

By-Law II Code of Ethics

The rules in this By-Law on a Code of Ethics are supplementary to those provided in **Clauses 5(7), 11(1), 84 and 105** of the Constitution.

Obligations Towards Patients

1. The primary responsibility of dentists is the health, welfare and safety of their patients.
2. Except in emergencies, or where they would be failing in their duties on humanitarian grounds, dentists have a right to decline to treat a patient provided that the reason for refusal does not contravene any legislation or principle of law.
3. Dentists should perform treatment only within areas of their competence. If appropriate, referral for advice and/or treatment to other professional colleagues should be arranged.
4. Dentists must accept responsibility for all treatment undertaken by themselves and as permitted by law, by allied dental personnel acting under their supervision or as defined in a structural professional relationship.
5. No service or treatment shall be delegated to a person who is not qualified or is not permitted by the Laws of the Commonwealth, State or Territory to undertake that service or treatment.
6. Records that are comprehensive, accurate and respectful must be created and safeguarded for all patients.
7. Confidentiality and privacy with respect to both clinical and non-clinical information must be maintained except where the Laws of the Commonwealth, State or Territory dictate otherwise. It should be recognised that patients have the right to access their personal records and/or receive copies of them. Care should also be exercised to make certain that the issuing or transferring of personal records can only occur with the proper authority of the patient concerned and that the process of the transfer is undertaken securely and without disclosure of the content of the personal records. It is the obligation of dentists to ensure that allied dental personnel, contractors and other service providers under their supervision observe that same confidentiality.
8. Dentists should ensure that they provide patients with clear information about their dental condition and proposed treatment options so that patients are then able to make decisions that lead to informed consent for a particular option, without which it should not proceed.
9. Dentists shall recognise that patients are entitled to consult any dentist and change their dentists at will, even during a course of treatment.
10. If dentists are to discontinue providing care for patients, then dentists should ensure the patients are informed adequately and facilitate arrangements for the continuing care of the patients.
11. Where dentists recommend a product or service in which they have a commercial interest, this should be disclosed to patients at the time the recommendation is made.

Obligations Towards Employees

12. Owners of dental practices must not aid, abet, counsel or induce an employee dentist or other health care worker to:
 - (1) provide treatment that might be knowingly or likely to be deleterious to a patient or:
 - (2) provide treatment that does not meet reasonable standards of professional competence or best practice as may prevail from time to time.

Attitudes Towards Colleagues

13. Dentists should build their professional reputation on merit.
14. Dentists should refrain from disparaging their dental colleagues whether to patients, to other dental practitioners, or to the world at large, except as required by law.

15. Dentists should be reasonably willing to assist their colleagues, including other dental practitioners and dental staff, by the provision of professional services and in the furtherance of the principles set out in this Code of Ethics.
16. When a patient seeks advice from dentists other than their usual dentist:
 - (1) if the dentist is consulted in an emergency by the patient of another dentist, the consulted dentist should relieve any immediate problem and notify the patient's usual dentist of that treatment;
 - (2) if the patient is seeking an opinion about their oral condition, the dentist should endeavour not to say anything which calls into question the integrity of their usual dentist;
 - (3) if the patient is consulting a specialist dentist, the specialist should inform the usual dentist of the results of such consultation, including any diagnoses made, treatments, investigations or referrals recommended and of any treatments completed.
17. Dentists should make the results of personal research freely available and should be prepared to share any scientific, clinical or technical knowledge whilst being able to preserve whatever proprietary rights they hold in the personal research as Intellectual Property or otherwise.
18. Dentists should only delegate tasks to other dental practitioners and dental staff who are legally authorised, formally educated, trained and competent to complete the task delegated.

The Practice of the Profession

19. Dentists should act at all times in a manner that will uphold and enhance the integrity, dignity and reputation of the profession.
20. Dentists should express opinions, make statements, quote fees or give evidence in an objective and truthful manner.
21. Dentists should maintain professional competence throughout their careers by active and continual advancement of their knowledge of scientific, clinical and technical developments.
22. Dentists shall not advertise in a manner which is false or misleading, is harmful to the reputation of the profession, is inconsistent with reasonable standards of advertising of goods or services ordinarily undertaken by the profession as a whole or is in poor taste.
23. Dentists must be familiar with and comply without exception with all relevant legislation, regulations, codes and guidelines governing dentistry including but not limited to the Dental Code of Conduct for Health Practitioners published by the Dental Board of Australia as may be varied from time to time.

By-Law II

Adopted by Federal Council – August 16/17, 2012

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