



East Metropolitan Health Service Board

Code of Conduct
September 2016

EMHS	Board Code of Conduct	
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EMHS Board Code of Conduct

Message from the Board Chair

The Board for the East Metropolitan Health Service is committed to the best care for the community of Western Australia. Our commitment extends to ensuring that the public interest will be put first and that all decisions made can be justified and explained, and that the community has confidence in the ethics, integrity and professional conduct of all staff and Board members.

The Code of Conduct for the Board is vital to articulating the commitment of each member to the personal integrity required to serve the community in their capacity as a Board member.

The Code is underpinned by the minimum standards of conduct and integrity to which all public sector bodies and employees must comply. These standards are expressed in the Board Code of Ethics, outlined in the [Statutory Board Governance Policy – Health Service Provider Boards](#) which includes the following principles:

Personal integrity

We act with care and diligence and make decisions that are honest, fair, impartial, and timely, and consider all relevant information.

Relationships with others

We treat people with respect, courtesy and sensitivity and recognise their interests, rights, safety and welfare.

Accountability

We use the resources of the state in a responsible and accountable manner that ensures the efficient, effective and appropriate use of human, natural, financial and physical resources, property and information.

The Board Code of Conduct reflects the core values evident in the [WA Health Code of Conduct: Collaboration, Openness, Respect and Empowerment](#), which align with the [Public Sector Commission Code of Ethics](#).

Each member of the Board are asked to familiarise themselves with this Code of Conduct and adhere to the provisions in all the work that they do.

Ian Smith
Board Chair
East Metropolitan Health Service



Personal Behaviour

As Board members, we each hold a position of trust. We have a personal responsibility to act ethically, with integrity, to make decisions in the public interest and to ensure appropriate and accountable use of public resources.

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

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

Our assurances to the community and employees of EMHS include that we will act to put the public interest first, ahead of our own personal and pecuniary interests, and in good faith, ethically and with integrity, that we will:

- exercise our powers and discharge our duties in the best interests of the entity of which we are members
- make decisions fairly, impartially and promptly and consider all available information, legislation, policies, procedures and ethical codes
- be accountable and transparent
- do our job lawfully, with reasonable care and diligence and as efficiently and effectively as possible
- treat members of the public, stakeholders and fellow Board members with respect, courtesy, honesty and fairness; having proper regard for their interests, rights, safety and welfare
- fulfil our Board's statutory purposes and requirements and, to the extent permitted by the Board's constituent legislation, serving the Government of the day
- maintain and contribute to a harmonious, safe and productive work environment and professional relationships
- understand the consequences of misconduct and actions that may be taken if we do not comply with the code and associated policies.

We will make an active contribution by:

- attending all Board 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 Board 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 Board's public duty.

Communication and Official Information

As Board members we discuss and have access to sensitive information, including personal information that may not be in the public arena. We have a duty to ensure this information and the matters we discuss are treated with respect and remain confidential to the Board.

The decisions made by the Board should remain strictly confidential, be appropriately documented and meet our obligations to treat all information appropriately and in accordance with relevant legislation and policy.

We must not disclose information acquired in the course of our official duties as Board members, and not use information for personal, commercial or political gain for ourselves or others or to the detriment of others.

As Board 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 Board Chair
- not make improper use of information obtained in the course of our Board duties, or use for direct or indirect personal or commercial gain, or to do harm to other people or the Board, 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 the Board (subject to *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 Board 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



- act in accordance with the [EMHS Media Communications Policy](#). The Board has designated the EMHS Chief Executive or the EMHS Board Chair (where appropriate) to speak to the media on matters associated with the EMHS.

Internal Communications

As Board Members we will comply with the *EMHS Board Communications Protocol* which outlines the arrangements for communications and dealings between the Board and EMHS employees.

Fraudulent or Corrupt Behaviour

Fraud is a dishonest activity that causes actual or potential financial loss to any person or organisation. Corrupt conduct occurs when a person uses or attempts to use their position for personal advantage or to cause detriment to others.

Community confidence in ethical decision making can be lost when fraudulent or corrupt behaviour occurs. Left unchecked, fraudulent and corrupt behaviour can undermine the culture of a public sector body. It can damage the reputation of a public sector body and its employees, as well as the broader public sector. It may also result in an employee being disciplined, dismissed or possibly facing criminal charges.

As Board 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 Board chair or, if necessary, the Corruption and Crime Commission
- report suspected breaches of the code of conduct, either to:
 - the Board Chair
 - the Chief Executive
 - the EMHS Manager Integrity and Ethics

Use of Public Resources

As Board members, we must ensure efficient and effective operations, avoid extravagant and wasteful use of resources, and record processes used when purchasing goods and services.

Public resources include, but are not limited to, credit cards, motor vehicles, computers, software, photocopiers, mobile telephones, laptops and tablets, printers, other office equipment and Board members' time if they are receiving fees for their involvement.

As Board members, we will:

- use the resources of the State, funds, employees and equipment effectively and economically, only for Board business
- comply with applicable legislation, whole of government requirements and Board 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 the EMHS Board Support team.

Incurring expenditure

As Board members, we will:

- ensure that any requests for reimbursement are managed in accordance with relevant policy including but not limited to the Statutory Board Operations Policy and current practices within EMHS and the Public Sector Commissioner circulars
- analyse financial statements and management reports with due care, and ensure we are properly informed about policies and procedures.

Travel and accommodation

As Board members, we will:

- ensure travel and accommodation is for the benefit of EMHS and relates to EMHS Board activities
- ensure appropriate travel applications and approvals are in place prior to travel in accordance with the Approval of Travel and Related Expenditure – Delegations and Authorisations matrix
- ensure we comply with [Premier's Circular: 2014/02 Guidelines for official air travel by Ministers, Parliamentary Secretaries and Government Officers](#).

Providing hospitality

As Board members, we will ensure the responsible and efficient expenditure of public funds related to hospitality, in line with applicable policies and requirements, if we are approving or providing it.

We will ensure that any hospitality provided by the EMHS Board is consistent with the Board's genuine needs and public duty and is in accordance with the Public Sector Commissioner's Circular 2009-18¹ which states that reasonable expenditure, that is not considered excessive, may be incurred:

- To facilitate the conduct of official government business
- To extend hospitality to overseas visitors when the department or agency has an interest in, or obligation towards, facilitating the visit
- To extend hospitality to the diplomatic or consular corps



- To purchase minor gifts of a protocol or public relations nature where presentation of such gifts is in conformity with a department or agency's functions.

Recordkeeping and use of Information

Board members must demonstrate responsible care and ethical behaviour in relation to record keeping and the use of information, in accordance with the *State Records Act 2003*. Government records include correspondence and documents created and received in the course of official Board business.

Demonstrating accountability and transparency involves ensuring that the basis for decisions and the decision making processed applied, can be reviewed, including an individual or authority. This relies upon sound documentation and record keeping practices. The *Freedom of Information Act 1992*, allows members of the public to seek access to public sector body information and documents.

Records obtained by the Board members must be disposed of appropriately in accordance with the relevant General Disposal Authority, in particular items relating to sensitive and confidential matters.

Documenting decisions

As Board members, we will:

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

Security of information

As Board 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 Board records and secure sensitive documents, rather than leaving them out in the workplace, meeting rooms, at home or in vehicles where non-Board members might access them
- avoid discussing Board 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 Board members, we will not:

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



Freedom of information

As Board 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, gifts and benefits

Conflicts of interest

Conflicts of interest may arise for Board Members when there is a conflict between the performance of a public duty and private or personal interests. There is a strong likelihood that Board members will find themselves in a situation that gives rise to a conflict of interest. This will occur when their duty to act independently and/or exercise their judgement ethically and without prejudice may be, or appear to be, compromised by self-interest or a relationship with a third party, given they may have a variety of relationships with members of the community in both their personal and professional capacity.

Conflicts may involve personal, financial or political interests and may be actual, perceived or potential.

As Board Members we will:

- keep our private commercial or political interests separate from our official Board 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 Board policies, such as a conflict of interest policy. This may involve removing ourselves from discussion and decision making on the matter
- ensure the Board 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 Board members, we will:

- declare all gift or benefits offered
- decline or accept the offer, and ensure a transparent record of the offer and the response is made
- ensure that any decision to accept or decline is done openly, placed on the record, and is consistent with the EMHS Code of Conduct, and the Statutory Board Governance Policy – Health Service Providers and the EMHS Board Manual. Any gift offered and accepted and/or declined is to be included on the EMHS Board Gifts Register.



- not accept gifts, benefits or hospitality that:
 - is likely to place us under an actual or perceived financial or moral obligation to other organisations or individual
 - if they could reasonably be seen by the public, lead to an opinion that the acceptance has intended or was likely to cause the Board member or Board to act in a particular manner, or deviate from our public duty
 - is cash, vouchers or gifts easily converted to cash, or gifts from potential contractors or tenderers for the supply of goods or services to the Board or EMHS
- 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

We will ensure that there are established and accessible reporting mechanisms when a breach of the Code is identified.

As Board members, we will:

- familiarise ourselves with the Board's reporting mechanisms
- report suspected breaches of the code of conduct, either to:
 - the Board Chair
 - the Chief Executive
 - the EMHS Manager Integrity and Ethics
- In the event that a Board Member wishes to report the matter external to EMHS, a report can be made directly to the public Sector Commission or the Corruption and Crime Commission.

This document can be made available in alternative formats on request.

East Metropolitan Health Service

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