

1 August 2014

Dear practitioner

## Consultation on a proposed Standards Framework for Oral Health Practitioners

Council has the statutory responsibility of setting standards of clinical competence, cultural competence and ethical conduct to be observed by oral health practitioners. All standards set by Council are mandatory.

As an oral health practitioner, it is essential that you understand what is expected of you professionally, and the standards you must comply with.

Council has developed a new proposed *Standards Framework for Oral Health Practitioners*. The Standards Framework sets out the ethical principles, professional standards and practice standards. Collectively, the standards define the ethical conduct, and clinical and cultural competence expected of all registered oral health practitioners.

Council's current codes of practice and statements will be rebranded as Practice Standards when the Standards Framework comes into effect. The content of the existing Council codes of practice and statements will not change at this point in time, but may change in the future, following consultation.

In addition, the Council Statement – *Principles of Ethical Conduct for Oral Health Practitioners* will be repealed once the Standards Framework is adopted.

### Consultation Questions

Stakeholders are invited to comment on the proposed Standards Framework by responding to the following questions:

- Q1. Does the proposed Standards Framework cause concern? Why?
- Q2. Do any elements of the proposed Standards Framework require clarification or further guidance? Please explain.
- Q3. In your opinion, is anything essential missing from the proposed Standards Framework?

In accordance with Council's *Guidelines on Consultation*, the consultation document has been sent to all practitioners, relevant associations and societies, the Ministry of Health, District Health Boards, educational institutions and other organisations with an interest in this area. The objective of the consultation is to gather views from the sector to inform Council's decision on the proposed Standards Framework. The consultation document will also be published on Council's website, with a similar invitation to comment.

Council seeks any comments on the proposal by the close of business on **3 October 2014**.

Responses should be sent to:

Dental Council

PO Box 10-448

Wellington 6143

Fax: 04 499 1668

Email: [consultations@dcnz.org.nz](mailto:consultations@dcnz.org.nz)

Yours sincerely

A handwritten signature in black ink, appearing to read 'Marie Warner', written in a cursive style.

Marie Warner  
Chief Executive

# Consultation Document Standards Framework for oral health practitioners

Issued: 1 August 2014

Submission closing date: 3 October 2014

# Standards for oral health practitioners

## 1.0 Introduction

The Dental Council ('Council') must protect the health and safety of the public by providing mechanisms to ensure that registered oral health practitioners are competent and fit to practise their professions.

Section 118 of the Health Practitioners Competence Assurance Act 2003 (the 'Act'), sets out the functions that Council is required to carry out. Section 118(i) provides that Council must "...set standards of clinical competence, cultural competence, and ethical conduct to be observed by health practitioners of the profession".

Following the implementation of the Act, Council set these standards, which are contained in the codes of practice and Council statements.

Various professional bodies have their own codes of practice, or standards that members must meet for the purpose of membership, or to achieve honorary levels of memberships. Often these standards are focused on achieving excellence in practice, and these play an important and specific role in all professions.

However, the standards set by Council are the **only mandatory standards** that all Dental Council registered oral health practitioners must comply with.

## 2.0 Background

Historically, the New Zealand Dental Association (NZDA) developed the codes of practice; these were regarded as the professional standards for dentists and dental specialists. At the time when the Act was implemented, NZDA kindly offered these codes of practice to Council. These were amended where required, and adopted by Council for dentists and dental specialists.

These documents were subsequently adapted to establish codes of practice for dental therapists, dental hygienists, orthodontic auxiliaries, clinical dental technicians and dental technicians.

## 3.0 Review of Standards

As an oral health practitioner, it is essential that you understand:

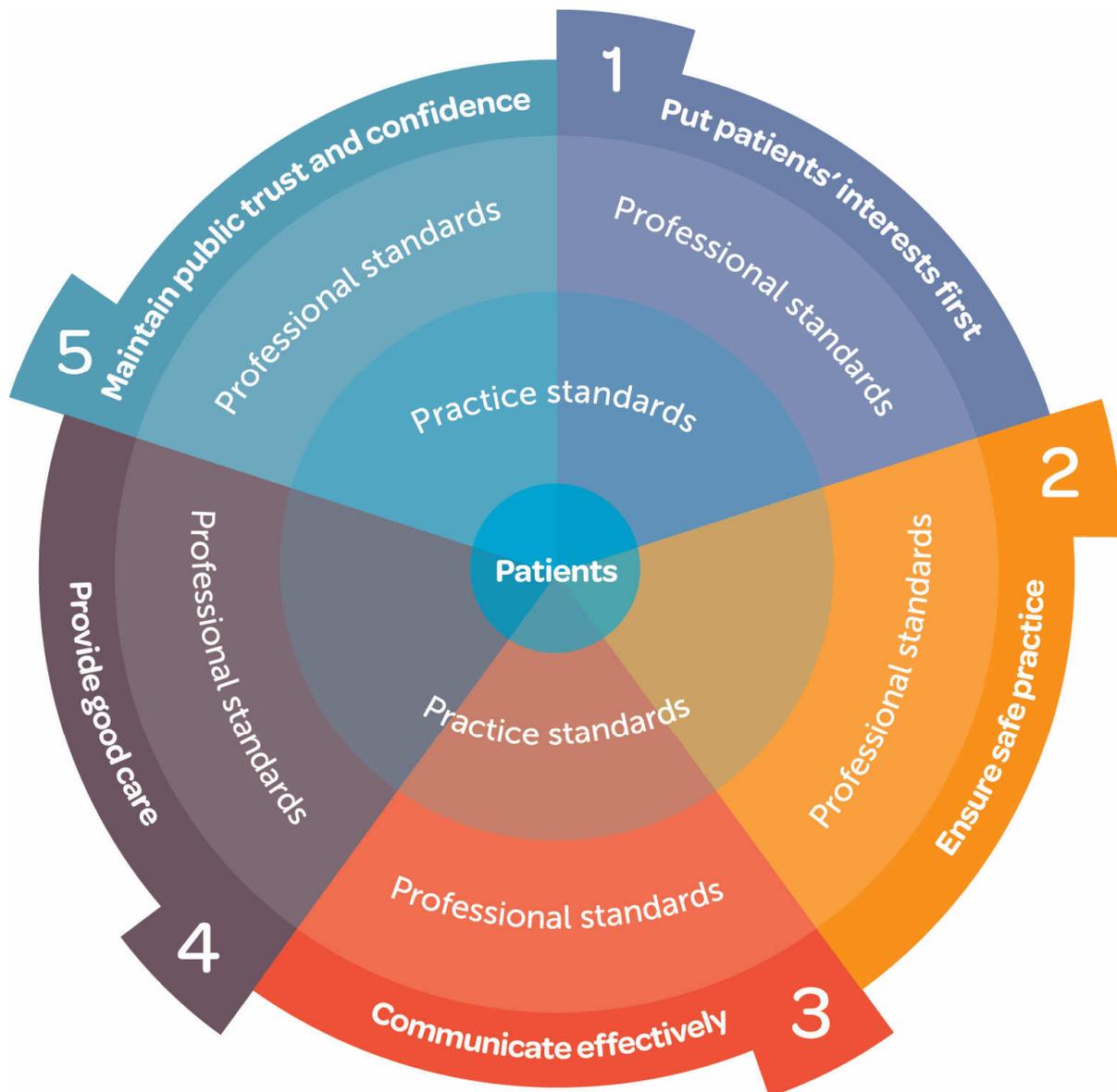
- what is expected of you professionally,
- the standards you must comply with.

Codes of practice audits and industry feedback have revealed that many practitioners have a poor understanding of their obligation to meet minimum standards. A number of factors could be responsible for this, including:

- the primary ethical principles becoming lost in the detailed prescriptive nature of the codes of practice
- the absence of a strong link between Council's ethical principles, contained in its ethical statement, and the codes of practice
- a lack of defined professional standards supporting the ethical principles
- reported confusion regarding the deciphering of minimum standards from best practice
- the standing of professional bodies' codes of practice against Council's standards.

Council's response has been the formulation of a *Standards Framework* which sets the ethical principles, professional standards and practice standards (Attachment 1). Collectively, the standards define the ethical conduct, and clinical and cultural competence expected of all oral health practitioners.

The following diagram provides an overview of how the components fit together to shape the *Standards Framework* for oral health practitioners.



## 4.0 Understanding the standards

There are three components to the *Standards Framework* for oral health practitioners:

- Ethical principles
- Professional standards
- Practice standards.

### 4.1 Core ethical principles

There are five ethical principles that registered oral health practitioners must adhere to at all times. As a practitioner registered with Council, you **must**:

- Put patients' interests first
- Ensure safe practice
- Communicate effectively
- Provide good care
- Maintain public trust and confidence.

Note that: the principles are not listed in any order of priority, as they all have equal importance.

### 4.2 Professional standards

Each of the ethical principles is supported by a number of professional standards. These set out what you **must** do. They articulate Council's expectations of practitioner conduct with regard to ethics, clinical and cultural competence.

To assist practitioners' understanding of the professional standards, **guidance** is provided, to help interpret the standards. The guidance is not intended to provide specific advice on every possible application of the standards, but rather a general interpretation of the professional standards by way of explanation or example.

Throughout the guidance the term "must" is used where compliance is mandatory, where "should" used in the guidance is a strong recommendation.

### 4.3 Practice standards (Codes of practice & Council statements)

Practice standards are Council's existing codes of practice and Council statements. Practice standards relate to specific areas of practice and provide the necessary detail to enable practitioners to achieve the minimum standards of ethical conduct, clinical and cultural competence.

Included in the Practice Standards are Council's clinical competencies for all scopes of practice, these represent the standards of clinical competence for registered oral health practitioners.

A review of Council's codes of practice and statements is currently underway. The priorities of review are determined on a Council risk assessment and work is scheduled accordingly. Proposed changes to these standards will be consulted on with all practitioners at each review phase.

The Practice Standards will continue to be detailed in separate documents, but an integral part of the Standards Framework.

## 5.0 Implications for Practitioners

Council has the statutory responsibility of setting standards of clinical competence, cultural competence and ethical conduct to be observed by oral health practitioners. This means that all standards set by Council are **mandatory**.

All oral health practitioners are required to declare that they comply with the minimum standards, when they renew their practising certificates each year.

Compliance with the Standards Framework requires practitioners to use their professional judgement and demonstrate insight at all times; and be able to justify any decision contrary to the standards.

Failure to comply with the standards could result in Dental Council involvement and may impact on the practitioner's continuing practise of their profession.

This document has a number of audiences:-

- Dental Council – will measure your performance against the standards
- Tribunal and Courts – when considering disciplinary matters will measure your conduct against the standards
- Patients – will use the standards to determine what they can expect or should have received from their oral health practitioner
- Public – the standards set expectations of what can be expected from oral health professionals.

Council's current codes of practice and statements will be rebranded as Practice Standards when the Standards Framework comes into effect. The content of the existing Council codes of practice and statements will not change at this point in time, but may change in the future following consultation.

In addition, the Council Statement – Principles of Ethical Conduct for Oral Health Practitioners will be repealed once the Standards Framework is adopted.

Accordingly, the titles of the existing codes of practice and statements will be amended, as reflected in Attachment 2.

## 6.0 References

Council acknowledges the use of various local and international reference documents for guidance during its development of the proposed *Standards for oral health practitioners*, such as: Standards for the Dental Team – General Dental Council; Good Medical Practice - Medical Council of New Zealand; Code of conduct for registered health practitioners – Dental Board of Australia; Code of ethics – Physiotherapy Board of New Zealand; Code of Conduct – Nursing Council of New Zealand; CanMEDS 2005 Framework – Royal College of Physicians and Surgeons of Canada.

## 7.0 Consultation Questions

Stakeholders are invited to comment on the proposed standards framework by responding to the following questions:

- Q1. Does the proposed *Standards Framework* cause concern? Why?
- Q2. Do any elements of the proposed *Standards Framework* require clarification or further guidance? Please explain.
- Q3. In your opinion, is anything essential missing from the proposed *Standards Framework*?