

# Code of Conduct

*Mā te kimi ka kite, Mā te kite ka mōhio, Mā te mōhio ka mārāma.*  
*Seek and discover. Discover and know. Know and become enlightened.*

## Purpose

1. The Code of Conduct outlines the standards of behaviour that are expected of our people.
2. It is important that our people understand what minimum standards of behaviour and performance are expected of them while they are undertaking work for Te Whatu Ora - Health New Zealand.
3. Our Code is important because it reflects our legal obligations as an organisation through the Public Service Act 2020 to maintain high standards of integrity and conduct as a representative of the Crown and a public service. Te Whatu Ora needs to observe and comply with all applicable laws, regulations, policies, processes, and guidelines and as a result we expect our people to do the same.
4. It is our people's responsibility to act within the relevant legislation, regulations, policies, processes, and guidelines that apply to them and their work. If there is a difference between a legal requirement and our Code, the legal requirements are to be adhered to.
5. The Code of Conduct applies in addition to our other policies, procedures, and any job specific requirements our people may have.
6. Failure to meet the minimum standards of behaviour in the code may be classified as misconduct or serious misconduct, for which disciplinary action may be taken in line with our Investigations and Disciplinary Policy.
7. This policy supports the Health Sector Principles as set out in the Pae Ora (Healthy Futures) Act 2022 (the Act) and will be updated to reflect the requirements of the New Zealand Health Charter once it has been established. The Charter is a statement of the values, principles, and behaviours that our people throughout the health sector are expected to demonstrate.
8. The examples in this Code are not intended to create a complete and exhaustive list of minimum standards of behaviour.
9. The Code of Conduct relating to Board members is outlined in the Board Governance Manual.

## Application

10. This policy applies to everyone in Te Whatu Ora National Office, including permanent, seconded, and temporary employees and contractors (referred to as our people).
11. For other parts of Te Whatu Ora, the corresponding policies that were in place before 1 July 2022 continue to apply until changed by the Board of Te Whatu Ora or its delegate.

## Definitions

12. The following definitions are used for the purposes of this policy:

**Te Whatu Ora  
National Office**

- a) Staff who are working in roles that would **not** have been District Health Board, Te Hīringa Hauora/Health Promotion Agency or Shared Services Agency roles under the previous health system (including staff employed/engaged on or after 1 July 2022); and
- b) For operational policies other than employment policies, staff who have transferred from the Ministry of Health (MoH) under the Act.

13. This policy is an employment policy and does not apply to staff who have transferred from the Ministry of Health (MoH) under the Act.

## Key Principles

14. This section summarises the general principles which guide our disciplinary and investigation processes.

**Restorative Approach:** The emphasis will be to resolve issues at the lowest level possible and a focus will be placed on restoring relationships.

**Fairness:** We will act in accordance with our legal obligations and recognise the impact that disciplinary action has on our people.

**Te Tiriti o Te Waitangi:** We recognise our obligations as a partner under Te Tiriti o Te Waitangi as per the Pae Ora (Healthy Futures) Act 2022

## Alignment to Te Whare Tapa Whā

15. This policy is underpinned by the focus that every interaction with our people should be done in a mana enhancing way, guided by Te Whare Tapa Whā specifically:

- Taha Tinana – we aspire to promote and develop conducive environments for our people to flourish;
- Taha Hinengaro – we provide support and care for our people’s wellbeing;
- Taha Wairua – we acknowledge and respect our people’s diversity and spiritual needs, ensuring a safe workplace;
- Taha Whānau – we are committed to looking after our people by creating an inclusive, whānau orientated and supportive environment; and
- Whenua – we are respectful of our environment and the role we, as an organisation and our people play to ensure healthy, sustainable environments.

16. Enacting such values serves as a means and commitment made by Te Whatu Ora to educate, promote, and develop Te Whatu Ora’s workforce, and provide the necessary tools, resources, and training to enable and uphold Te Whatu Ora’s commitment to Te Tiriti o Waitangi as the founding document of Aotearoa.

17. This approach enables the reformed health system to provide culturally appropriate care to all New Zealanders who use Te Whatu Ora's services in all settings, with a focus on providing a culturally safe environment for our people.

## Policy

### 18. **Minimum standards of behaviour**

Our Minimum Standards of Behaviour are set out in this Code of Conduct, as well as our other policies and procedures. All our people have a responsibility to meet the minimum standards of behaviour set out in this Code of Conduct.

#### 18.1. **Responsibility**

- All our people have a responsibility to meet the minimum standards of behaviour set out in this Code of Conduct.
- Our people have a responsibility to assist others to act in accordance with relevant laws, policies, procedures and guidelines and a duty of fidelity to report instances of abuse, fraud or unlawful conduct to a manager or People and Capability.

### 19. **Obligations in respect of Conduct**

#### 19.1. **Treat people fairly and with respect**

- Our people are known for treating people fairly, this helps us create a good environment for our people and visitors. Treating people fairly means that we do not show any favouritism, bias, or self-interest in our work. We must avoid any perceived unfairness that could arise from having any personal interest in decisions we make or from working on matters where we have a close relationship with those involved.
- Therefore, our people have an obligation to treat other employees, contractors, visitors, and members of the public with respect and courtesy.

#### 19.2. **Be professional and responsive**

- People should be mindful that they are representatives of a government entity and Te Whatu Ora at all times, and refrain from conduct that may bring Te Whatu Ora or the government into disrepute.
- It is important that our people are professional and responsive. This is because they are representatives of the government and of our health service.
- Therefore, our people have an obligation to be professional in their dealings with colleagues, contractors, visitors, and members of the community. They have an obligation to be responsive in their communications and ensure that health services are delivered in a timely way.

#### 19.3. **Act lawfully**

- As government employees, it is important that our people act within the laws relevant to their role.
- Therefore, our people have an obligation to take actions in their role that ensure that Te Whatu Ora acts lawfully.

- Our people also have an additional obligation to report unlawful conduct that they see to their manager or People and Capability.

#### 19.4. **Integrity**

- As public servants, it is important that we engage with integrity in our dealings. This allows us to build confidence in our health service.
- Therefore, our people are required to act with honesty and integrity in all their dealings, whether this is with other employees, contractors, visitors, or members of the community.
- Our people will not knowingly mislead or engage in dishonest practices.

#### 19.5. **Harassment and Bullying**

- It is important that we protect the health and safety of those who work for us.
- Therefore, our people are required to refrain from harassing or bullying behaviour. Further details are available in our Bullying, Harassment, and Discrimination Policy.
- We also recognise that there is a range of inappropriate behaviours that may fall short of harassment and bullying thresholds. These include, but are not limited to, poor tone, manner and style as well as being confrontational or adversarial. It can include snide remarks or small comments and people should be conscious of the way their tone, manner, and style impacts on their colleagues.

#### 19.6. **Racism and Discriminatory Behaviour**

- Our people welcome people regardless of their nationality, ethnicity, sexuality, disability, gender identity and other personal attributes.
- Therefore, we will not discriminate against people based on prohibited grounds of discrimination under Human Rights legislation. Further details are available in our Diversity and Inclusion policy.

#### 19.7. **Social Media**

- It is important that we are able to maintain confidence in our public service and in our health system. Social media allows for wide communications to be sent but posts can quickly become available to wider audiences than are intended.
- Therefore, our people must not post or disclose any private or confidential information of the employer on social media, and anything that may bring Te Whatu Ora or the government into disrepute. Further details are available in our Media and Use of Social Media policy

### 20. **Obligations in respect of impartiality**

#### 20.1. **Political Neutrality**

- As public servants, our people must maintain a politically neutral approach at work to enable us to work with the current and any future governments. Practically, this means that while our people are entitled to have freedom of political expression and association, we must not bring our political views into our work roles.

**20.2. Recruitment**

- Where engaging in recruitment processes, our people must consider all candidates in a way that is free from bias and prejudice. They will make decisions in accordance with the principles of fairness, equity, equal opportunity employment and in alignment with our organisational values.

**21. Professional Standards**

**21.1. Best Interests**

- As a health organisation, our primary focus is on the planning, funding, and delivery of personal and public health services, and disability support services.
- Therefore, our people must act in a way that is in the best interests of this focus.

**21.2. Maintaining necessary qualifications to enable you to perform your role**

- Our people must maintain any necessary qualifications to enable them to perform their role, including practicing certificates and mandatory learning.

**21.3. Obligation of disclosure**

- Our people will immediately disclose any situations they become aware of which may mean they cannot maintain a valid practicing certificate or other professional certification which is a requirement of their position.
- Our people will be supported to disclose any situation that changes their ability to practice.

**21.4. Obligation of compliance**

- Our people must comply with any rules and regulations of any professional body to which they are a member.

**22. Privacy and Confidentiality**

**22.1. Confidential Information**

- Our people will keep work-related confidential information private and confidential. They must not discuss confidential information in a public setting without appropriate delegated authority. They must also only access or disclose private and confidential information in accordance with applicable law.

**22.2. Disclosure of Private Health Information**

- Our people must treat information with care and use it only for proper purposes.
- Our people must not access or disclose private health information except where it is lawful to do so.
- Where there is concern or uncertainty as to what may be disclosed, people are encouraged to speak with their manager of People and Capability.

**22.3. Media Statements**

- Our people must seek and gain approval before sharing information on behalf of Te Whatu Ora and/or engaging in any requests to share internal information. See the Media and Use of Social Media policy.



23. **Conflicts of Interest**

23.1. **Definition**

- A conflict of interest occurs when someone is compromised when their personal interests or obligations conflict with responsibilities of their job or position. Refer to the Conflict of Interest Policy for more information.

23.2. **Acting with Integrity**

- Conflicts of Interest must be disclosed in a timely manner in line with the Conflict of Interest Policy.

23.3. **Acceptance of Gifts or Benefits**

- Our people must not use their official position for personal gain. Our people must not provide, solicit, receive gifts and/or benefits without appropriate delegated authority – see the Sensitive Expenditure Policy and Koha and Gifts/Hospitality Policy.

## Non-Compliance with the Code of Conduct

24. Our people are expected to conduct themselves in accordance with this Code. Failure to meet the minimum standards of behaviour in the code may:

- for employees, result in disciplinary action in line with our Investigations and Disciplinary Policy.
- for independent contractors, failure to meet the minimum standards of behaviour in the Code may result in termination of their contract for services.

25. If any of our people considers that the standards set out in this Code may have been breached by another person, then the matter can be raised with their manager or People and Capability.

## Roles and Responsibilities

26. All our people must:

- abide by the Code of Conduct and other policies and procedures of Te Whatu Ora;
- comply with the Public Service Commission Standards of Integrity and Conduct; and
- act in line with Te Mauri o Rongo – NZ Health Charter.

## Related Policies and Procedures

- Bullying, Harassment and Discrimination Policy
- Diversity and Inclusion Policy
- Privacy Policy
- Investigations and Disciplinary Policy
- Conflict of Interest Policy
- Media and Use of Social Media Policy
- Sensitive Expenditure
- Koha and Gifts/Hospitality Policy

- Public Service Commission Standards of Integrity and Conduct

## Related Legislation

- Employment Relations Act 2000
- Privacy Act 2020
- Public Service Act 2020

OWNER: People and Capability

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