

SOUTH AFRICAN NURSING COUNCIL

ETHICS AND PROFESSIONAL MISCONDUCT

Presented by: Mr B. Grobler
Manager: Legal Affairs
South African Nursing Council (SANC)



Points for discussion

- Introduction
- Ethics ?
- Code of Ethics
- Noncompliance

Role and purpose of the SANC

Objects of Council

- (a) serve and protect the public in matters involving health services generally and nursing services in particular;
- (b) perform its functions in the best interests of the public ...
- (c) promote the provision of nursing services to the inhabitants of the Republic that complies with universal norms and values;
- (d) establish, improve, control conditions, standards and quality of nursing education and training ...

Role and purpose of the SANC (cont)

- (e) maintain professional conduct and practice standards for practitioners...
- **(i) uphold and maintain professional and ethical standards within nursing**

The SANC MUST Section 4(1)

- ...enter, remove from or restore to the register the name of a person
- (c) conduct examinations...
- **(f) ensure that persons registered in terms of this Act behave towards users of health services in a manner that respects their constitutional rights to human dignity, bodily and psychological integrity and equality, and that disciplinary action is taken against persons who fail to do so;**
- **take appropriate disciplinary action against such persons ...to protect the interests of the public;**

ETHICS

What is ethics ?

- Moral principles that govern a persons behaviour...
- The branch of knowledge that deals with moral principals...
- Rules of behaviour based on ideas about what is morally good and bad

Code of Ethics

- Ethics is an integral part of the nursing profession and forms the foundation thereof.
- This Code of Ethics also serves as a declaration by nurses that they will always provide due care to the public and healthcare consumers to the best of their ability
- The Code of Ethics does not only provide guidance to nurses in the process of their ethical decision-making, but is a binding document the content of which must be complied with
- As the Code is premised on the principles of respect for life, human dignity and the rights of other persons

Code of Ethics (cont)

Purpose

- This Code of Ethics is the foundation of ethical decision-making and is aimed at informing Nursing Practitioners and the public of the following ethical and moral principles applicable to Nurse Practitioners in the performance of their duties.
- identifying ethical values and principles that form the foundation for professional conduct;
- providing the framework for reflection on the influence of ethical values on the behaviour and interaction between nurses and the public...

Code of Ethics (cont)

- providing the framework for ethical decision-making for practice;
- indicating to the public, stakeholders and healthcare users the standards and ethical values they can expect nurses to uphold; and
- providing guidance to professional conduct or ethical committees regarding decisions relating to unethical behaviour.
- As professionals, Nursing Practitioners will be personally accountable for all actions and omissions while carrying out their responsibilities in their profession and must always be able to justify all decisions taken and carried out.

Code of Ethics (cont)

Ethical Principals

- Inherent in ethical decision-making is the application of ethical values and principles in difficult and conflicting situations that nurses may face in specific circumstances during the practice of their profession. Nurses are at all times expected to observe and apply fundamental ethical principles in their interaction with healthcare users
- Justice
- Non-maleficence (avoiding the causation of harm)
- Beneficence (balancing the benefits of treatment against the risks and costs involved)
- Veracity
- Fidelity
- Altruism
- Autonomy
- Caring

Code of Ethics (cont)

Values

- Code is based on the belief that nurses value human life;
- respect, dignity and kindness for oneself and others;
- the uniqueness of individual healthcare users and also acknowledge the diversity of people in their care;
- the right to access to quality nursing and healthcare for all;
- the provision of accurate and truthful information in accordance with informed consent or refusal of treatment to enable individuals to make informed decisions in respect of matters affecting their health;

Code of Ethics (cont)

- integrity of persons in their care as well as the image of the profession;
- confidentiality and privacy of personal information and belongings of healthcare users; and
- a culture of safety and an ethically-friendly environment, which includes the protection of healthcare users from colleagues who may be unfit to practice due to impairment or disability, posing a threat to the health and wellbeing of healthcare users.

Code of Ethics (cont)

Dilemmas

- Termination of pregnancy;
- trading of products of conception and other human parts;
- participation in and/or conducting clinical research;
- providing healthcare and specifically nursing care to vulnerable, stigmatised and marginalised persons;
- conscientious objection, meaning entitlement to consciously refuse to participate in activities and treatment that nurses believe, on religious or moral grounds, are unacceptable and/or questionable, ethically, morally and legally;
- situations of conflicting values (diverse cultures, sexual orientation, etc.);

Code of Ethics (cont)

- conflicts between individual, social and professional values;
- participating in moonlighting activities and in so doing, compromising the nurse's ability to provide quality care;
- euthanasia;
- intimidation and violent acts in the workplace; and
- participating during strikes and boycotts and in so doing, compromising quality nursing care.

The nature of ethical dilemmas is often complex and controversial.

Noncompliance

APPLICATION AND SANCTIONS

- Practitioners must refer to the relevant legislative frameworks, standards for practice, competency framework as well as the scope of practice of the profession.
- The Code is binding upon all practitioners and is enforced by the Professional Conduct Committee which Committee hears matters where unprofessional conduct arises from
 - poor ethical decision-making or
 - the lack of good ethical decision-making.
- Failure to adhere to the provisions of the Code or violations thereof, attracts the same sanctions as those of non-adherence to the regulations/rules regarding acts and omissions and may bring the Nursing Practitioner's fitness to practice into question and endanger his/her registration to practice.

Closure

Have a passion for nursing!

**Respect yourself and your profession,
in order to protect your profession and
for others to respect you and your
profession!**

😊Thank – you😊