

Managing Professional Ethical Issues

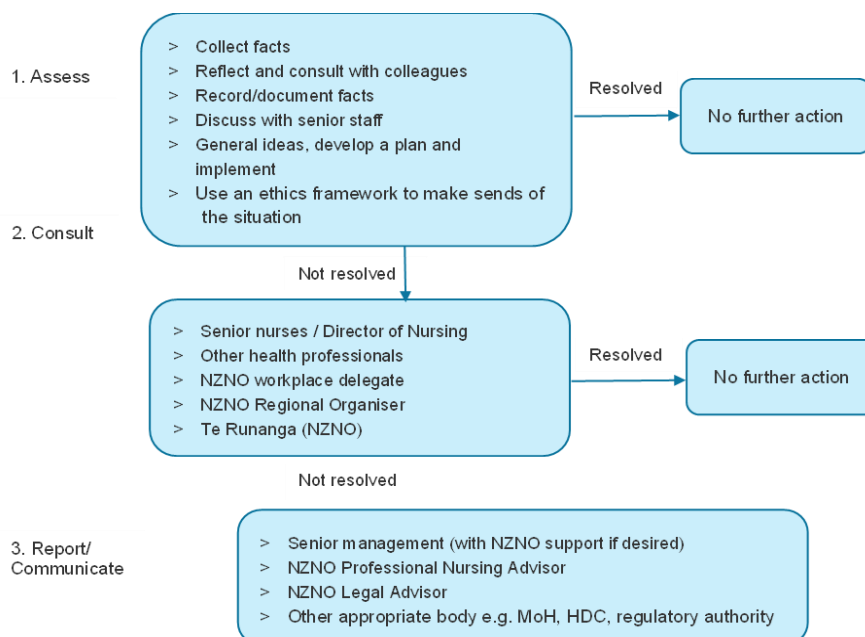
Being prepared to address challenging ethical and professional issues with knowledge and identified procedures is the key to ensuring such issues are resolved in a timely and appropriate manner.

What is a Challenging professional or Ethical Issue?

A challenging professional or ethical issue is encountered when a nurse has concerns about an action or situation and believes there is a need for resolution. The following strategies will assist nurses in preparing to manage challenging ethical and professional issues:

- Create opportunities for discussion and seminars on ethical issues in clinical practice.
- Discuss issues with management including encourage open and honest debate on ethical issues affecting nursing practice and standards of care.
- Familiarise yourself with legislation, institutional policies and the NZNO Code of Ethics.
- Lobby to change situations which are potentially incompatible with ethical nursing practice.
- Seek professional and legal advice.
- Hold membership of a professional organisation.
- Request a te ao Māori approach which can be a restorative to uphold cultural safety standards of ethical beliefs and practices (note a kaupapa Māori approach led by experts in restorative frameworks will need to support the application of this process).
- Explicit reference is given to Te Tiriti o Waitangi (te Tiriti) which guarantees active protection of tino rangatiratanga, ōritetanga – equity, options and partnership.

These steps may assist nurses to manage challenging situations:



Useful Information and Contacts

The Four Box Method may assist nurses managing challenging clinical ethical issues. The following people and organisations may also be of assistance.

- Patient advocate
- District Health Board Ethics Committee
- Local ethics committee
- Ministry of Health
- Nursing Council of New Zealand
- Health and Disability Commissioner
- Department of Labour – Health and Safety Unit

Clinical Issues	Patient Preferences
<p><i>The principles of beneficence and non-maleficence</i></p> <ul style="list-style-type: none"> > What is the patient's medical history/ diagnosis/prognosis? > What are the treatment options? > What are the goals of treatment? > What is the benefit to the patient? 	<p><i>The principle of respect for autonomy</i></p> <ul style="list-style-type: none"> > What are the patient's expressed preferences for treatment? > Is the patient competent to make their own decisions? > What would they want done? > What is in their best interests?
Quality of Life	Contextual Features
<p><i>The principles of beneficence and non-maleficence and respect for autonomy</i></p> <ul style="list-style-type: none"> > Prospects of survival with and without treatment? > Various effects of patient of treatment? > What are the plans for comfort and palliative care? 	<p><i>The principles of loyalty and fairness</i></p> <ul style="list-style-type: none"> > How does this affect others: family whānau and team? > Cost to Central health system? > Cultural/religious issues? > Law and Policy?

Ref: McDonald, M., Rodney, P., & Starzomski, R. (2001). *A framework for ethical decision-making: Version 6*. Ethics Software. Adapted from Jonsen, A. R., Siegler, M., & Winslade, W. (1992). *Clinical Ethics (3rd edition)*. New York, McGraw Hill. (reproduced with permission from M. McDonald). The framework is available online [A-Framework-for-Ethical-Decision-Making.pdf](#)

Other things to consider

- Who benefits from this decision?
- Who is impacted negatively?
- Could there be blind spots for me?
- If your roles were reversed, what would I want to another person to do?
- What decision would I feel proud of?
- What decision would I want other to know about?

Long term strategies

- Identify recurring problems
- Raise issues with those concerned

NZNO Practice GUIDELINE:

Managing Professional Ethical Issues

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- Arrange time to discuss the issues either with your colleagues and/or the team and/or your manager
- Focus on future strategies rather than injustices from the past
- Appreciate that people are different and come with different perspectives

Useful Publications

Burgess, M. (2008). *A guide to the law for nurses and midwives (4th Ed)*. Auckland: Pearson.
<https://www.thefreelibrary.com/Guide+to+the+Law+for+Nurses+and+Midwives+updated.-a0177449591>

Johnstone, M.J. (2019). *Bioethics: A nursing perspective (7th Ed)*. Sydney: Elsevier.
<https://www.elsevier.com/books/link/link/9780729543224>

Keenan, R. (2016). *Health care and the law (5thEd)*. Wellington: Thomson Reuters.
<https://www.thomsonreuters.co.nz/en.html>

Colero, L. (2021). A Versatile Framework of Ethics Principles.
<https://www.universalethics.com/universal-ethics-guide-flame-framework/>

Nursing Council of New Zealand. (2012). *Code of conduct for nurses*. Wellington: Author.
https://www.nursingcouncil.org.nz/Public/Nursing/Code_of_Conduct/NCNZ/nursing-section/Code_of_Conduct.aspx

New Zealand Nurses Organisation. (2019). *Code of ethics*. Wellington: Author.
<https://www.nzno.org.nz/Portals/0/publications/Guideline%20-%20Code%20of%20Ethics%202019.pdf?ver=19LQpYx8wspprjbTnt9pWw%3d%3d>

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Mission statement

NZNO is committed to the representation of members and the promotion of nursing and midwifery. NZNO embraces Te Tiriti o Waitangi and works to improve the health status of all peoples of Aotearoa/ New Zealand through participation in health and social policy development.

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