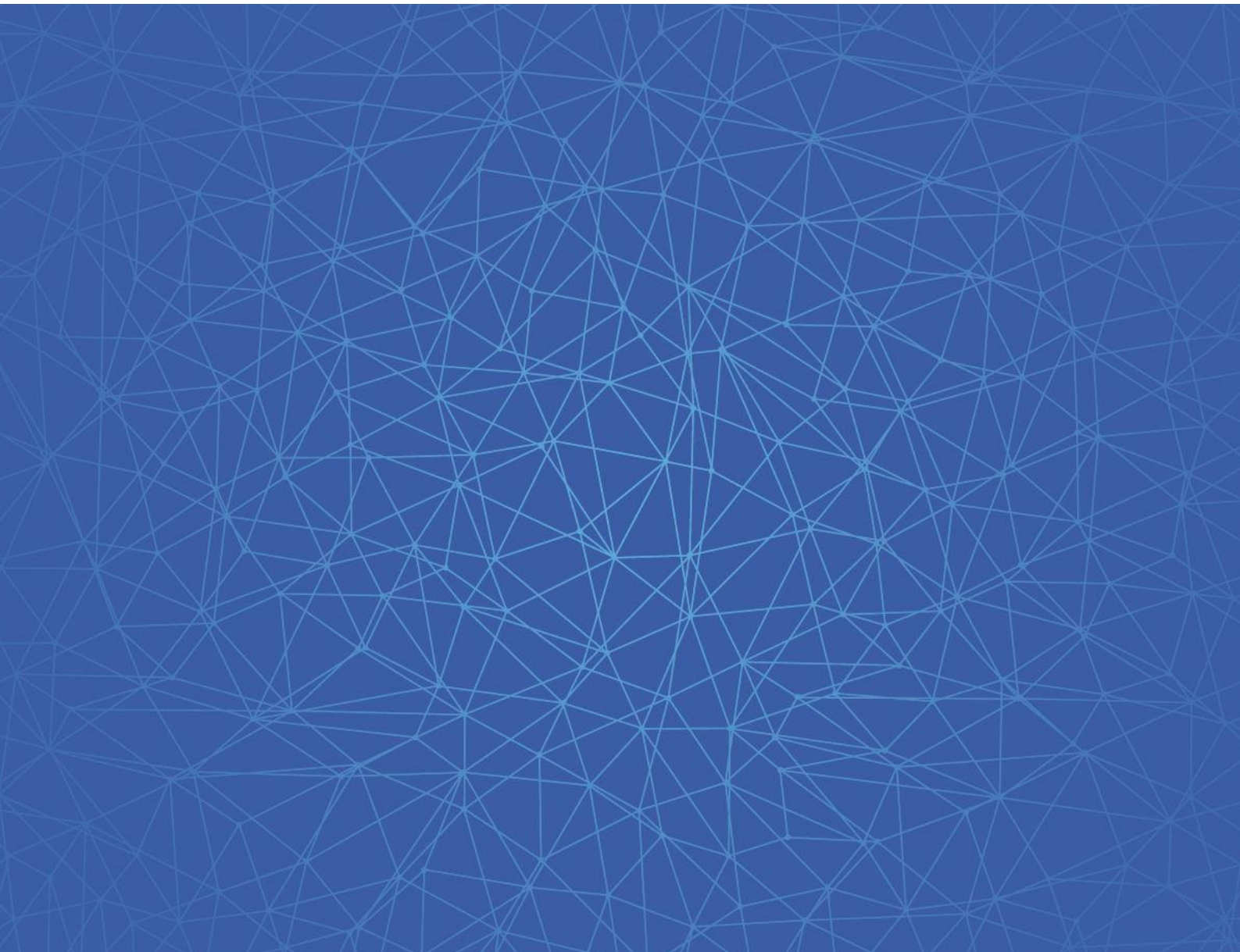




Postgraduate Medical Council
of Western Australia

Code of Conduct



Message from the Chair

The Postgraduate Medical Council of Western Australia (PMCWA) provides leadership and support in early postgraduate medical education and training in Western Australia. PMCWA's vision is for prevocational doctors to be skilled and supported in their work today and well prepared for the future. As the Council is responsible for setting, accrediting and monitoring the standards required of professionals involved in educating the junior medical workforce, it is important that we maintain exemplary conduct.

As medical practitioners we have a professional responsibility to be familiar with and guided by the *Good medical practice: a code of conduct for doctors in Australia (the code)*. We are also guided by the Australian Medical Association's *Code of Ethics*. These codes, however, do not replace the legislation that governs our behaviour and conduct as Ministerial appointees, as we undertake the business of the Council.

This Code of Conduct outlines the fundamental values and the standards of behavior expected of Council and Committee members. Members of Council have both individual and collective responsibilities when undertaking PMCWA business to safeguard and oversee management of the Council.

I encourage members to read and be familiar with this Code of Conduct. Members should be guided by the code in the management and conduct of all Council business. This includes meetings, official Council activities and events where members represent the Council. This code applies to all members of Council, Committee members and members of the Secretariat in their duties supporting the Council. As a Council, we have been appointed by the Minister for Health as experts and representatives of key stakeholders in prevocational medical education and training. As such, it is necessary that we uphold the principles, values and standards which drive our purpose: to provide leadership and support in early postgraduate medical education

A handwritten signature in black ink, appearing to read 'Dr Greg Sweetman', written in a cursive style.

Dr Greg Sweetman
Chair, Postgraduate Medical Council of Western Australia



Values, vision and mission

Vision

Prevocational doctors, skilled and supported in their work today and well prepared for the future.

Principles

The principles that underpin the way Council works and makes decisions are:

Leadership

Council will be well informed and able to provide well considered advice and recommendations on all matters related to postgraduate medical education.

Professionalism

Council will operate in an ethical and professional manner and demonstrate integrity in all its dealings.

Collaboration

Council will be inclusive, consultative and constructive in working with members, partners and stakeholders.

Innovation

Council will encourage and embrace innovation and be open to new ideas.

Proactivity

Council will be forward thinking, respond to issues promptly and show initiative.

Values

The values on which Council will base its business are:

Trust

Council will be reliable, impartial and fair and will maintain confidentiality of information that should remain confidential.

Respect

Council will acknowledge and be considerate of people, their contributions and their backgrounds.

Commitment

Council will be dedicated and enthusiastic in achieving its goals.

Openness

Council will demonstrate responsibility and accountability in its operations and activities.

Council members commit to:

- upholding the principles of the Commissioner's Instruction No. 7 *Code of Ethics* and this Code of Conduct
- taking responsibility for contributing in a constructive and positive way to enhance good governance and Council's reputation.

Personal behaviour

As Council members, we will understand our Council's role and public duties by actively learning and staying informed about:

- the role and purpose of our Council and the statutory, regulatory and policy requirements that apply when carrying out our public duties
- the political and social environment in which our Council operates
- all relevant issues and activities affecting our Council.

As Council members, we will put the public interest first, ahead of our own personal and pecuniary interests, and act with loyalty, in good faith, ethically and with integrity by:

- exercising our powers and discharging our duties in the best interests of Council, of which we are members
- making decisions fairly, impartially and promptly and considering all available information, legislation, policies, procedures and ethical codes
- undertaking an Accountable and Ethical Decision Making training program, if not already done so, to support accountable and ethical decision making
- being accountable and transparent
- doing our job lawfully, with reasonable care and diligence and as efficiently and effectively as possible
- treating members of the public, stakeholders and fellow Council members with respect, courtesy, honesty and fairness; having proper regard for their interests, backgrounds, rights, safety and welfare
- fulfilling our Council's statutory purposes and requirements and, to the extent permitted by Council's constituent legislation, serving the Government of the day

- maintaining and contributing to a harmonious, safe and productive work environment and professional relationships
- understanding the consequences of misconduct and actions that may be taken if we do not comply with this Code of Conduct and associated policies.

As Council members, we will make an active contribution by:

- attending all Council meetings. If we cannot attend, we will submit an apology. If we are likely to miss several consecutive meetings, we may apply for a leave of absence
- participating and working cooperatively with fellow Council members and stakeholders to achieve agreed goals
- diligently preparing for meetings by reading and considering papers circulated with the agenda
- expressing our concerns to the Chair or other relevant authority about consultations, decisions or actions we believe may be contrary to the Council's public duty.

Communication and official information

Use of confidential information

As Council members, we will:

- maintain confidentiality and not divulge information deemed confidential or sensitive, other than as required by law or where proper authorisation is given. If we are unsure, we will seek direction from the Chair
- not make improper use of information obtained in the course of our Council duties, or use for direct or indirect personal or commercial gain, or to do harm to other people or the Council, for example, speculating on shares on the basis of confidential information or disclosing the contents of any official papers to unauthorised persons
- respect confidential information and observe any restrictions agreed by Council (subject to the *Freedom of Information Act 1992* requirements)
- respect the privacy of individuals and the security of personal information
- protect intellectual property
- raise concerns of improper communications or use of information with the Chair, or other relevant authority

- not enter into any contract or arrangement contrary to section 81 of the *Financial Management Act 2006*.

Communication and public comment

As Council members, we will:

- adhere to applicable legal requirements, policies and all other lawful directives regarding communication with Parliament, Ministers, ministerial staff, lobbyists, the media and members of the public
- only make public comment on behalf of Council to the media or outside organisations when authorised to do so
- understand how we may use social media in an official capacity.

Fraudulent or corrupt behaviour

As Council members, we will:

- not engage in any fraudulent or corrupt behaviour
- report any information about actual or potentially fraudulent, corrupt or illegal activities to the Chair or, if necessary, the Corruption and Crime Commission
- report suspected breaches of this Code of Conduct
- abide by our Council's risk management plan, applicable corruption resistance policies and accountability requirements.

Use of Public Resources

As Council members, we will:

- use the resources of the State, funds, employees and equipment effectively and economically, only for Council business
- comply with applicable legislation, whole of government requirements and Council policies when using public resources
- not use public resources for personal financial gain or party political work
- operate equipment and property in accordance with the manufacturer's specifications, maintain it in good condition and store it securely
- report any damage to, or loss of, property or equipment immediately to Council (or other responsible person)

- ensure requests by an external party, such as a charitable organisation, to use Council facilities are referred to Council for approval.

Record keeping and use of information

Documenting decisions

As Council members, we will:

- ensure we follow procedures to accurately document Council decisions, events and transactions
- prepare and retain minutes for all official Council meetings, including recording any dissent.

Security of information

As Council members, we will:

- ensure recorded information under our control, in both paper and electronic form, is kept in a secure place, including when stored on laptops, tablets and USB devices
- be diligent in handling Council records and secure sensitive documents, rather than leaving them out in the workplace, meeting rooms, at home or in vehicles where non-Council members might access them
- avoid discussing Council business in public places where there is a likelihood of being overheard
- dispose of duplicate copies of records and confidential waste in accordance with record keeping and archive procedures.

Amendment or falsification of records

As Council members, we will not:

- falsify, destroy, alter or damage any public record
- back-date information or remove folios from files.

Freedom of information

As Council members, we will:

- comply with the letter and spirit of the *Freedom of Information Act 1992* to assist the public to gain access to documents and to check personal information in documents
- allow prompt access and ensure personal information held is accurate, complete, up to date and not misleading

- record salient facts in documents
- avoid recording inappropriately disparaging remarks and unsubstantiated personal opinions about individuals on official documents.

Conflicts of interest and gifts and benefits

Conflicts of interest

As Council members, we will:

- keep our private commercial or political interests separate from our official Council role
- openly declare, in the first instance to the Chair (or in the case of the Chair him or herself, to the Deputy Chair), matters relating to a private interest that may conflict, or be perceived to conflict, with our public duty
- follow any legislated requirements for managing conflicts as well as management strategies contained in relevant Council policies, such as a conflict of interest policy. This may involve removing ourselves from discussion and decision making on the matter
- ensure Council meeting minutes record any issues of conflict and the steps taken to manage the conflict, so they are transparent and capable of review.

Gifts and benefits

As Council members, we will:

- carefully consider any offers of gifts, benefits or hospitality and ensure any decision to accept is done openly, placed on the record, and is consistent with our code, conflicts of interest or gifts, benefits and hospitality policy where such a policy applies
- not accept gifts, benefits or hospitality:
 - likely to place us under an actual or perceived financial or moral obligation to other organisations or individuals
 - if they could reasonably be seen by the public, knowing the full facts, as intended or likely to cause us to act in a particular way or deviate from our public duty
- maintain a register of all gifts accepted, and ensure these are of token value only

- not demand or accept in connection with our official duties any fee, commission, reward, gratuity or remuneration of any kind which is outside the scope of our entitlements
- not use our public position for personal profit or gain or to cause detriment to others.

Reporting suspected breaches of the Code

As Council members, we will:

- familiarise ourselves with Council's reporting mechanisms
- report suspected breaches of this Code of Conduct.

Breaches of the Code of Conduct

All allegations of breaches of this Code of Conduct will be:

- forwarded in the first instance to the Chair, or other relevant authority (including the Deputy Chair when appropriate)
- responded to in a fair, transparent and consistent manner.

In determining the action to be taken, the nature and seriousness of the breach will be considered.

All allegations of a breach of the Public Sector Commission's *Code of Ethics* or the WA Department of Health's *Code of Conduct* policy will be referred in the first instance to the WA Department of Health's System-wide Integrity Services Unit.

Consequences of a breach may include one or more of the following:

- informal or formal counselling
- performance management processes
- disciplinary action under the *Public Sector Management Act 1994*
- referral to the Public Sector Commission
- referral to the Corruption and Crime Commission
- referral to the police (in cases of suspected criminal offence).

Supporting Legislation

- *Health Legislation Administration Act 1984 (section 11)*
- *Public Sector Management Act 1994*
- *Auditor General Act 2006*
- *Corruption and Crime Commission Act 2003*
- *Disability Services Act 1993*
- *Equal Opportunity Act 1984*
- *Financial Management Act 2006*
- *Freedom of Information Act 1992*
- *Occupational Safety and Health Act 1984*
- *Parliamentary Commissioner Act 1971*
- *Public Interest Disclosure Act 2003*
- *State Records Act 2000*

Supporting Instructions, Circulars and Policies

- *Commissioner's Instruction No. 7 - Code of Ethics*
- *Commissioner's Instruction No. 8 - Codes of conduct and integrity training*
- *Public Sector Commissioner's Circular: 2017-04 Equal employment opportunity management plans and workforce planning in the public sector*
- *Public Sector Commissioner's Circular: 2018-03 Code of practice: Occupational Safety and Health in the Western Australian public sector*
- *Public Sector Commissioner's Circular: 2009-27 Complaints management*
- *Public Sector Commissioner's Circular: 2015-01 Implementation of the Policy Framework for Substantive Equality*
- *Public Sector Commission: Public sector standards in human resource management*
- *Premier's Circular: 2017/08 State Government Boards and Committees*
- *Premier's Circular: 2003/08 State Government Access Guidelines for Information, Services and Facilities*

- Treasurer's Instructions, including Treasurer's Instruction 825 - *Risk Management and Security*
- WA Department of Health - *Code of Conduct* policy (MP0031/16)
- WA Department of Health - *Notifying Misconduct Policy* (MP 0029/16)
- WA Department of Health – *Reporting of Criminal Conduct and Professional Misconduct Policy* (MP0043/16)
- WA Department of Health – *Media Communication Operational Directive* (OD 0113/08)
- WA Department of Health – *Complaints Management Policy Operational Directive* (OD 0589/15)

Version Control

Endorsed by	PMCWA Council
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Custodian	Executive Officer, PMCWA



Postgraduate Medical Council
of Western Australia

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