

Code of Conduct for Sonographers



1. Purpose

The Australasian Sonographers Association (ASA) is the peak body and leading voice for sonographers. The ASA is guiding the advancement of our profession to ensure the community has access to quality sonographic services. The ASA promotes and advocates for best practice in medical sonography through the provision of standards and appropriate benchmarks.

The ASA Code of Conduct for Sonographers (Code) underpins this work and sets out the required standards of conduct and ethics, as well as other principles for safe and effective practice by sonographers. It provides a framework for assessing the conduct and ethics of sonographers for the purposes of membership of the ASA.

The ASA expects that its sonographer members understand and appreciate the importance of patient care and the significant role ultrasound plays in the delivery of health care to the community. The ASA expects that its sonographer members who provide diagnostic services or work in research will, at all times, practise in a professional manner and that they practise safely and effectively in accordance with principles of good practice.

This Code is to be read in conjunction with the Standards of Practice (Standards). The two documents together set the expected standards of sonographers who work in diagnostic practice or who undertake research.

This Code is intended to complement information and guidance issued by other organisations, such as employers and statutory authorities. At all times, sonographers must comply with any applicable laws governing the practice of sonography, such as statutory codes of conduct applicable to sonographers.

This Code contains important standards for sonographer behaviour in relation to:

- providing good care, including shared decision-making
- working with patients
- working with other sonographers
- working within the health care system
- minimising risk
- maintaining professional performance
- ensuring professional behaviour and ethical conduct
- ensuring sonographer health
- teaching, supervising and assessing
- undertaking research.



2. Definitions

The ASA recognises that its members work in a range of different settings that include clinical practice, management, education, research and roles in industry.

For clarity, standardised terms are used throughout this Code, with common synonyms listed below. In the interpretation of this Code, the given term and the synonyms can be read interchangeably.

ASA – Australasian Sonographers Association (Ltd)

ASAR – Australian Sonographer Accreditation Registry

Code – the ASA Code of Conduct for Sonographers

Competency – the ability to do something successfully or efficiently

Colleague – co-worker; immediate supervisor; student; immediate subordinate; member of the health care team

Duty of care – a legal obligation to consider the safety or wellbeing of others and to undertake clinical practice in sonography at a standard that would be reasonably expected of a person engaging in that clinical practice

Examination – interaction between sonographer and patient; procedure; scan; diagnostic examination

Expertise – expert skill or knowledge

Good practice or care – a standard of performance and conduct that meets the requirement of this Code

Informed consent – permission provided by a patient who understands the nature, reason and scope of an examination and who has been given sufficient information to make an informed decision about whether to have an examination or not

May – an optional requirement; a good practice or policy

Must – a mandatory requirement; essential

NZMRTB – New Zealand Medical Radiation Technologists Board

Patient – consumer of health care services

Practice – any role, whether remunerated or not, in which the individual uses their skills and knowledge as a sonographer. For the purposes of this Code, practice is not restricted to the provision of direct clinical care. It also includes using professional knowledge in a direct nonclinical relationship with patients working in management, administration and education

Professionalism – the attributes, skills and behaviour expected of a professional

Proficiency – a cluster of related abilities, commitments, knowledge and skills that enable a person (or an organisation) to meet the required standard of good practice

Providing care – includes but is not limited to any care, treatment, advice, service or goods provided in respect of the physical or mental health of a person, whether remunerated or pro bono

Should – strongly advised; a firm guideline; best practice to be adhered to, unless there is evidence available to show the value of another course

Sonographer – a person holding qualifications satisfactory for accreditation with the ASAR or the NZMRTB

Standards – the ASA Standards of Practice

Trainee or student – an accredited student sonographer on the ASAR register or trainee sonographer on the NZMRTB register. The terms ‘student’ and ‘trainee’ may be used interchangeably.

3. Introduction

3.1 Use of the Code

This Code seeks to assist and support sonographers to deliver appropriate, effective services within an ethical framework. Sonographers have a professional responsibility to be familiar with this Code and to apply the guidance it contains.

This Code will be used:

- to support individual sonographers in the challenging task of providing good health care and fulfilling their professional roles and to provide a framework to guide professional judgement
- to assist the ASA in setting and maintaining standards of good practice expected of ASA sonographer members – if professional conduct varies significantly from this Code, sonographers should be prepared to explain and justify their decisions and actions. Serious or repeated failure to meet this Code may have consequences for membership
- as an additional resource for a range of uses that contribute to enhancing the culture of sonographer professionalism: for example, in sonographer education; orientation, induction and supervision of students; and by administrators and policy makers in hospitals, health services and other institutions.

Sonographers must always act in accordance with the law. This Code is not a substitute for the provisions of relevant law, and if there is any conflict between the Code and the law, the law takes precedence.

Sonographers must also be aware of and comply with any statutory codes of conduct that apply to their professional practice.

In general, a sonographer who is in breach of their legal responsibilities, including being in breach of any statutory code of conduct for sonographers, will also be in breach of this Code and the Standards. A breach of this Code or the Standards may result in disciplinary action being taken against the member in accordance with the ASA's governing documents.

This Code does not address in detail the range of general legal obligations that apply to sonographers, such as those under privacy, child protection and antidiscrimination legislation; responsibilities to employees and other individuals present at a practice under workplace health and safety legislation; and vicarious liability for employees under the general law. Sonographers should ensure that they are aware of and comply with their legal obligations.

This Code is not an exhaustive study of professional ethics or an ethics guide. Sonographers should refer to the Standards for specific guidance on expected conduct and standards.

Although this Code may be used as a guide to the public and consumers of health services about what good practice is, and the standard of behaviour they should expect from sonographers, it is not a charter of rights (an example of a charter is the Australian Charter of Health Care Rights issued by the Australian Commission on Safety and Quality in Health Care and available at www.safetyandquality.gov.au).

Significantly, this Code only applies to sonographers who are ASA members. Compliance with the Code is a requirement of ASA membership. ASA cannot enforce compliance with this Code in relation to individuals who are not members of ASA, nor does ASA have any legislative power or authority to prohibit or restrict a sonographer's practice.

3.2 Professional values and qualities

While individual sonographers have their own personal beliefs and values, there are certain professional values on which all sonographers are expected to base their practice.

Sonographers have a duty to make the care of patients their first concern and to practise safely and effectively. They must be ethical and trustworthy. Patients trust sonographers because they believe that in addition to being competent, sonographers will not take advantage of them and will display qualities such as integrity, honesty, dependability and compassion. Patients also rely on sonographers to protect their confidentiality.

Good communication underpins every aspect of good practice.

Sonographers have a responsibility to recognise and work within the limits of workplace protocols and their competence and scope of practice that will vary according to their role.

Sonographers should be committed to safety and quality in health care (the Australian Commission on Safety and Quality in Health Care is at www.safetyandquality.gov.au).

3.3 Australia and Australian health care

Australia is culturally diverse. Australians inhabit a land that, for many ages, was held and cared for by Indigenous Australians whose history and culture have uniquely shaped our nation. Australia's society is further enriched by the contribution of people from many nations who have made Australia their home. Sonographers in Australia reflect the cultural diversity of our society and this diversity strengthens the health professions.

There are many ways to practise a health profession in Australia. Sonographers have critical roles in caring for people who are unwell; assisting people to recover and remain well; and to provide accurate diagnostic imaging services. This Code focuses on these roles. For sonographers with roles that involve little or no contact with patients, not all of this Code may be relevant, but the underpinning principles will still apply.

3.4 Substitute decision-makers

There are several conditions or situations in which patients may have limited competence or capacity to make independent decisions about their health care; for example, people with cognitive impairment or acute conditions that temporarily affect competence, and children or young people, depending on their age and capacity (see Section 5.5 Informed consent).

In this Code, reference to the term 'patient' also includes substitute decision-makers for patients who do not have the capacity to make their own decisions. These can be parents or a legally appointed decision-maker. If in doubt, seek advice from the relevant guardianship authority.

4. Providing good care

4.1 Introduction

Care of the patient is the primary concern for health professionals in clinical practice. Providing good care includes:

- assessing the patient, taking into account his or her history, views and an appropriate physical examination where relevant; the history may include relevant psychological, social and cultural aspects
- formulating and implementing a suitable management plan
- facilitating coordination and continuity of care when required
- recognising the limits to a sonographer's own skills and competence, only performing an examination which they are competent to perform and referring a patient to another sonographer when this is in the best interests of the patient
- recognising and respecting the rights of patients to make their own decisions.

4.2 Professional competence and conduct

Maintaining a high level of professional competence and conduct is essential for good care. Good practice requires that sonographers:

- recognise and work within the limits of a sonographer's competence and scope of practice, which may change over time
- ensure that sonographers maintain adequate knowledge and skills to provide safe and effective care
- ensure that a sonographer has undertaken sufficient training and/or qualifications to achieve competency when moving into a new area of practice
- practise patient-centred care, including encouraging patients to take interest in and responsibility for the management of their health
- maintain adequate records (see Section 10.4 Health records)
- consider the balance of benefit and harm in performing ultrasound examinations
- communicate effectively with patients (see Section 5.3 Effective communication)
- take steps to alleviate the distress of patients
- support the right of the patient to seek a second opinion
- consult and take advice from colleagues when appropriate
- make responsible and effective use of the resources available to sonographers (see Section 7.2 Wise use of health care resources)
- ensure that the personal views of a sonographer do not affect the care of a patient adversely
- practise in accordance with the current and accepted evidence base of the health profession, including clinical outcomes.

4.3 Decisions about access to care

Sonographer decisions about access to care need to be free from bias and discrimination. Good practice requires sonographers to:

- treat patients with respect at all times and not prejudice the care of a patient because a sonographer believes that the behaviour of the patient has contributed to his or her condition
- uphold the duty to the patient and not discriminate on grounds irrelevant to health care, including race, religion, sex, disability or other grounds specified in antidiscrimination legislation
- investigate and examine patients on the basis of clinical referral and the effectiveness of the proposed investigations, and not provide unnecessary services
- be aware of a sonographer's right to not provide or participate directly in treatments to which the sonographer objects conscientiously. This may include the need to inform patients and, if relevant, colleagues of the objection, and not use that objection to impede access to health care that is legal.

If a patient poses a risk to the health and safety of sonographers and their staff, action should be taken to protect them. Wherever possible, the patient should not be denied care if reasonable steps can be taken to keep sonographers and other staff safe.

4.4 Emergency settings

Dealing with patients in an emergency setting requires that sonographers consider a range of issues, in addition to providing best care. Good practice involves offering assistance in an emergency that takes account of the sonographer's own safety, skills, the availability of other options and the impact on any other patients under the sonographer's care and continuing to provide that assistance until services are no longer required.

5. Working with patients

5.1 Introduction

Relationships based on openness, trust and good communication will enable sonographers to work in partnership with patients.

5.2 Partnership

A good partnership between a sonographer and the person in their care requires high standards of personal conduct. Sonographers are required to:

- be courteous, respectful, compassionate and honest, and treat each patient as an individual
- protect the privacy and right to confidentiality of patients, unless release of information is required or permitted by law
- as far as possible within their scope of practice and applicable workplace policies, encourage and support patients to be well-informed about their health
- respect the right of the patient and undertake examination without prejudice
- recognise that there is a power imbalance in the sonographer-patient/client relationship and not exploit patients physically, emotionally, sexually or financially (also see Section 10.2 Professional boundaries and Section 10.12 Financial and commercial dealings).

5.3 Effective communication

An important part of the sonographer-patient/client relationship is effective communication. Sonographers are required to:

- listen to patients, ask about their health and respond to their concerns and preferences
- encourage patients to provide information about their health
- understand the clinical setting where communication with the patient about their condition and treatment pathways is in the interest of the patient and within the competencies of the sonographer
- endeavour to confirm that a patient understands what a sonographer has said
- ensure that patients are informed of the material risks associated with any part of a proposed examination or procedure the sonographer plans on performing in relation to the patient
- respond to questions from patients, recognising the limits on a sonographer's ability to advise patients about their health care
- make sure, wherever practical, that arrangements are made to meet the specific language, cultural and communication needs of patients and be aware of how these needs affect understanding

- become familiar with, and use wherever necessary, qualified language interpreters or cultural interpreters to help meet the communication needs of patients, including those who require assistance because of their English skills or because they are speech or hearing impaired (wherever possible, sonographers should use trained translators and interpreters rather than family members or other staff).

When using interpreters, sonographers are required to:

- take reasonable steps to ensure that the interpreter is competent to work as an interpreter in the relevant context
- take reasonable steps to ensure that the interpreter is not in a relationship with the patient that may impair the interpreter's judgement
- take reasonable steps to ensure that the interpreter will keep confidential the existence and content of the service provided to the patient
- obtain informed consent from the patient to use the selected interpreter
- communicate appropriately with and provide relevant information to other stakeholders, including members of the treating team.

5.4 Confidentiality and privacy

Sonographers have ethical and legal obligations to protect the privacy of people requiring and receiving care. Patients have a right to expect that sonographers will hold information about them in confidence, unless release of information is required or permitted by law. Good practice requires that sonographers:

- treat information about patients as confidential and seek consent from patients before disclosing information, where practicable
- be aware of the requirements of the privacy and/or health records legislation that operates in relevant states and territories and apply these requirements to information held in all formats, including ultrasound images and electronic information
- share information appropriately about patients for their health care while remaining consistent with privacy legislation and professional guidelines about confidentiality
- where relevant, be aware of complex issues relating to genetic information and seek appropriate advice about disclosure of such information
- provide appropriate surroundings to enable private and confidential consultations and discussions to take place
- ensure that all staff are aware of the need to respect the confidentiality and privacy of patients and refrain from discussing patients in a non-professional context
- use appropriate consent forms for release of information that limits disclosure to relevant health and medical information.

5.5 Informed consent

Informed consent is a person's voluntary decision about health care that is made with knowledge and understanding of the benefits and risks involved.

Good practice in relation to obtaining informed consent requires that sonographers:

- provide information to patients in a way they can understand before asking for their consent
- obtain informed consent or other valid authority before undertaking any examination or investigation, assisting treatment (except in an emergency) or involving patients in teaching or research, including providing information on material risks
- advise the patient that there may be additional costs that he or she may wish to clarify before proceeding with additional investigations or treatments
- obtain the consent of people with legal authority to act on behalf of the patient and attempt to obtain the consent of the patient as far as practically possible when working with a patient whose capacity to give consent is or may be impaired or limited
- document consent appropriately and consider the need for written consent for procedures that may result in serious injury or death.

A useful guide to the information that health professionals need to give to patients to satisfy the requirements of informed consent is available in the National Health and Medical Research Council (NHMRC) publication 'General guidelines for medical practitioners in providing information to patients'.

It is accepted that the specific state legislation or workplace policy/procedure will take precedence over these documents and they are provided for guidance on the principles underpinning informed consent.

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5.6 Children and young people

Caring for children and young people brings additional responsibilities for sonographers. Good practice requires that sonographers:

- place the interests and wellbeing of the child or young person first
- consider the young person's capacity for decision-making and consent. In general, where a sonographer judges that a person is of a sufficient age and of sufficient mental and emotional capacity to give consent to a service then that person should be able to request and provide informed consent to receive services without the consent of a parent, guardian or other legal representative. If there is any doubt, advice should be sought from an appropriate guardianship or child welfare authority.

Good practice requires that sonographers ensure that when communicating with a child or young person, they:

- treat the child or young person with respect and listen to his or her views
- encourage questions and answer those questions to the best of the sonographer's ability
- provide information in a way the child or young person can understand
- recognise the role of parents and, when appropriate, encourage the child or young person to involve their parents in decisions about care
- remain alert to children and young people who may be at risk and notify appropriate child protection authorities as required by law. This may include where a parent is refusing treatment for their child or young person and this decision may not be in the best interests of the child or young person.

5.7 Culturally safe and sensitive practice

Culturally safe and sensitive practice involves genuine efforts to understand the cultural needs and contexts of patients to obtain good health outcomes. Sonographers are required to:

- have knowledge of, respect for, and sensitivity towards the cultural needs of the community, including those of Maōri, Aboriginal, Torres Strait Islander or Pacific Islander backgrounds, and those from culturally and linguistically diverse backgrounds
- acknowledge the social, economic, cultural and behavioural factors influencing health, both at individual and population levels
- understand that a sonographer's own culture and beliefs influence his or her interactions with patients
- adapt practice to improve engagement with patients and health care outcomes.

5.8 Patients who may have additional needs

Some patients (including those with impaired decision-making capacity) have additional needs. Good practice in the management of these patients requires that sonographers:

- be aware that these patients may be at greater risk
- pay particular attention to communication
- be aware that increased advocacy may be necessary to ensure just access to health care
- recognise that there may be a range of people involved in their care, such as carers, family members or a guardian, and involving them when appropriate.

5.9 Relatives, carers and partners

Good practice requires that sonographers be considerate to relatives, carers, partners and others close to the patient and respectful of their role in the care of the patient, and with appropriate consent or lawful authority be responsive in providing information.

5.10 Adverse events and open disclosure

When adverse events occur, sonographers have a responsibility to be open and honest in communication with a patient to review what has occurred and to report appropriately (also see Section 8.2 Risk management: open disclosure). When something goes wrong, good practice requires that sonographers:

- recognise what has happened and act promptly to rectify the problem, if possible, including seeking any necessary help and advice
- explain to the patient as promptly and fully as possible what has happened and the anticipated short-term and long-term consequences
- acknowledge any patient distress and provide appropriate support
- comply with any relevant policies, procedures and reporting requirements, subject to advice from a professional indemnity insurer

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- review adverse events and implement changes to reduce the risk of recurrence (see Section 8 Minimising risk)
- report adverse events to the relevant authority, as required (see Section 8 Minimising risk)
- ensure patients have access to information about the processes for making a complaint.

5.11 When a complaint is made

Patients have a right to complain about their care. When a complaint is made, whether to the ASA or a regulatory body or agency, good practice requires that sonographers:

- acknowledge the person's right to complain and work to resolve the issue, where possible
- provide a prompt, open and constructive response, including an explanation and, if appropriate, an apology
- ensure the complaint does not affect the person's care adversely
- comply with relevant complaints legislation, workplace policies and procedures
- comply with any complaint process established by the ASA.

5.12 End-of-life care

Sonographers have a role in assisting the community to deal with the reality of death and its consequences. Good practice in caring for patients towards the end of their life requires that sonographers:

- take steps to acknowledge a person's symptoms and concerns in a manner consistent with his or her values and wishes
- accept that patients have the right to refuse care
- respect different cultural practices related to death and dying
- take reasonable steps to ensure that support is provided to patients and their families, even when it is not possible to deliver the outcome they desire
- communicate with patients and their families about bad news or unexpected outcomes in the most appropriate way and provide support for them while they deal with this information.

5.13 Ending a professional relationship

In some circumstances, the relationship between a sonographer and a patient may become ineffective or compromised and may need to end. In this event, good practice requires that sonographers:

- ensure that the patient is informed adequately of the decision
- assist in making arrangements for continuing patient care, including passing on relevant clinical information.

5.14 Personal relationships

Good practice recognises that providing care to those in a close relationship, for example, close friends, work colleagues and family members, can be inappropriate because of the lack of objectivity, possible discontinuity of care and risks to the sonographer or patient.

When a sonographer chooses to provide care to those in a close relationship, good practice requires that:

- adequate records are kept
- confidentiality is maintained
- adequate assessment occurs
- consent is obtained appropriate to the circumstances, which is acknowledged by both the sonographer and patient or client
- the personal relationship does not in any way impair clinical judgement
- at all times an option to discontinue care is maintained.

Sonographers must also comply with the Standards in relation to providing care to those in a close personal relationship.

5.15 Closing a practice

When closing or relocating a practice, good practice requires that sonographers:

- give advance notice, where possible
- facilitate arrangements for the continuing care of all current patients, including the transfer or appropriate management of all patient records and follow the law governing health records in the jurisdiction.

6. Working with other sonographers and other health care professionals

6.1 Introduction

Good relationships with colleagues and other sonographers enhance the quality of the sonographer-patient relationship and, therefore, patient care.

6.2 Respect for colleagues and other sonographers

Good care is enhanced when there is mutual respect and clear communication between all health professionals involved in the care of the patient. Good practice requires that sonographers:

- communicate clearly, effectively, respectfully and promptly with colleagues and other practitioners caring for the patient
- acknowledge and respect the contribution of all health care professionals involved in the care of the patient.

6.3 Working within your team

Many sonographers work closely with a wide range of health care professionals. Effective collaboration is a fundamental aspect of good practice when working in a team. The care of patients is improved when there is mutual respect and clear communication as well as an understanding of the responsibilities, capacities, constraints and ethical codes of each other's health professions. Working in a team does not alter a sonographer's accountability for professional conduct and the care provided.

When working in a team, good practice requires that sonographers:

- understand their role in the team and attend to the responsibilities associated with that role
- advocate for a clear delineation of roles and responsibilities, including that there is a recognised team leader or coordinator
- communicate effectively with other team members
- inform patients about the roles of team members
- act as a positive role model for team members
- understand the nature and consequences of bullying and harassment and seek to avoid or eliminate such behaviour in the workplace.

6.4 Coordinating care with other health care professionals

Good patient care requires coordination between all health care professionals. Good practice requires that sonographers facilitate the communication of relevant information in a timely way.

7. Working within the health care system

7.1 Introduction

Sonographers have a responsibility to contribute to the effectiveness and efficiency of the health care system.

7.2 Wise use of health care resources

It is important to use health care resources wisely. Good practice requires that sonographers:

- ensure that the services provided are appropriate for the assessed needs of the patient or client and are not excessive, unnecessary or not reasonably required
- support the transparent and equitable allocation of health care resources
- understand that the use of resources can affect the access other patients have to health care resources.

7.3 Health advocacy

There are significant disparities in the health status of different groups in the Australian and New Zealand communities. These disparities result from social, cultural, geographic, health-related and other factors. In particular, the ASA recognises that people from Maori, Aboriginal, Torres Strait Islander or Pacific Islander backgrounds bear the burden of gross social, cultural and health inequity. Other groups that may also experience health disparities include people with intellectual or physical disabilities, those from culturally and linguistically diverse backgrounds, and refugees. Good practice involves using expertise and influence to protect and advance the health and wellbeing of individual patients, communities and populations.

7.4 Public health

Sonographers have a responsibility to promote the health of the community through disease prevention and control, education and, where relevant, public health screening initiatives. Good practice requires that sonographers:

- understand the principles of public health, including health education, health promotion, disease prevention and control, and screening
- participate in efforts to promote the health of the community and be aware of obligations in disease prevention, including public health screening initiatives and reporting notifiable diseases, where relevant.

8. Minimising risk

8.1 Introduction

Risk is inherent in health care. Minimising risk to patients is an important component of practice. Good practice involves understanding and applying the key principles of risk minimisation and management in practice.

8.2 Risk management

Good practice in relation to risk management requires sonographers to:

- be aware of the principles of open disclosure and a non-punitive approach to incident management; a useful reference is the Australian Commission on Safety and Quality in Health Care's National Open Disclosure Standard available at www.safetyandquality.gov.au
- participate in systems of quality assurance and improvement
- participate in systems for surveillance and monitoring of adverse events and 'near misses', including reporting such events
- make sure that systems are in place for raising concerns about risks to patients and co-workers if a sonographer has management responsibilities
- work to reduce errors and improve the safety of patients and support colleagues who raise concerns about the safety of patients
- take all reasonable steps to address the issue if there is reason to think that the safety of anybody may be compromised.

8.3 Sonographer performance

The welfare of patients may be put at risk if a sonographer is performing poorly. If there is a risk, good practice requires that sonographers:

- comply with statutory reporting requirements
- recognise and take steps to minimise the risks of fatigue, including complying with relevant state and territory occupational health and safety legislation
- follow the guidance in Section 11.2 Sonographer health, if a sonographer knows or suspects that he or she has a health condition that could adversely affect judgement or performance
- take steps to protect patients from being placed at risk of harm posed by a colleague's conduct, practice or ill health
- take appropriate steps to assist a colleague to receive help if there are concerns about the colleague's performance or fitness to practise
- seek advice from an experienced colleague, employer/s, health advisory services, professional indemnity insurers or the ASA, if they are not sure what to do.

9. Maintaining professional performance

9.1 Introduction

Maintaining and developing knowledge, skills and professional behaviour are core aspects of good practice. This requires self-reflection and participation in relevant professional development, practice improvement and performance-appraisal processes to continually develop professional capabilities. These activities must continue through a sonographer's working life as science and technology develop and society changes.

9.2 Continuing professional development (CPD)

Development of knowledge, skills and professional behaviour must continue throughout a sonographer's working life. Good practice involves keeping knowledge and skills up to date to ensure that sonographers continue to work within their competence and scope of practice. Sonographers are required to undertake CPD. Sonographers should refer to the ASAR or the NZMRTB guidelines regarding CPD for details of these requirements.

10. Professional behaviour

10.1 Introduction

In professional life, sonographers must display a standard of behaviour that warrants the trust and respect of the community. This includes observing and practising the principles of ethical conduct as articulated in this Code, the Standards and workplace policies and protocols.

The guidance contained in this section emphasises the core qualities and characteristics required of sonographers as outlined in Section 3.2 Professional values and qualities.

10.2 Professional boundaries

Professional boundaries refers to the clear separation that should exist between professional conduct aimed at meeting the health needs of patients and a sonographer's own personal views, feelings and relationships that are not relevant to their professional relationship to the patient. Professional boundaries are integral to a good sonographer-patient relationship. They promote good care for patients and protect both parties. Good practice requires that sonographers:

- maintain professional boundaries
- never use a professional position to establish or pursue a sexual, exploitative or otherwise inappropriate relationship with anybody under a sonographer's care; this includes those close to the patient, such as their carer, guardian, spouse or the parent of a child patient
- recognise that sexual relationships with people who have previously been a sonographer's patient are often inappropriate, depending on the extent of the professional relationship and the vulnerability of a previous patient
- avoid the expression of personal beliefs to patients in ways that exploit their vulnerability or that are likely to cause them distress.

10.3 Reporting obligations

Sonographers must comply with any statutory reporting obligations applicable to their practice and report any restrictions placed on their practice to their employer/s.

Good practice requires that sonographers:

- be aware of these reporting obligations
- comply with any reporting obligations that apply to practise
- seek advice from the professional indemnity insurer if sonographers are unsure about their obligations.

10.4 Health records

Maintaining clear and accurate health records (including ultrasound images) is essential for the continuing good care of patients. Sonographers must comply with workplace policies and protocols in relation to records. Good practice requires that sonographers:

- keep accurate, up-to-date and legible records that report relevant details of clinical history, clinical findings, investigations, information given to patients and other management
- ensure that records are held securely and are not subject to unauthorised access, regardless of whether they are held electronically and/or in hard copy
- ensure that records show respect for patients and do not include demeaning or derogatory remarks
- ensure that records, including recorded ultrasound images and videos, are sufficient to support a diagnosis and facilitate continuity of care
- make records at the time of events or as soon as possible afterwards
- recognise the right of patients to access information contained in their health records and facilitating that access
- promptly facilitate the transfer of health information when requested by patients.



10.5 Insurance

The ASA strongly recommends that all sonographers be appropriately covered by professional indemnity insurance. However, sonographers must comply with any law or statutory code of conduct that requires a sonographer to hold appropriate professional indemnity insurance.

10.6 Advertising

Advertisements for services can be useful in providing information for patients. All advertisements must conform to relevant consumer protection legislation, such as the Australian Consumer Law. Good practice requires that sonographers:

- comply with workplace policies and protocols and state and territory legislation, including statutory codes of conduct
- make sure that any information published about services is factual and verifiable.

10.7 Legal, insurance and other assessments

When a sonographer is contracted by a third party to provide a legal, insurance or other assessment of a person who is not his or her patient, the usual clinical sonographer-patient relationship does not exist. In this situation, good practice requires that sonographers:

- apply the standards or professional behaviour described in this Code to the assessment; in particular, be courteous, alert to the concerns of the person and ensure the person's consent
- explain to the person the sonographer's area of practice, role and the purpose, nature and extent of the assessment to be conducted
- anticipate and seek to correct any misunderstandings that the person may have about the nature and purpose of the assessment and report
- provide an impartial report (see Section 10.8 Reports, certificates and giving evidence)
- recognise that if an unrecognised, serious problem is discovered during the assessment, there is a duty of care to inform the patient or their treating health practitioner.

10.8 Reports and giving evidence

The community places a great deal of trust in sonographers. Sonographers may be required to write reports or give evidence. Good practice requires that sonographers:

- be honest and not mislead when writing reports and only sign documents believed to be accurate
- take reasonable steps to verify the content before signing a report and not omit relevant information deliberately
- if so agreed, prepare or sign documents and reports within a reasonable and justifiable timeframe
- make clear the limits of a sonographer's knowledge and not give opinion beyond those limits when providing evidence.

10.9 Curriculum vitae

When providing curriculum vitae, good practice requires that sonographers:

- provide accurate, truthful and verifiable information about a sonographer's experience and qualifications
- not misrepresent by misstatement or omission a sonographer's experience, qualifications or position.

Also, see Section 12.3 Assessing colleagues in relation to providing references for colleagues.

10.10 Investigations

Sonographers have responsibilities and rights relating to any legitimate investigation of their practice or that of a colleague. In meeting these responsibilities, it is advisable to seek legal advice or advice from a professional indemnity insurer.

Good practice requires that sonographers:

- cooperate with any legitimate inquiry into the treatment of a patient and with any complaints procedure that applies to a sonographer's work
- disclose to anyone entitled to ask for it, information relevant to an investigation into the conduct or performance of a sonographer or colleague
- assist the coroner when an inquest or inquiry is held into the death of a patient by responding to his or her enquiries and by offering all relevant information.

10.11 Conflicts of interest

Patients rely on the independence and trustworthiness of sonographers for any advice or service offered. A conflict of interest in practice arises when a sonographer, entrusted with acting in the interests of a patient, also has financial, professional or personal interests or relationships with third parties that may affect his or her care of the patient.

Multiple interests are common. They require identification, careful consideration, appropriate disclosure and accountability. When these interests compromise, or might reasonably be perceived by an independent observer to compromise the sonographer's primary duty to the patient, sonographers must recognise and resolve this conflict in the best interests of the patient.

Good practice requires that sonographers:

- recognise potential conflicts of interest that may arise in relation to initiating or continuing a professional relationship with a patient
- act in the best interests of patients when providing or arranging services or care
- inform patients when a sonographer has an interest that could affect or could be perceived to affect patient care
- not ask for or accept any inducement, gift or hospitality of more than trivial value from companies that sell or market equipment, drugs or other products that may affect or be seen to affect the way sonographers provide care for patients
- not ask for or accept fees for meeting sales representatives
- not offer inducements to colleagues or enter into arrangements that could be perceived to provide inducements
- not allow any financial or commercial interest in a hospital, other health care organisation or company providing health care services or products to adversely affect the way in which patients are treated. When sonographers or their immediate family have such an interest, and that interest could be perceived to influence the care provided, sonographers must inform their patients.

10.12 Financial and commercial dealings

Sonographers must be honest and transparent in financial arrangements with patients.

Good practice requires that sonographers:

- not exploit the vulnerability or lack of knowledge of patients when providing or recommending services
- not encourage patients to give, lend or bequeath money or gifts that will benefit a sonographer directly or indirectly
- not accept gifts from patients other than tokens of minimal value
- not become involved financially with patients
- not influence patients or their families to make donations to other people or organisations
- be transparent in financial and commercial matters relating to work, including dealings with employers, insurers and other organisations or individuals, declaring any relevant and material financial or commercial interest that a sonographer or his or her family might have in any aspect of the care of the patient.

11. Ensuring sonographer health

11.1 Introduction

As a sonographer, it is important to maintain health and wellbeing. This includes seeking an appropriate work-life balance.

11.2 Sonographer health

Good practice requires that sonographers:

- seek expert, independent, objective advice when a sonographer needs health care and be aware of the risks of self-diagnosis and self-treatment
- understand the principles of immunisation against communicable diseases and be immunised against relevant communicable diseases
- recognise the impact of fatigue on sonographer health and ability to care for patients and endeavour to work safe hours whenever possible
- be aware of any applicable health program in the relevant states and territories if advice or help is needed
- knowing or suspecting that he or she has a health condition or impairment that could adversely affect judgement, performance or the health of patients, not rely on self-assessment of the risk posed to patients
- consult a doctor or other health practitioner, as appropriate, about whether and in what ways the affected sonographer may need to modify practice and follow the treating sonographer's advice.

11.3 Other sonographers' health

Sonographers have a responsibility to assist their colleagues to maintain good health. Good practice requires that sonographers:

- provide sonographers who are patients with the same quality of care provided to other patients
- notify the workplace if treating another registered practitioner who has put patients at risk of substantial harm when practising their profession because they have an impairment; this is a professional responsibility
- notify the workplace and encourage a colleague (who is not a patient) who you work with to seek appropriate help if it is believed the colleague may be ill and impaired
- recognise the impact of fatigue on the health of colleagues, including those under supervision, and facilitating safe working hours wherever possible.

12. Teaching and supervising

12.1 Introduction

Teaching, supervising and mentoring junior sonographers and trainees is important for their development and for the care of patients. It is part of good practice to contribute to these activities and provide support, assessment, feedback and supervision for colleagues, sonographers in training and students. Teaching, supervising and assessing also adds value to the supervisor's practice through engagement with the person being supervised and their learning needs. There are a range of supervision models being adopted in the health professions, including coach, mentor and shadow.

12.2 Teaching and supervising

Good practice requires that sonographers:

- seek to develop the skills, attitudes and practices of an effective teacher whenever a sonographer is involved in teaching
- as supervisors, recognise that the onus of supervision cannot be transferred
- make sure that any sonographer or student under supervision receives adequate oversight and feedback, including undertaking an assessment of each student supervised; reflect on that student's ability, competence and learning requirements; and plan his or her supervision based on that assessment rather than any external direction
- avoid any potential for conflict of interest in the supervisory relationship; for example, by supervising someone who is a close relative or friend or where there is another potential conflict of interest that could impede objectivity and/or interfere with the supervised person's achievement of learning outcomes or relevant experience.

12.3 Assessing colleagues

Assessing colleagues is an important part of making sure that the highest standards of practice are achieved. Good practice requires that sonographers:

- be honest, objective and constructive when assessing the performance of colleagues, including students; patients will be put at risk of harm if an assessment describes someone as competent who is not
- when giving references or writing reports about colleagues, provide accurate and justifiable information promptly and include all relevant information.

12.4 Trainees

Trainees are learning how best to care for patients. Creating opportunities for learning improves their clinical practice and nurtures the future workforce. Good practice requires that sonographers:

- treat trainees with respect and patience
- make the scope of the trainee's role in patient care clear to the trainee, to patients and to other members of the health care team
- inform patients about the involvement of trainees and encourage their consent for trainee participation while respecting their right to choose not to consent.

13. Undertaking research

13.1 Introduction

Research involving humans, their tissue samples or their health information is vital in improving the quality of health care and reducing uncertainty for patients and clients now and in the future and in improving the health of the population as a whole.

Research in Australia is governed by guidelines issued in accordance with the *NHMRC Act 1992* (Cwlth). Sonographers undertaking research should familiarise themselves with and follow these guidelines.

When sonographers are involved in human research, sonographers must:

- respect the right of participants to withdraw from a study without prejudice to their treatment
- ensure that a decision by a patient not to participate does not compromise the sonographer-patient relationship or the care of the patient.

Research involving animals is governed by legislation in states and territories and by guidelines issued by the NHMRC.

13.2 Research ethics

Being involved in the design, organisation, and conduct or reporting of health research involving humans brings particular responsibilities for sonographers. These responsibilities, drawn from the NHMRC guidelines, include:

- ensuring the respect and protection according to participants that is due to them
- acting with honesty and integrity
- ensuring that any protocol for human research has been approved by a human research ethics committee, in accordance with the 'National Statement on Ethical Conduct in Human Research' issued by the NHMRC (which addresses privacy issues, and refers to the need to consider relevant state, territory and federal privacy legislation)
- disclosing the sources and amounts of funding for research to the human research ethics committee
- disclosing any potential or actual conflicts of interest to the human research ethics committee
- ensuring that human participation is voluntary and based on informed consent and an adequate understanding of sufficient information about the purpose, methods, demands, risks and potential benefits of the research
- ensuring that any dependent relationship between sonographers and their patients is taken into account in the recruitment of patients as research participants
- seeking advice when research involves children or adults who are not able to give informed consent to ensure that there are appropriate safeguards in place, including ensuring that a person empowered to make decisions on behalf of patients has given informed consent or that there is other lawful authority to proceed
- adhering to the approved research protocol
- monitoring the progress of the research and reporting adverse events or unexpected outcomes promptly
- respecting the entitlement of research participants to withdraw from any research at any time and without giving reasons
- adhering to the guidelines regarding publication of findings, authorship and peer review
- reporting possible fraud or misconduct in research as required under the 'Australian Code for the Responsible Conduct of Research' issued by the NHMRC.

The ASA would like to acknowledge the Australian Health Practitioner Regulation Agency (AHPRA) that has authorised the ASA to use extracts that are relevant to sonographers from the *Code of Conduct* developed by AHPRA under the Health Practitioner Regulation National Law.

Date of issue: Effective from July 2014.

Date of review: This Code of Conduct will be reviewed at three years from date of issue or from time to time as required.

Last reviewed: October 2014.