards for conduct. Further, the work of the Council's Professional Conduct Committee has highlighted the need for some explicit statements in relation to the professional conduct of midwives. The Code of Conduct will provide a measure by which the midwives behaviour may be measured. The Midwifery Council expects that individual practice will reflect the philosophy, standards of practice, consensus statements and practice guidelines of the NZCOM as well as the Competencies for Entry to the Register of Midwives and the Code of Conduct of the Midwifery Council.

Context of Midwifery Practice in NZ

- Midwives in New Zealand practise autonomously.
- The main employment types are Lead Maternity Carers, (providing a 24 hour, 7 day week on-call service to a caseload of pregnant or postnatal women) or core midwives (employed within maternity facilities).
- All midwives are required to maintain competence across the Scope of Practice and meet the requirements of the Midwifery Council Recertification Programme.

Purpose of this document

- To make explicit the minimum expectations of every professional midwife with regard to conduct as they engage in their professional activities.
- To make explicit the code of professional behaviour to members of the public, employers and other health professionals.

This Code should be read in conjunction with the following documents:

- The Competencies for Entry to the Register of Midwives which may be found at: www.midwiferycouncil.health.nz
- The Philosophy, Code of Ethics and Standards for Midwifery Practice which are set out in the Midwives Handbook for Practice (2008), published by the New Zealand College of Midwives
- New Zealand College of Midwives Consensus statements and practice guidelines
- The Midwifery Partnership, a Model for Practice 2nd edition (2010), published by the New Zealand College of Midwives.

Accountability

Midwives are accountable for their practice and for their conduct. They are accountable to the woman, the profession and to the community.

The public and midwifery profession expect that midwives:

- work under the laws, regulations and codes of New Zealand
- work within the Midwifery Scope of Practice and hold a current Practising Certificate
- demonstrate continuing competence through participation in the Midwifery Council Recertification Programme
- work in partnership with women
- work in partnership with professional colleagues, ensuring that the woman's interests remain paramount
- maintain professional linkages with colleagues for consultation, practice support and advice whilst ensuring the woman's interests remain paramount
- maintain linkages with midwifery colleagues through participation in the activities of the midwifery profession
- conduct themselves personally and professionally in a way that maintains public trust and confidence in the midwifery profession
- act with integrity
- are open and honest
- do not discriminate unfairly against women or colleagues
- do not abuse the woman's trust in themselves or the midwifery profession
- treat colleagues with respect and dignity
- avoid making public comment which may bring the profession into disrepute

Conduct statements

1. Professional relationships

Through their conduct, Midwives ensure that:

- 1.1 Personal information is obtained and used in a professional way that ensures privacy and confidentiality for clients.
- 1.2 Professional relationships are maintained at all times.
 - Midwives who choose to provide care to women with whom they have a close personal relationship acknowledge the potential to lose objectivity in decision making. Midwives in these instances should actively seek collegial support and advice in clinical decision making and ensure they openly discuss the concern they have with the woman for whom they are providing care.
 - Midwives and midwifery students must not become involved in a sexual or emotional relationship with a woman in their care, the partner or a close member of the woman's family.
- 1.3 Their personal beliefs should not affect the advice or options that are provided to women.
- 1.4 They practise in a way that respects difference and is non-discriminatory.
- 1.5 They end their professional relationship with women at the appropriate time as communicated with each woman and in a professional manner.
- 1.6 They provide impartial, honest and accurate information in relation to midwifery care and health care products.
 - Any information that they provide about their midwifery services is factual and verifiable.
 - Advertising and promotional material should not foster unrealistic expectations.
 - Information that is provided must conform to identifiable laws and standards.
 - Written information provided within maternity notes including the woman held maternity record, should be understandable, clear and professional and avoid unnecessary jargon, slang or undefined or obscure abbreviations.

Guidance statements:

All practitioners have a legal obligation to ensure that any information they obtain meets privacy regulation requirements and practitioners are reminded of the need to maintain this privacy at all times. There is an exception when there is an imminent risk of serious harm or the midwife is required to provide such information under law. Gossip and the inappropriate divulgence of information are unacceptable.

It is acknowledged that midwives establish close relationships with women when they work in partnership. In addition Maori midwives establish Whanaungatanga and practise Manaakitanga with the women they care for.

Midwives are advised to use their discretion about the appropriateness of providing care to family and friends they know well as it can be difficult for midwives to remain objective and to provide the care that women require. They should have a full discussion with the woman and seek advice and support from colleagues to help them manage any possible compromise.

Women have the right to expect that they will receive professional midwifery care from every midwife. Midwives have an obligation to ensure that they are culturally competent and the care they provide to women is culturally safe.

Midwives have an obligation to provide evidence-based information and care for women and to respect women's rights to make uncoerced and informed decisions about their care and that of their newborn. Should women choose to utilise any goods or services for which a midwife receives any payment or similar commercial benefit, any such benefit should be obvious to the woman and never intentionally covert. If midwives advertise, they must ensure that the information that they provide is factual, objective and not exaggerated.

2. Inter-professional relationships

Through their conduct, Midwives ensure that:

- 2.1 Due process is followed when a woman or baby's care is being referred or transferred.
- 2.2 They interact with their colleagues in a fair and respectful manner.
 - They must not make malicious or unfounded criticisms of colleagues that may undermine women's trust in the care or treatment they receive or in judgment of those treating them.
 - They do not bully or harass one another.
 - They ensure that they are familiar with the appropriate processes to follow if they have concerns about the practice of a colleague.
- 2.3 When there is an emergency, they provide appropriate care to women. When a midwife calls for help, all midwives have a duty and obligation to attend and assist as able.

Guidance statements:

Midwives need to be aware that their behaviour towards other professionals can pose a risk of harm if it impacts on the care that women receive. Criticisms of colleagues may undermine the woman's trust in the care they receive or in the judgment of those treating them. It is vital that all members of the health care team work in a way that is conducive to safe care for the woman and this means that midwives must be aware of the way in which they communicate. Communication needs to be appropriate and respectful.

3 Professional behaviour

Through their conduct, Midwives ensure that:

- 3.1 They act in a way that does not bring the midwifery profession into disrepute.
- 3.2 They are fit and able to carry out the practice of midwifery.
- 3.3 Social networking sites are to be used with caution to avoid inappropriate professional and clinical-related discussion.
- 3.4 They recognise their professional position and do not give or accept gifts or benefits that could be viewed as a means of securing their interest.
- 3.5 They claim benefits or remuneration only as and when appropriate for midwifery services that are provided.
- 3.6 They do not use drugs and alcohol in such a way that it impairs their clinical judgment.
- 3.7 If they are using medication to manage a health condition, they have a responsibility to ensure this has no adverse effect on the care they provide. They adhere to the specified regime and through their actions, do not place women and their babies at risk.
- 3.8 They act without delay if they believe a health professional may be putting a woman or baby at risk.
- 3.9 They ensure that their workloads or client numbers are not so large as to compromise the quality of care.

Guidance statements:

Social networking sites are a way of communicating personal information with friends and family. It is never appropriate to discuss individual practice, midwifery experiences or midwifery colleagues on a social networking site. Midwives and midwifery students must understand that information posted on these sites can be accessed by a number of people, no matter what the level of security. Midwives and midwifery students must be cautious when posting personal information, photos or videos onto sites and ensure that they do not inadvertently identify any clients or colleagues. Once anything has been uploaded onto a social networking site, control is lost of it forever.

Individuals can be and have been identified through such sites as midwives or midwifery students because of the information that they post. It is vital that midwives and midwifery students do not bring the midwifery profession into disrepute, breach confidentiality or make defamatory statements through using these sites.

Midwives and midwifery students also need to be cautious when using another electronic form of communication such as blogs, emails and twitter.

Text messaging can be an unreliable method of communication, with message transmission delayed at times or messages open to misinterpretation. While women may use texting to contact a midwife, midwives must consider the appropriateness of using text communications and ensure that their communication with women occurs through reliable methods such as telephone. All communication with women should be appropriately documented.

While women may give midwives small gifts and midwives may exchange hospitality or provide small gifts as a measure of appreciation, these should not be so large as to be seen as inducements to encourage women to rebook with the midwife and/or to influence the woman's choices.

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