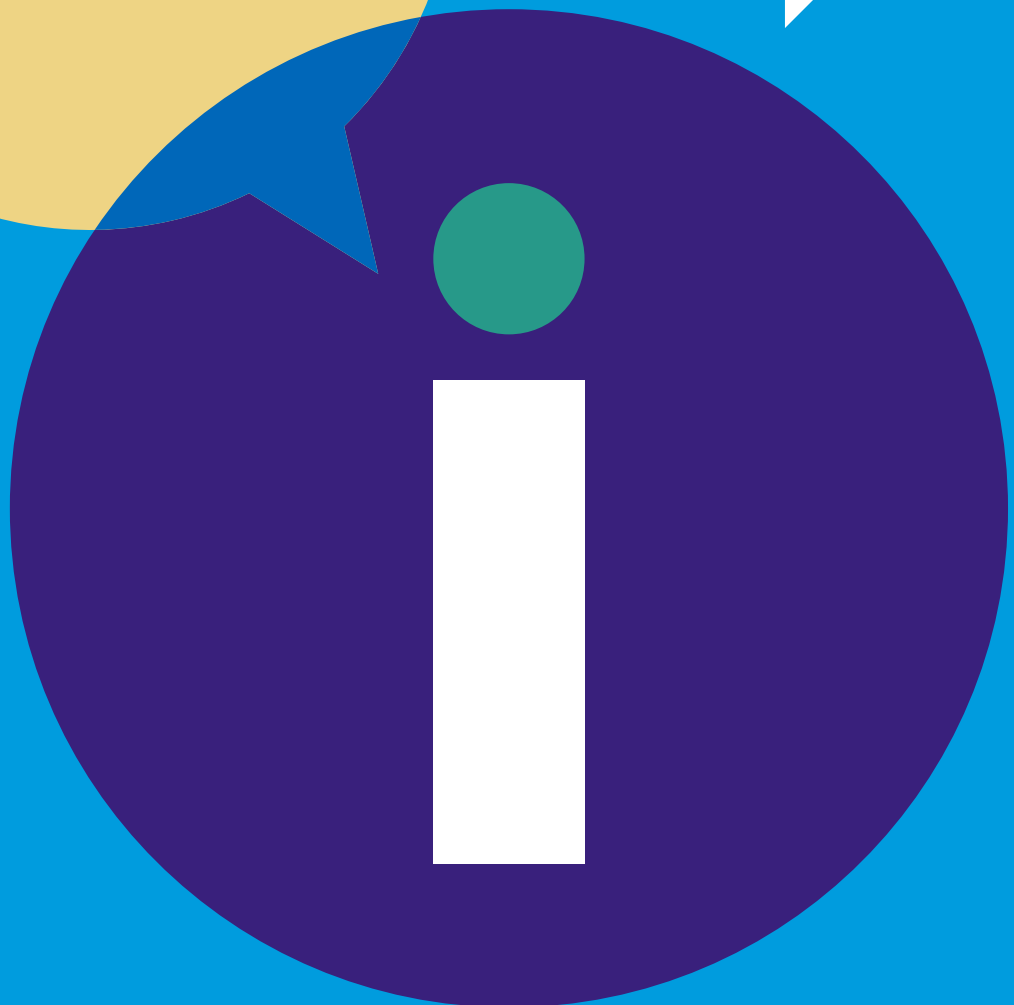




Ahpra
& National
Boards

Code of conduct for Board
and committee members



Purpose

The Code of conduct for Board and committee members (the Code) outlines the standard of behaviour expected of members in the performance of their duties and in their interactions with each other, Ahpra staff and stakeholders.

The Code aligns to the National Registration and Accreditation Scheme's (National Scheme) [Values and Behavioural Attributes](#) and should be read in conjunction with the [Health Profession Agreement Accountability Framework](#) and other relevant policies, procedures and guidelines.

Our values

Integrity

Respect

Collaboration

Achievement

Scope

The Code applies to all statutory appointees (Board, committee and panel members and Australian Health Practitioner Regulation Agency Board (Ahpra Board) members) collectively referred to as members.

Your obligations

The *Health Practitioner National Law Act 2009* (the National Law)¹ sets out the general duties of members exercising functions under the National Law.

When exercising functions under the National Law, you must:

- act impartially and in the public interest
- act with honesty and integrity
- act in good faith
- be financially responsible
- exercise a reasonable degree of care, diligence and skill
- disclose real or perceived, direct or indirect, pecuniary or other conflicts, and

not make improper use of position or information to:

- gain an advantage for themselves or another person
- cause detriment to the National Scheme.

In addition to the general obligations under the National Law, you should adhere to this Code which defines the standards of behaviour expected of a member. It is your responsibility to comply with these and review them regularly, particularly when your circumstances change.

You should familiarise yourself with the [Board member manual](#). The manual provides you with information to help you in your role as a member.

If you are unsure about how any part of the Code applies to you do not hesitate to seek guidance from your Chair or the relevant Ahpra Executive member.

¹ Division 1 Section 234 General duties of persons exercising functions under this Law and Schedule 4 Part 2 Section 7 and 8



Code of conduct

Be informed

- understand the work of the National Scheme and the role and functions of your Board or committee
- know the duties, responsibilities and accountabilities of your role and perform these in good faith and act in the public's interest
- become familiar with the environment in which your Board or committee operates and stay informed about all relevant activities
- comply with all policies and procedures as well as legislative and legal requirements that apply to you
- support the decisions taken by your Board or committee
- understand that Chairs of National Boards are the official spokespeople for their Board, and that members are not to make any public comment including posting on social media that could be connected to your role without authorisation from the Chair or where views expressed could damage the reputation of the National Board or the work of the National Scheme.

Be active

- attend all meetings – where attendance is not possible, members must submit an apology, or seek a leave of absence if the leave is planned
- participate actively and work cooperatively with fellow members, Ahpra staff and other stakeholders to achieve agreed goals
- prepare for meetings by reading and considering papers circulated with the agenda
- contribute to continuous improvements in the effectiveness of your Board or committee and apply and promote good governance
- promote and advance the [National Scheme Strategy 2020-2025](#), including the values and behavioural attributes, and achieving its strategic objectives.

Show respect

- treat each other, Ahpra staff and stakeholders fairly and with courtesy, respect and dignity
- be inclusive, value others and consider a range of perspectives
- act in a culturally safe way
- consider the views of stakeholders and affected parties about issues under consideration
- do not engage in any form of behaviour that is, or can lead to, or considered to be, bullying, harassment and discrimination
- do not ignore actual or perceived behaviour that may be in breach of this Code. Act in good faith to identify and report such behaviour.

Act ethically

- be open, honest and competent and make decisions that promote public confidence and support public safety
- maintain the integrity, confidentiality and security of protected and confidential information
- avoid actual or perceived conflicts of interest, whether direct or indirect, and ensure personal or financial interests do not interfere with the performance of your role, and declare conflicts where these exist
- do not pursue or accept gifts, hospitality or benefits that could be reasonably perceived as influencing you in the performance of your role
- express concerns to the Chair or other relevant authority about decisions or actions contrary to the Board's primary responsibility to act in the public interest
- disclose any information about actual or potentially unethical, dishonest and/or corrupt conduct to the Chair or, if necessary, the appropriate reporting body.



In line with Ahpra's [Health, safety and wellbeing policy](#), Board and committee members also have a responsibility to:

- ensure their own behaviour contributes to a positive working environment that is physically and psychologically safe, is free of racism, discrimination, incivility, bullying, harassment and violence
- take reasonable care to ensure the health, safety and wellbeing of themselves and others
- make sure their actions do not cause or threaten harm to the health, safety and wellbeing of others.

How to raise a concern

You should report any concerns about the behaviour or conduct of a member or a possible breach of this Code or the National Law to your Board or Committee Chair. If you are not comfortable reporting the concern to your Chair (for example the concern is about your Chair), you should refer the matter to the National Board Chair or relevant Ahpra Executive member.

Where an Ahpra staff member raises a concern about the behaviour or conduct of a member, they will be directed to speak with their National Director in the first instance.

Ahpra and National Boards have an obligation to treat any concerns seriously and manage those concerns under the principles of procedural fairness and in accordance with the resolution process as set out below. This process is not designed to deal with Board or committee members subject to complaints or notifications that are managed in accordance with the [Procedure for board and committee members subject to complaints or notifications](#).

Resolution management and escalation

In line with our shared values, Ahpra and National Boards must work to resolve concerns raised about the behaviour of members in a timely way and only escalate when this is necessary.

In most instances, this will be achieved through discussion with the relevant Board or Committee Chair and the member with advice and support provided by the relevant Ahpra officer – Executive Officer or State/Territory Manager.

Where this initial informal approach does not resolve the concern, or in situations where this is not appropriate or feasible, it must be escalated to the National Board Chair or Ahpra Board Chair who will take reasonable steps to facilitate resolution of the concern. In accordance with Ahpra reporting lines, advice and support can be provided by the Executive Director, Strategy and Policy or the National Director, Regulatory Governance.

If a concern remains unresolved and needs to be escalated further, it will be referred to Ahpra's Chief Executive Officer, who will consider jointly with the National Board Chair or Ahpra Board Chair what, if any further action should be taken.

Ahpra and National Boards have a commitment to working together constructively and in accordance with our shared values to reasonably prevent any concerning behaviours escalating further. In circumstances, where the concerning behaviour is ongoing, Ahpra and the National Board may need to report its concern to the relevant Minister/s who appointed the member.

Notwithstanding, the National Law provides referral by the National Board to the Chairperson of the Ministerial Council for the removal of the member, on the basis that the member has engaged in misconduct or has failed or is unable to properly exercise the member's functions as a member². In most cases, this will be a step of last resort that will not be taken unless all prior steps have been exhausted.

Whistleblower complaints

The [Public Interest Disclosure \(Whistleblower\) Policy](#) provides for public interest disclosures (complaints) to be made in respect of possible improper conduct or corruption in the administration of the National law. Board members (and any other person) can therefore make a disclosure about other Board members under the policy and such a disclosure will be managed in accordance with that policy.

² Schedule 4, Part 2, Section 4(2e)



Employee Assistance Program (EAP)

At any time, Chairs and members may seek support from our Employee Assistance Program (EAP) provider, [Assure Programs](#) on 1800 808 374. The EAP is a confidential program available at no cost to members. Qualified professional consultants may help Chairs and members by working with them to develop strategies to resolve the concern.

Related documents

- Aboriginal and Torres Strait Islander Health and Cultural Safety Strategy 2020–2025
- Guidelines for Board and committee members in exercising delegated functions
- Guidelines for Board and committee members with respect to conflict of interest
- Guidelines for Board and committee members with respect to duty of confidentiality
- Health Profession Agreements
- Information and IT Acceptable Use Policy
- Manual for National Boards and their committees
- National Scheme Strategy 2020–25
- Procedure for Board or committee members subject to complaints or notifications
- Public Interest Disclosure (Whistleblower) Policy
- National Boards Gifts, Benefits and Hospitality policy
- The National Law

Document control

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