

Council for Nurses and Midwives

Malta

Code of Ethics and
Standards of Professional Conduct for
Nurses and Midwives

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GLOSSARY

Accountability: being able to give an account of one's judgement, actions and omissions.

Adverse Event: an incident which resulted in or could have resulted in harm.

Advocate: the nurse or midwife should act and support the interest of the patient or client when s/he is unable to do so for himself/herself because of his/her limitations. In advocacy, nurses and midwives have primarily, to understand accurately the patient's wishes and needs.

Competence: the ability to practice safely and effectively fulfilling his/her professional responsibility within their scope of practice.

Co-workers: nurses/midwives, other health and non-health related workers and professionals.

Clinical Governance: a system through which health care organisations are accountable for continuously improving the quality of their services and safeguarding high standards of care by creating an environment in which excellence in clinical care will flourish (1).

Culturally Appropriate: practices that meet and respect cultural needs and differences.

Delegation: The transfer of a task or activity to a competent individual who is trained and certified to carry out that particular task or activity.

Evidence-Based Practice: health care decisions based on the best available evidence and clinical expertise.

Inaction: failure to act in a situation where action is required.

Integrity: upholding the values of the profession and the accepted standards of practice.

Omission: failure to act, especially when there is a moral or legal obligation to do.

Patient: a person who uses health and social care services. In some instances the terms 'client', 'mother' and 'individual' are used in place of the term patient depending on the context.

Personal Health: mental, physical, social and spiritual wellbeing of the nurse/midwife.

Preferential Treatment: the act of being treated better than another patient resulting in having an advantage over another patient.

Responsible Carer: means the person appointed by virtue of article 4 of the Mental Health Act (2).

Research Protocol: a detailed document of the research project including rationale and background information, objectives, methodology, statistical considerations and other support for the project including funds, links and/or collaboration with other researchers or institutions.

Social Justice: the equal access to wealth, health and wellbeing within society.

Therapeutic Relationship: refers to the relationship between a nurse/midwife with their patient and their informal carers which is established to bring beneficial outcomes to the client.

INTRODUCTION

This Code of Ethics and Standards of Professional Conduct for Nurses and Midwives applies to nurses and midwives registered with the Maltese Council for Nurses and Midwives [CNM]. This document together with any other published documents by the CNM provides a framework for professional accountability and responsibility of nursing and midwifery practice in all domains including clinical, management, education and research.

The Code contains a series of statements that taken together promotes good nursing and midwifery practice. These statements put the interests of patients and service users first, are safe and effective, and promotes trust through professionalism. They serve as a reference guide for ethical decisions that arise during practice and inform society about the ethical obligations and professional conduct that is expected from nurses and midwives. The Code also specifies the ethical obligations expected from management, educators and researchers over and above the generic statements.

The document is useful for everyone who cares about what professional nursing and midwifery practice is, including:

- **Patients and service users**, and their immediate carers.
- **Registered nurses and midwives** to promote safe and effective practice in their place of work.
- **Employers and organisations** – for quality and safety purposes.
- **Educators** – to teach nursing and midwifery both at undergraduate and post-graduate level.

The commitment to professional standards is fundamental to being part of the nursing or midwifery profession. Nurses and midwives registered with the CNM must act in line with the Code. Failure to uphold these standards of behaviour could lead to a disciplinary investigation; and in serious cases, this can include removing the professional from the register. The values and principles established in the code are not negotiable or discretionary.

Ethical principles and standards for professional conduct have been grouped into four main values including:

1. Respect towards the Patient.

2. Upholding Professional Responsibilities and Accountability.
3. Respect towards Colleagues.
4. Maintaining Public Trust and Confidence in the Nursing & Midwifery Profession

Each value is accompanied by a principle statement, standards of conduct expected and explanatory notes providing further information about the statements.

The values set in the Code of Ethics and Standards of Professional Conduct acknowledges the uniqueness of every patient. It affirms the professional commitment in treating every individual with respect and dignity, irrespective of age, nationality, gender orientation, political inclination or any other factor. It also acknowledges that nursing and midwifery are independent professions with duties and obligations to fulfil. It also seeks to ensure that no action or omission by members of the professions, within their sphere of responsibility, would be detrimental to the interests, condition, or wellbeing of patient and society at large.

1 RESPECT TOWARDS PATIENT

1.1 Ethical Principles

As members of the professions, nurses and midwives must:

- 1.1.1 Respect the dignity and individuality of patients.
- 1.1.2 Respect the cultural needs and values of patients.
- 1.1.3 Protect the patients' human rights and do not subject patients to any torture, cruelty, or other inhumane or degrading treatment.
- 1.1.4 Respect and preserve patients' dignity at every stage of human life.
- 1.1.5 Respect patients' rights to participate in decisions about their care. Provide support and where appropriate involve the patient, their families and/or significant others in the planning of their care.
- 1.1.6 Within their sphere of responsibilities, ensure that patients are given adequate, correct, and timely information in a culturally sensitive manner enabling them to make a free and informed choice towards the provision of their own care.
- 1.1.7 Respect patient privacy and confidentiality. Access to and disclosure of patients' personal or health information must be only as necessary for providing care.
- 1.1.8 Refuse any gifts, favours, or hospitality from patients which might be construed as attempts to exert influence to obtain preferential treatment.
- 1.1.9 Carry a professional indemnity insurance to ensure that in the event of a justified claim the patient can be adequately compensated as L.N. 84 of 2014 (3).
- 1.1.10 Maintain patient trust by providing safe and competent care.
- 1.1.11 Support the development of risk management processes and a practice environment designed to reduce the incidence and impact of preventable adverse events in health care.
- 1.1.12 Maintain appropriate professional boundaries. Nurses and midwives are advised to refer to the document Professional Boundaries for Nurses and Midwives (4).

1.2 Standards of Professional Conduct

Nurses and midwives must:

- 1.2.1 At all times treat patients as an individual person, respect their rights and act as their advocate in all situations. Respect individual differences that do not discriminate against patients based on religion, gender, sexual orientation, political or other opinion, disability, age or any other factor.
- 1.2.2 Recognise and respect the uniqueness of every patient and adapt the care given according to the patient's biological, psychological, social, emotional and spiritual status and needs.
- 1.2.3 Encourage patients to participate in the planning and delivery of their own care and, with appropriate consent, involve their families and/or other identified person of their trust.
- 1.2.4 Work in partnership with patients to promote their self-care and protect their well-being.
- 1.2.5 Communicate with patients about their care plan and give them information in a manner they can understand. Nurses and midwives must make use of available services to ensure effective communication.
- 1.2.6 Safeguard and protect all information that was obtained in the course of the professional relationship with the patient. The nurse or midwife cannot disclose such information without the obtained consent (preferably written), of the patient. Exemption to this rule exists only where required by law.
- 1.2.7 Ensure that health records are stored securely and only accessed or removed for the purpose of providing care by authorised persons only.
- 1.2.8 Ensure that political, religious, cultural or other beliefs are not imposed on the patient. Nurses and midwives should intervene if they witness other health care members doing this.
- 1.2.9 Ensure that their care is not prejudiced by the belief that the patient's behaviour contributed to his/her condition.
- 1.2.10 Strive to ensure that the care provided does not harm the health or safety of the patients.
- 1.2.11 Respect a patient's wish even when the patient decides not to pursue any health interventions.

1.3 Explanatory Notes

- 1.3.1 Treating the patient as a person is based on the principle of 'respect for the person'. This implies that individuals are recognised as having an autonomous nature, that they are self-determining and self-governing. Nurses and midwives should accept patients as individuals and act as their advocate to ensure that their rights and interests are always protected.
- 1.3.2 Each patient is a unique person having specific problems and needs. For this reason, care should be adapted to the individual's needs. The very ill patient will need more intensive care than the not so ill patient. Patients must be treated in their totality as a person and consideration must be given to their physical, psychological, social, emotional and spiritual needs. Patient centred care will help towards attaining these goals.
- To provide individualised care, nurses and midwives should promote wellbeing, prevent ill health and meet the needs of people during all life stages. Recognise and respond compassionately to the needs of the patients in particular to those who are in the last few days or hours of life.
- 1.3.3 There should be no discrimination whatsoever in the provision of health care amongst patient. All persons should be treated as equal. This principle of equality in health care requires that any differences in treatment or care must be justifiable. The interests and values of the patient are to be respected at all times. When there is a conflict in values and interests, and the nurses/midwives feels that they are unable to discharge their duties in the proper way, they must notify their superior to make the necessary alternative arrangements
- 1.3.4 All relevant human rights legislation, whether national or international applies. This means that nurses and midwives should neither engage nor be complicit in behaviour that goes against human rights. If they become aware of any such behaviour, they are obliged to intervene and report such behaviour.
- 1.3.5 Nurses and midwives must protect and support individuals and to treat them with respect and kindness across the whole lifespan from the unborn phase until death. Nurses and midwives have to make reasonable effort to protect life and health of pregnant women. Moreover, nurses and midwives caring for patients who are terminally ill or dying must ensure comfort, alleviation of suffering, advocate for adequate pain control, and support a dignified and peaceful death. This also includes care of the individual's body after death, taking into consideration the cultural norms and values of the individual and their family. Nurses and midwives must seek the assistance of others

when the patient cultural norms are not well known. The support provided should be extended to the family or the patient's significant others.

- 1.3.6 Care should be planned and delivered to address the patients' needs and when possible with the participation of the patient. This will encourage them to take an active interest in their problem which will eventually lead them to a smoother recovery, or to accept the problem or situation. When the patient so desires, the family or other identified person should also be invited to participate in the planning and delivery of care.
- 1.3.7 Nurses and midwives should, within their sphere of responsibility, give adequate information to the patients in relation to their condition and to treatment options, in terms which they can understand. Patient should be informed about the advantages or disadvantages of any care or form of treatment they have to undergo. The extent of information has to be adapted according to urgency, complexity, nature and how much the individual patient wishes to know. Patients who opt not to be informed about certain things, and who prefer to leave everything in the hands of their responsible carer whom they trust to do the best for them, should have their wishes respected and documented.

There may be occasions when a patient's health status may prevent them from participating in the consent process. In such situations the nurses and midwives shall make use of the relevant legislation such as The Mental Health Act 2012 (2) and any other guiding organisational policies in place to guide their practice.

- 1.3.8 In the caring professions, confidentiality is essential and is protected by section 257 of the Criminal Code (5) which reads as follows:

"If any person who by reason of his calling or profession becomes the depository of any secret confided to him, shall, except when compelled by law to give information to a public authority, disclose such secret, he shall on conviction be liable to a fine (multa)".

Any conviction under this heading may also involve disciplinary action on the part of the Council for Nurses and Midwives.

While the very nature of the illness is confidential the patient is often in a vulnerable position and in trusting the nurse or midwife, may reveal very personal information. The patient's informed and preferably written consent should be sought prior to passing on any confidential information.

Where it is deemed appropriate to share information obtained during professional practice with other health or social work practitioners, the nurse or midwife, before

releasing the information, must ensure that this sharing of information is imparted in strict professional confidence and only when there are circumstances which are of benefit to the patient.

The patients' notes or file should be kept in a safe place and only authorised persons should have access to them.

In carrying out research, anonymity is to be ensured and when this cannot be guaranteed, written informed consent must be obtained.

Midwives are bound by law to notify births as well as puerperal pyrexia in respect of mothers they have attended.

- 1.3.8 Nurses and midwives must not accept a gift if the giver has obvious, or could have hidden, ulterior motives. Nurses and midwives are advised to consult the document 'Professional Boundaries for Nurses and Midwives' (4) for further information.
- 1.3.9 Patients have a right to expect that nurses and midwives hold professional indemnity insurance in case there is a claim of professional negligence against them. In case of nurses and midwives employed in the public sector, they are protected by the government as per L.N. 84 of 2014 whilst those working in the private sector need to ensure that they are either covered by their employer's insurance or they have their own insurance.
- 1.3.10 Risk management is an essential part of clinical governance in the provision of quality of care. Nurses and midwives should support initiatives that actively strive to identify and adequately reduce the likelihood of any kind of incident that may cause harm.
- 1.3.11 Nurses and midwives should maintain appropriate professional boundaries as per document (4).and ensure that their relationships with the patient is always for the benefit of the persons they are caring for. They should recognise the potential vulnerability of the patient and shall not exploit their trust and dependency in a way that may compromise the therapeutic relationship.

2 UPHOLDING PROFESSIONAL RESPONSIBILITIES AND ACCOUNTABILITY.

2.1 Ethical Principles

As members of the professions, nurses and midwives must:

- 2.1.1 Strive to uphold one's personal integrity and that of the nursing and midwifery professions.
- 2.1.2 Be responsible and accountable for all the decisions and actions in one's professional practice.
- 2.1.3 Recognise their responsibility to participate in activities that contribute to the ongoing development of their professions.
- 2.1.4 Work towards securing and maintaining working conditions and an environment that contribute to the attainment of high quality nursing or midwifery care.
- 2.1.5 Be responsible and accountable for their own practice, attitudes, and actions including omissions and inactions.
- 2.1.6 Act independently without coercion within the professional responsibility.
- 2.1.7 Demonstrate professional values such as respectfulness, responsiveness, compassion, trustworthiness and integrity.
- 2.1.8 Maintain personal behaviours that do not impede the ability to provide care.
- 2.1.9 Use all form of spoken, written and digital communication responsibly.

2.2 Standards of Professional Conduct

Nurses and midwives must:

- 2.2.1 Recognise and work within the limits of one's competence and scope of practice.
- 2.2.2 Participate in activities that contribute to the ongoing development of the professional body of knowledge throughout their working lives.
- 2.2.3 Seek to maintain and improve their professional knowledge and competence especially in their field of practice and should take every reasonably opportunity to achieve this knowledge and competence.
- 2.2.4 Update one's professional knowledge and skills by engaging in continuing professional development so that care provided shall be based on evidence-based practice.
- 2.2.5 Be readily accessible to patients and colleagues when on duty.
- 2.2.6 Reflect on one's own practice and evaluate care with colleagues.
- 2.2.7 Maintain clear and accurate records.

- 2.2.8 Abide by the Code of Ethics and Standards of Conduct of Practice and any other standards and guidance as set down by the Council for Nurses and Midwives and the workplace.
- 2.2.9 Maintain a professional boundary between oneself, the patient and significant others involved in the patients care. For further guidance, refer to the document 'Professional Boundaries for Nurses and Midwives' (4).
- 2.2.10 Maintain a high standard of professional and personal behaviour. This is also applicable when using social media and other electronic forms of communication.

2.3 Explanatory Notes

- 2.3.1 Nurses and midwives must be exemplary citizens not only during the execution of their duties, but also in their public lives. They should consider themselves as ambassadors of their profession, as the public will judge nursing and midwifery professions by the behaviour of nurses and midwives.
- 2.3.2 All nurses and midwives should maintain their competence throughout their working life. This implies their commitment to lifelong learning to accompany the nurse/midwife in a dynamic and ever-changing environment. Nurses and midwives must make reasonable attempts to keep themselves up to date, particularly in the area in which they are working.
- 2.3.3 Nurses and midwives must acquaint themselves with the nature of research so that they may understand and appreciate its role in nursing and midwifery and foster a positive attitude in themselves towards it. They can either engage in research themselves, or help their colleagues carrying out research by co-operating with the going research in their area. This can be achieved giving up some of their time to be interviewed or to fill in questionnaires or by assisting with data collection on behalf of their colleagues.
- 2.3.4 Nurses and midwives should take an active interest in all that is related to nursing or midwifery. They should participate actively in as many educational and social nursing and midwifery activities as possible, whether organised by their associations, by nurse/midwife educators, or by their organisation. They should strive to ensure that nursing and midwifery interests are represented on all committees where such interests may be affected and should see their role as including the vigorous representation of nursing and midwifery professional ethics. They could also make their contribution to the development of nursing and midwifery by sharing their knowledge, ideas, and opinion through their journals, newsletters, conferences, seminars and other platforms. Since many public issues include health as a major component, involvement in civic activities, particularly those that address

health care, may afford nurses and midwives the opportunity to further the objectives of nursing and midwifery as well as to fulfil their duties as citizens.

Nurses and midwives' associations or representatives also have a role in representing the interests and perspectives of their professions before other bodies, including legislators, employers, the professional organisations of other health disciplines, and the public media of communication.

2.3.5 Nurses and midwives provide the largest portion of patient care needs. They are instrumental in understanding the complexity of the care environment and assist in the development of strategies to improve and ensure the provision of high quality care. Improvement can be achieved through a system of continuous improvement and the adoption of clinical governance. This can be achieved through, for example, reporting of near misses or incidents to carry out a root cause analysis.

2.3.6 Nurses and midwives must recognise that they are accountable for the decision and actions they make about patient care. They also need to be responsible for ensuring that they are competent to provide the care they are assigned. When aspects of care are beyond their level of competence nurses and midwives must seek additional information or knowledge, help from their superiors or a competent practitioner and/or request a different work assignment until they gain the necessary competence.

To function effectively nurses and midwives must be knowledgeable about the Code of Ethics and Standards of Professional Conduct for Nurses and Midwives, the Professional Scope of Practice, local legislations and other professional regulatory documents as well as employing organisation's policies and procedures.

2.3.7 Nurses and midwives should not be coerced to carry out any duties beyond their professional scope of practice. If nurses and midwives receive any kind of pressure, it should be reported to the Council for Nurses and Midwives.

2.3.8 Nurses and midwives should be honest, sincere, and trustworthy and must act with integrity. These values are part of what characterise professionalism. Patients should be able to trust the professions and not fear betrayal.

2.3.9 Nurses and midwives should ensure that their mental, physical, social and spiritual wellbeing are in good form. Any deviation in health that may compromise their work and the provision of care should be discussed with their superiors to identify the best way forward until recovery of health is achieved.

2.3.10 Nurses and midwives must ensure that any form of electronic communication is compatible with the Code of ethics and professional regulations. They are advised to refer to the Nurses and Midwifery Guide to Social Media (6) document when using social media applications.

3 RESPECT TOWARDS COLLEAGUES

3.1 Ethical Principles

As members of the professions, nurses and midwives must:

- 3.1.1 Respect knowledge, experience, expertise and insights of other colleagues.
- 3.1.2 Respect colleagues irrespective of age, nationality, gender, religious beliefs, sexual orientation, and political inclination and work with them in a professional, collaborative and co-operative manner within the scope of practice.
- 3.1.3 Take every opportunity to pass on their skills and knowledge to colleagues, junior staff and students and be responsible for the professional behaviour of those under their charge.
- 3.1.4 Be bound to report any wilful malpractice and / or professional incompetence to the appropriate authorities as well as any circumstance where it appears that the health and safety of colleagues is at risk and may compromise standards of good practice and care.
- 3.1.5 Maintain a safe working environment, which does not pose any additional risk to colleagues.
- 3.1.6 Recognise their role in delegating care appropriately and in providing the necessary supervision.

3.2 Standards of Professional Conduct

Nurses and midwives must:

- 3.2.1 Ask for advice and assistance from colleagues especially when care may be compromised by lack of knowledge or skill.
- 3.2.2 Work together to resolve any differences in a constructive way.
- 3.2.3 Refrain from passing criticism or malicious comments about colleagues which may undermine the patient's trust in them.
- 3.2.4 Co-operate with other members of the health care team for the optimal delivery of care; nurses and midwives should accept and value the diversity of co-workers and acknowledge the need for non-discriminatory interpersonal and interprofessional relationships.
- 3.2.5 Communicate clearly, effectively, respectfully and promptly with other colleagues in particular handing over.
- 3.2.6 Ensure appropriate communication (both verbal and written) within a legal and ethical framework. This includes the appropriate use of information technology and social media. Refer to the document Nurses and Midwives Guide to Social Media (6) for further guidance.

- 3.2.7 Support, supervise and teach nurses and other members of the health care team including students who are inexperienced.
- 3.2.8 Intervene to stop unsafe, incompetent, unethical or unlawful practice.
- 3.2.9 Work with colleagues and respective organisation to monitor the quality of the work provided and maintain safety of those under their care.
- 3.2.10 Provide constructive feedback to colleagues.
- 3.2.11 Ensure appropriate delegation of tasks as per Scope of Practice.

3.3 Explanatory Notes

- 3.3.1 Nurses and midwives work within teams and should respect the skills, expertise and contributions from all colleagues. They are responsible to resolve any conflict in a mature and sensitive manner.
- 3.3.2 Optimal patient care can only be achieved when; the patient's needs are kept as the main focus, all health care workers trust and respect each other, and value each other's contributions. Nurses and midwives should strive to build excellent working relationships amongst themselves and with other categories of health care workers, both on a one-to-one basis and collectively through their associations.
- 3.3.3 Nurses and midwives should be ever ready to share their knowledge, competence, experience and resources with others, particularly with junior staff. Nurses and midwifery administrators and educators are morally obliged to provide timely and accurate feedback to nurses, midwives, and their supervisors, student nurses and student midwives and their teachers/mentors.
- 3.3.4 Nurses and midwives are obliged to represent the ethics of their profession before colleagues and others, and they should also help each other maintain the ethical principles outlined in this Code of Ethics. If they see a colleague who breaches these principles, they are duty bound first of all to make them aware of the ethical implications of their actions. They should also offer this person their help and support in order that a change in behaviour may be achieved. However, if a person refuses help, or if a person deliberately behaves in such a way that is against the principles of this Code of Ethics, nurses and midwives are morally obliged to report that person in order to protect the interests of patients, and those of the profession.
- 3.3.5 Nurses and midwives are reminded that when they delegate they are still accountable for that task. This entails that nurses and midwives must assess the appropriateness of the delegation and that the person to whom the task is delegated is trained and competent to undertake the

task. They should also ensure that the task falls within the individual scope of practice and evaluate the outcomes at the end of the delegation process.

4 MAINTAINING PUBLIC TRUST AND CONFIDENCE

4.1 Ethical Principles

As members of the professions, nurses and midwives must:

- 4.1.1 Act lawfully whether those laws relate to the professional practice or personal life.
- 4.1.2 Recognise their responsibility to clarify, secure, and sustain ethical nursing and midwifery conduct.
- 4.1.3 Retain a commitment for patient wellbeing in all professional settings, including education, research, and administration.
- 4.1.4 Promote patient safety and wellbeing in all circumstances.
- 4.1.5 Share with other citizens the responsibility for initiating and supporting actions designed to maintain and improve the health and social needs of the public.
- 4.1.6 Ensure that their professional status is not used in the promotion of commercial products or services. Nurses and midwives shall also ensure that their professional judgement is not influenced by any commercial consideration.
- 4.1.7 Advocate for equity and social justice in resource allocation, access to health care and other social and economic services.
- 4.1.8 Ensure economical effectiveness and appropriate management of healthcare resources based on evidence-based practice.

4.2 Standards of Professional Conduct

Nurses and midwives must:

- 4.2.1 Bear an obligation to behave in such a way as to maintain public trust and confidence in nurses and midwives and the professions they represent at all times.
- 4.2.2 Demonstrate a personal commitment to equality and diversity.
- 4.2.3 Be kind and compassionate in their practice.
- 4.2.4 Respect the property and resources belonging to patients, colleagues and organisations.
- 4.2.5 Document and report one's concerns according to established policies if the work environment is compromising the health and safety of the workers and patient.
- 4.2.6 Report to their superiors or regulatory authority if they believe that the health, professional competence or conduct of a colleague will compromise public safety or bring the profession into disrepute.

- 4.2.7 Ensure that any use of substances or medicinals are not compromising nursing or midwifery practice.
- 4.2.8 Participate in research in accordance with recognised guidelines.
- 4.2.9 Ensure a professional image which projects competency, inspires confidence and communicates respect to patients/clients, coworkers and the public.
- 4.2.10 Maintain their personal health and well-being responsibly. Seek assistance and inform their superiors as appropriate if their health threatens the ability to practise safely.
- 4.2.11 Do not misuse their professional position to promote or sell products or services for personal gain.
- 4.2.12 Act in ways that cannot be interpreted as, or do not result in, their gaining personal benefit from their position in nursing or midwifery.
- 4.2.13 Refrain from accepting gifts, favours or hospitality as it may compromise the professional relationship with the patient under one's care. Nurses and midwives are advised to refer to the document 'Professional Boundaries for Nurses and Midwives' (4).
- 4.2.14 Refrain from accepting power of attorney responsibilities for patient under their care to make legal and financial decisions on their behalf.
- 4.2.15 Do not engage in sexual, intimate behaviour or a personal relationship with patients, their families and/or their significant others during the course of their care.
- 4.2.16 Actively participate in good clinical governance to ensure safe and optimal care.
- 4.2.17 Use healthcare resources effectively at one's work setting.

4.3 Explanatory Notes

- 4.3.1 People and society trust nurses and midwives with their health and well-being. It is implicit that nurses and midwives reciprocate back by always acting legally and in an ethically correct way.
- 4.3.2 Whenever a course of action will affect patients, their welfare must always be the uppermost priority whether the action is the result of management, the educational system or research.

The conduct of research must conform to bioethical nursing /midwifery practice. When patients or their notes are to be used as teaching or assessing resources, they must be used with great sensitivity. Management must ensure that although its decisions often only affect patients in groups, it must at all times consider the impact of its decisions upon the patients as individuals.

In these contexts, the self-direction of patients takes on added importance. Above all, prior informed consent is required for participation in research or teaching, and all reasonable precautions should be taken to ensure that patients come to no harm.

- 4.3.3 Working conditions should contribute to high standards of care and to professional satisfaction. Nurses and midwives should work towards securing and maintaining working conditions and environments that satisfy these inter-related goals.

Nurses and midwives should consider how they can contribute to improving staffing levels, to obtain adequate supplies and equipment, to make the best use of available resources, and to maintain high standards of hygiene. Nurses and midwives should resist the introduction of roster or any other professional issues which may result in a lowering of standards of care. They should also strive to have the worth of their work appreciated and adequately remunerated.

- 4.3.4 The close interaction with the patients, families and communities provides nurses and midwives with valuable knowledge of health needs within the society. Hence, nurses and midwives are well positioned to provide advice and support actions designed to address these health care needs.

- 4.3.5 Nurses and midwives must ensure that their professional status is not used to advertise commercial products or services. They should, moreover, declare any financial or other interests in relevant organisations providing such goods or services, and ensure that their professional judgement is not influenced by any commercial considerations such as commission, and gifts.

- 4.3.6 Nurses and midwives must advocate for accessible health care services to be provided when needed, and considers and takes actions to address social injustice whenever it arises. Nurses and midwives should pay attention to the social determinants of health and ensure that patients are not discriminated or suffer social injustice as a result of their background or social status. Nurses and midwives can act individually or collectively to ensure that actions are being taken to reduce social inequalities in order to achieve health for all at policy level.

- 4.3.7 Nurses and midwives must make best use of available resources to improve efficiency and reduce waste. Nurses and midwives must also make judicious use of supplies and use the right products to ensure cost-effective care.

ETHICAL OBLIGATIONS FOR NURSE/MIDWIFERY MANAGERS

This section covers the role and responsibilities of nursing and midwifery managers in ensuring that the principles stated in this document are adhered to. Individual practitioners are responsible for their actions and obliged to adhere to the principles of the Code of ethics and Standards of Professional Conduct however nursing and midwifery management also play a strategic role in the actual fulfilment of these obligations.

Management must assist and support nurses and midwives to integrate high ethical standards of care and core values in everyday practice. One of the primary aims is to protect patient interests and safety and ensure the delivery of high quality care. Management should provide opportunities for nurses and midwives to reach their professional competence. These range from ensuring correct staffing levels in order to provide space whereby nurses and midwives can attend for in-house training, lobby and/or organise professional development activities based on specific needs assessment. They must also work towards developing and maintaining an organisational culture which strives towards the upholding ethical standards and continuous professional development.

Managers have a responsibility to take care of their staff and provide the necessary support and guidance to tackle ethical dilemmas. They have a responsibility towards empowering staff nurses and midwives to act as advocates to minimise the risk of moral distress caused by feelings of powerlessness with regards to patient safety and well-being. They should encourage and assist in the development and attendance of ethical training.

The manager position is often faced with a barrage of decisions which requires substantial ethical fortitude from the individual to maintain and ensure that the safety and quality of care is not compromised. This is achieved if the managers themselves ensure that they keep abreast with ethical and leadership management throughout their position. This can also be achieved through individual or group reflective practice. The aim of these updates is to provide managers with a chance to explore various viewpoints and develop further their moral decision making skills.

ETHICAL OBLIGATIONS FOR NURSE/MIDWIFERY EDUCATORS

The ethical obligations of educators cannot be undermined. Nursing and midwifery educators, in particular those in charge of undergraduate training, are responsible to educate students on the values, principles and standards presented in this document so that from an early stage they appreciate the ethical implications that the profession holds. Educators are encouraged to create an environment that embraces and supports on-going professional growth and competence. They should foster an inquisitive approach to education in order to instil a culture of innovation and creativity within their students. This will help students question the status quo and adopt evidence-based practice to improve and provide quality care. This entails that the educators themselves also engage in professional lifelong learning.

Nursing and midwifery educators can enhance professional integrity with the students. This can be achieved by encouraging and modelling professional behaviours that demonstrate honesty, respect for self and others, accountability and self-growth. There should be a push towards teamwork and teambuilding throughout the training in order to increase the confidence in colleagues and in their patients. They have a responsibility to empower students to safeguard the patient, family and society when they are endangered by health care professionals. Students should also be taught the importance of formulating and taking decisions based on ethical principles.

Students are the future generations of the professions. Educators are responsible to sensitise students to the importance of setting up of professional standards and research which will help in the advancement of the nursing and midwifery profession. They are also responsible to ensure that the quality of nursing and midwifery training is continually reviewed and revised to reflect latest guidelines and standards.

ETHICAL OBLIGATIONS FOR NURSE/MIDWIFERY RESEARCHERS

This section is intended for nurses and midwives who are:

- Lead researchers of research projects;
 - Involved in research as research assistants such as collecting or inputting data for a research team;
- Responsible for patients participating in research;
- Involved in interpreting and using research as a basis for their practice; and
- Educators responsible for teaching and supervising research projects.

Research helps to guide practice and improve the health and wellbeing of patients through the application of evidence-based practice. This document stipulates that nurses and midwives have a commitment to research through clause 4.8 whereby evidence based practice is elicited. Nurses and midwives must ensure that the following ethical obligations are adhered to prior to conducting the research.

The ethical principles that govern nurses and midwives practice also apply to ethical principles for research. These include the respect of person, justice and beneficence. These principles have already been addressed in the previous sections of this document. The aim of this section is to highlight ethical considerations that should be kept in mind by nursing and midwifery researchers when conducting or participating in research. These considerations include obtaining permission from the relevant research ethics committee, informed consent, confidentiality and vulnerability.

The concerned research ethics committee must approve the research protocol. The role of research ethics committees is to scrutinise the protocol to ensure that the proposed research protects the rights and safety of the study participants. This is particularly important since some participants in nursing and midwifery research are potentially vulnerable and may have an increased risk of incurring additional harm. Such participants include children, certain groups of adults such as unconscious patients, terminally ill, some elderly people and those with mental health needs. These groups should only be chosen if they are to benefit from the knowledge, practices or interventions that result from the research findings (7).

Another important consideration is informed consent. Researchers must ensure that participants are provided with adequate information about the study aim, methodology, possible conflict of interest, funding, inconveniences and demands on them, anticipated benefits and

potential risks of the study prior to seeking the participants' potential voluntary informed consent. Participants need to be informed about their right to refuse or withdraw from the study at any time if they change their mind. They should also be informed that irrelevant of their reply their care will not be compromised in anyway.

The same ethical considerations must be upheld when patient records are used in research. In addition to the ethical obligations, the researchers must also ensure that they adhere to the institutional policy regarding medical records, and the relevant data protection legislation.

Nurses and midwives participating in clinical trials need to be aware of the potential risks and benefits of patients to ensure that participants are protected at all times. Nurses and midwives must also be aware that clinical trials are regulated by the Clinical Trial Regulations (Subsidiary Legislation 458.43) (8) implementing the European Clinical Trial Directive 2001/20/EC and should ensure that the trial adheres to the requirements stipulated by these regulations.

CONCLUSION

Nurses and midwives' professional regulators, organisations and representatives must take it upon themselves to ensure that nursing and midwifery care professions are carried out within a framework of correct ethical conduct. They will need to set up the necessary structure to monitor the Code of Ethics and its implications on their members, and to interpret the code.

The Council for Nurses and Midwives may call for reconsideration and adaptation of this Code. Supplementation of the code may also be necessary in order to address special situations as they arise.

Professional associations and representatives should consider the ethics of nursing and midwifery on a regular and continuing basis and be prepared to help those concerned with its implementation.

Education in the ethical aspects of nursing and midwifery should be available to nurses and midwives throughout their careers. The Council for Nurses and Midwives should actively support or develop structures designed towards this end.

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