

# PodiatryNZ

To advance the quality of and access to podiatry  
*Hei whakapiki i te kounga me te whāi wāhi ki te haumanu waewae*

## Members Manual

December 2020

*Your guide to everything you need to know about PodiatryNZ and your membership.*



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# Membership

## What is PodiatryNZ?

We are the membership association of registered podiatrists. We exist to enhance the profession and increase awareness of the benefits of podiatry to enhance health outcomes for all New Zealanders.

We are a network of podiatrists working collegially, our membership is based on mutual respect and understanding. PodiatryNZ aims to deliver quality communication and training to enhance relationships for and between members, students and stakeholders.

PodiatryNZ membership programs are designed to make it easy and affordable to access information and support to be an effective health professional. PodiatryNZ assists us to work at the “top of our scope” and to change the world we work in for the better.

For up-to-date information, visit our website at:

<https://www.podnz.org/>

## Requirements of Membership

Members of PodiatryNZ must meet expected standards of professionalism. Membership requires annual Professional Indemnity Insurance.

Acceptance of membership is contingent upon acceptance into the PodiatryNZ insurance scheme and acknowledgement that each member will adhere to the Rules of PodiatryNZ and applicable Codes of Conduct.

On joining, members accept and commit themselves to protect the interests of the association (loyalty) and to pay membership fees (liability to pay contributions).

The all governance documents on the [website](#) which outline the conditions of membership and the standards of behaviour must be adhered to. These specifically include our [Rules](#), [Professional and Ethical Conduct](#), [Our Complaints Process](#), and our [Social Media Guidelines](#).

The full text for these documents [is](#) can be found further in this document.

## Key Benefits of Membership

### Insurance

Our insurance provider BizCover provides the minimum level of insurance required for each individual PodiatryNZ member.

The insurance included with PodiatryNZ membership covers:

- **Professional Indemnity** – This cover provides members with protection against claims for breach of professional duty as a podiatrist. It includes cover for legal expenses.
- **Public Liability** – This cover provides members with protection against claims for property damage or personal injury on. For example, an accidental flood from a member's premises damages another building.
- **Employers' Liability Insurance** – This cover provides protection where employees suffer personal injury at work where the employee is not eligible for accident compensation and sues the employer.
- **Statutory Liability** – This cover provides protection where there is a potential or actual prosecution brought against a member when, in the course of business, there is an unintentional breach of an act of Parliament.

### Insurance FAQ's

#### What is Professional Indemnity Insurance?

Professional Indemnity Insurance covers your professional errors and negligence as a Health Professional. You have a duty of care towards your patients and any breach of that can result in an allegation or claim for compensation. With a Professional Indemnity Policy in hand, insurers can assist you in defending and settling any allegations or claims.

#### Who are BizCover?

BizCover are the leading online provider of Professional Indemnity Insurance in New Zealand, providing broad and cost - effective coverage from New Zealand's leading insurers to over 1000 professions.

#### Why has Podiatry New Zealand partnered with BizCover?

PodiatryNZ understands risk and those associated with our podiatry profession in New Zealand. PodiatryNZ members insist on having a broad coverage that will respond at claim time. BizCover offers policies with excellent cover, competitive pricing and ease of transacting.

#### What if I have a claim or circumstance lodged with my previous insurer?

You will need to continue that negotiation with your previous insurer and declare the claim or circumstance on joining the PNZ membership. BizCover are available to offer assistance in this negotiation.

## What are the benefits of the PodiatryNZ Insurance offer?

- You enjoy your own \$2 million limit of Professional Indemnity cover
- You enjoy an automatic reinstatement of this limit if you have a large claim
- You have \$2 million Public Liability cover
- You have \$1 million Statutory Liability cover
- You have \$1 million Employers Liability cover
- Broad policies designed for Allied Health Professionals
- Competitive pricing
- Strong claims advocating when it really matters
- Insurers with A rating Financial Strength

## Can I opt out of the PodiatryNZ Insurance offer?

You can opt out of the PodiatryNZ Insurance programme however, PodiatryNZ insists on a high standard of cover and will need to review your policy. This review will determine policies, limits, extensions and exclusions are at least equal to those held by PodiatryNZ members.

## How do I know if I am covered?

Your insurance premium is included in your PodiatryNZ membership fee. As soon as you have paid your membership fee, your cover will commence from your joining date (usually the 1st of the next month) and will be renewed on that anniversary.

## Who do I call if I have a question about my policy or cover?

You can call BizCover between 8am and 5 pm on a weekday on 0508 249268, you need to mention you are a PodiatryNZ member.

## What do I do if a patient is unhappy with my service?

As soon as a patient has made a verbal or written allegation against you or demanded compensation, you should call BizCover and lodge a circumstance.

## What is a claims made basis of cover?

When you first become aware of a claim or a circumstance that could potentially lead to a claim against you, you need to report it against the policy in force at the time, not the policy that was in force when you carried out the work that is the subject of the claim or circumstance.

## Am I covered if I treat a family member?

In most cases you are not covered for claims arising from family members or close associates such as employees or de facto partners.

## What happens if I take a leave of absence?

You should notify PodiatryNZ or BizCover immediately. The status of your policy can be switched to Run Off, meaning that you are not working currently, but still liable for any work done previously.

### What happens when I retire?

You should notify PodiatryNZ or BizCover immediately. The status of your policy can be switched to Run Off, meaning that you are not working currently, but still liable for any work done previously.

### Am I covered to work outside of New Zealand?

You are not automatically covered to work overseas so notify BizCover as soon as this becomes apparent. Insurers will be notified and may agree to extend the cover, usually at no additional cost.

### Will this policy cover my past activities?

If you have a professional indemnity insurance policy in place at the time of joining PodiatryNZ, you will enjoy retroactive cover. However, past claims and circumstances reported or known about, will not be covered.

### If I work for a DHB, do I need the cover?

If you are contracted to a DHB, it is still prudent to have your own dedicated policy and policy limit in place. The policy limits under the DHB arrangements are usually shared and the excess levels are usually significant. Also, the PodiatryNZ arrangements include Public Liability and Statutory Liability that are not always available to employees or contractors under DHB insurance arrangements. Public Liability covers you for third party property damage claims and Statutory Liability covers you for inadvertent breaches of New Zealand statutes.

## Clinical Advisors Network

Clinical Advisors are here to help all members stay connected, feel supported and engaged. If you have a question or saw a patient you are just not sure about, get advice from profession leaders. They can help you navigate difficult situations, support your development, answer questions and be a sounding board for your ideas.

**This network has been developed to:**

- Support the profession
- Promote consistency
- Increase levels of personal and professional support for new graduates
- Build a learning culture within the profession
- Encourage senior practitioners to support those coming through
- Provide a career development opportunity for experienced/senior practitioners
- Increase leadership skills within the professional body

The Clinical Advisors can be found on our website at:

<https://www.podnz.org/mentor-network-1>

## Professional Development

We provide professional development support for all our members. This includes electronic learning resources (E-Learning), conferences and events, and other learning opportunities. Further information about what we provide in regard to professional development can be seen in the sections below.

### Events

We hold in-person and on-line events throughout the year to support our members through their professional development. These include conferences, educational training and other activities. Our aim is to help members get their continuing professional development and accreditation requirements sorted. We are also committed to building collegiality within the profession which we do through events, both in-person and on-line.

Upcoming events can be found on our website at:

<https://www.podnz.org/events>

Previous Events that have been recorded can be found on our website at:

<https://www.podnz.org/e-learning>



## Accreditation Programs

### Sports Accreditation

This special interest group is for podiatrists interested in working with clients who have active lifestyles. Members can achieve recognition by participating and working through a practical pathway that includes structured educational components and mentoring.

Sports Accreditation delivers and recognises podiatrists who have applied themselves to life long learning. To gain recognition as an Accredited Sports Podiatrist, members must have at least four years' work experience and have spent at least two years working towards accreditation.

Further information can be found on our website at:

<https://www.podnz.org/sports-accreditation>

### Clinical Accreditation

#### Clinical Excellence and Clinic Handbook

The Clinic Handbook encompasses quality frameworks, best practice standards and health and safety compliance needed to achieve clinical excellence and top of scope performance. It is a tool that enables processes and standards to be consistently delivered to a quality standard.

Built around the Allied Health Services Sector Standard NZS 8171:2005, the Clinic Handbook assists podiatrists to meet the increasing need for demonstrated quality systems particularly those for funded services.

Further information can be found on our website at:

<https://www.podnz.org/clinical-excellence>

### Registration Board CPD Requirements

The Podiatrists Board currently requires that practitioners who wish to hold an Annual Practising Certificate, undertake the Board's continuing professional development (CPD) Recertification programme.

The new CPD requirements, (introduced 1 January 2018), are based on a 2-yearly cycle. All practitioners need to read and be familiar with the Board's CPD Recertification Policy and its requirements, as well as the associated documentation providing further information on undertaking CPD activity and related Policies.

Further information can be found on the official website below:

<https://podiatristsboard.org.nz/practitioners/cpd-requirements/>

## Resources

### Conditions Facts Sheets

PodiatryNZ has a public website that contains a range of fact sheets about common issues. These sheets can be downloaded and may be given to patients. They are in plain English and promote to the public the need to seek expert advice from a podiatrist.

<https://www.podiatrynz.com/common-issues>

### Jobs

We promote jobs currently available all-over New Zealand.

<https://www.podnz.org/find-a-job-1>

### Newsletters

Our newsletters can be found on our website at:

<https://www.podnz.org/news-letters>

### Quick Links

Here you will find links to resources and other organisations::

<https://www.podnz.org/advisories>

## About Us

Podiatry New Zealand Incorporated (PodiatryNZ) is a membership based, not for profit association registered under the Incorporated Societies Act. Dedicated to better patient outcomes through enhancing the profession of podiatry and increasing awareness among New Zealanders about the importance of good foot health care. Founded in 1946, PodiatryNZ is the national voice of podiatrists.

## Our Vision

To advance the quality of and access to podiatry

*Hei whakapiki i te kounga me te whai wāhi ki te haumanu waewae*

## Our Values

- **Integrity**  
We act with integrity and respect in all we do. We are each personally accountable for the highest standards of behaviour, including honesty, transparency and fairness in all aspects of our work.
- **Leadership**  
We aim to support the profession of podiatry leading by example with vision, acting in the best interests of those receiving podiatric care.
- **Excellence**  
We are committed to robust governance, continuous quality development, and application of best practice principles in all that we do.
- **Collegiality**  
We aim to actively engage with members and stakeholders, working together to enhance and advance the quality of and access to podiatry for the communities we serve.

## Our Strategic Goals

- **Facilitating Collegiality**  
Our goal is to facilitate a collegial network of podiatrists and stakeholders based on mutual respect and understanding. These cooperative relationships to be achieved through the engagement of podiatrists at the national and regional levels. PodiatryNZ aims to deliver quality communication and training to enhance relationships for and between members, students and stakeholders.
- **Expanding Careers**  
Our goal is to assist members to maximise career potential, improve patient outcomes and maintain job satisfaction. Professional development and career specialisations will continue to be a focus. PodiatryNZ will work collaboratively with others to achieve prescribing rights, deliver high risk foot and sports training and to further quality clinic training with the implementation of a 3rd party audit process.
- **Sustainability**  
Our goal is to ensure the continued relevance of PodiatryNZ by safeguarding sound organisational practices through best practice governance practices. This will involve the implementation of best practice procedures for: transitioning key personnel, Board succession plans and an investment in appropriate induction and governance procedures.

# Rules

*Adopted 2016*

## 1. The Name / Te Ingoa

- a. The name of the Association will be Podiatry New Zealand (Incorporated) - Te Roopu Tiaki Waewae O Aotearoa.

## 2. Definitions and Interpretations

- a. Annual General Meeting means the annual meeting of the Association convened and held in accordance with Rule 6c.
- b. Association means Podiatry New Zealand (Incorporated) - Te Roopu Tiaki Waewae O Aotearoa.
- c. Board means the governing committee of the Association constituted under Rule 7, each member of which is a "Board member".
- d. Code of Professional and Ethical Conduct means the code of professional and ethical conduct as may be approved by the Board from time to time.
- e. Complaints Policy and Procedure means the complaints policy and procedure for Members of the Association as may be approved by the Board from time to time.
- f. Chairperson means a Board member appointed as chair by a majority of the Board.
- g. Financial Year shall mean the 12-month period ending on 31 March in every year.
- h. In writing means hand-written, printed or electronic communication of words or a combination of these methods.
- i. Member means a member of the Association with voting rights.
- j. Non-voting member means a member of the Association without voting rights.
- k. Registered Office shall be the New Zealand street address of the Secretariat of the Association or at any other New Zealand street address, which may be decided by the Board.
- l. Rules means these rules as may be amended from time to time.
- m. Secretariat means the administrative arm of the Association, which manages the day-to-day operations and undertakes other duties as delegated by the Board. Board members, Members, paid staff, consultants or any other person or body as determined by the Board from time to time, may undertake secretariat activities.
- n. Special Resolution means a resolution that requires not less than two-thirds (66%) of the Members voting at a general meeting, whether in person or by proxy, to vote in favour of the resolution.
- o. The Act means the Incorporated Societies Act 1908 and any amendments or substitutions.

## 3. The Objects / Whainga

- a. The Association is required to operate within the scope of its objects. In giving effect to these objects, the Association shall encourage policies and practices that reflect New Zealand's cultural diversity and shall, in particular, have due regard to the provisions, spirit and intent of the Treaty of Waitangi.
- b. **The Objects of the Association are:**
  - i. To communicate to Members information on matters affecting the profession and to print, publish, issue and circulate such papers, periodicals, books, circulars, web pages, emails, leaflets and other literary undertakings as may seem conducive to any of the objects of the Association.

- ii. To protect, maintain and promote the general advancement of the science and practice of podiatry.
- iii. To construct, maintain or alter any houses, buildings or works necessary or convenient for the purposes of the Association.
- iv. To donate, on such terms and conditions as may from time to time be prescribed, prizes or other awards and establish scholarships, grants and other benefactions.
- v. To respond, where appropriate, to complaints raised by consumers and other interested parties.
- vi. To establish, promote and maintain quality standards for all stakeholders in the podiatry profession within New Zealand.
- vii. To establish, subscribe to, promote, become a member of, support, amalgamate, affiliate or cooperate with any other institution or association whose objects are altogether or in part similar to those of the Association.
- viii. To grant recognised certificates of competency to those engaged in the profession.
- ix. To obtain any Act of Parliament or Charter for all or any of the objects of the Association.
- x. To uphold the rights and legal status of podiatrists.
- xi. To promote legislation considered necessary by the Association in the interest of podiatry and of the general public.
- xii. To originate and promote improvements in the law and to support or oppose alterations to any legislative body or authority and to promote deputations and take such other steps and proceedings as may be deemed expedient for the furtherance of any of the objects of the Association.
- xiii. To preserve and maintain professional integrity by imposing strict rules of conduct as a condition of on-going membership.
- xiv. To consider and deal with all questions involving or affecting the profession of podiatry in New Zealand.
- xv. To provide an avenue for Members to discuss and debate matters of common interest related to the practice of podiatry.
- xvi. To provide facilities for social contact between Members and their employees and if thought fit to afford them all or any of the usual privileges, advantages, conveniences of the Association.
- xvii. To provide for the delivery and holding of lectures, exhibitions, public meetings, classes and conferences calculated to advance the cause of education in the profession whether general, professional or technical.
- xviii. To promote the training of students of podiatry, to advise on it and to assist the school or schools entrusted with this task.
- xix. To purchase, take on lease or in exchange, hire or otherwise acquire any real and personal property, which may be deemed necessary or convenient for any of the purposes of the Association.
- xx. To receive any gift of property whatever subject to any special trust, or not, for any one or more of the objects of the Association.
- xxi. To represent generally the views and interests of the profession.
- xxii. To sell, manage, lease, mortgage, dispose of or otherwise deal with all or any part of the property of the Association.
- xxiii. To watch over and promote the interests of the profession generally.
- xxiv. To do all such other lawful things as are incidental or conducive to the attainment of the above objects.

#### 4. Membership / Mematanga

##### a. Member Applications

- i. Any person who satisfies the criteria for one of the membership categories determined by the Board under Rule 4b is eligible for membership and may become a Member if he or she:
  - 1. completes the relevant application form, supplies all requisite details and information and makes any declarations, or gives any undertakings, that may be required by the Board from time to time (including, but not limited to, undertakings as to compliance with the Rules and any Code of Conduct or Code of Ethics); and
  - 2. pays the appropriate membership fee.

##### b. Membership Categories

- i. The membership of the Association shall consist of various categories as determined by the Board. The Board will set the eligibility criteria for each category of membership.

##### c. Membership Fees

- i. The membership fees of the Association shall be determined from time to time by the Board.

##### d. Ceasing Membership

- i. The membership of a person ceases on resignation, expulsion or death -
  - 1. A Member is taken to have resigned if the Member's written resignation is received by the Association; or
  - 2. The Member's annual subscription is more than 2 months in arrears; or
  - 3. Where no annual subscription is payable a written request to the member to confirm that he or she wishes to remain a member has not been responded to within 1 month after the request has been sent.
- ii. A Member may be expelled from the Association if –
  - 1. The Member does not provide the requisite details, information, declarations or undertakings set out in the application form; or
  - 2. The Member no longer fulfils the eligibility criteria for a category of membership; or
  - 3. A complaint against the Member is made, investigated and upheld under and in accordance with the Complaints Policy and Procedure.

##### e. Register of Members

- i. The Association shall keep a register of Members, containing full name, address, occupation and employer.

#### 5. Alteration of the Rules / Te Whakarenkeketanga Ture

- a. These Rules may only be altered by a Special Resolution.

#### 6. General Meetings and Voting

##### a. Meetings / Nga Hui

- i. A meeting is either an Annual General Meeting or a special general meeting.

##### b. Notice of Meeting

- i. Members shall be given at least 21 days' notice of any general meeting.
- ii. The Association may give the notice of meeting to its Members
  - 1. By sending it by post to the address of the Member in the register of Members; or

2. By sending it to the electronic mail address nominated by the Member.
- iii. The notice of meeting must:
  1. Set out the place, date and time for the meeting (and, if the meeting is to be held in two or more places, the technology that will be used to facilitate this); and
    - a. State the business of the meeting; and
    - b. State that Members have the right to appoint a proxy; and
    - c. State that the business of the meeting will be restricted to those items of which due notice has been given.
- c. **Annual General Meeting**
  - i. The Annual General Meeting shall be held once every year no later than five months after the Association's balance date.
  - ii. The Board shall determine when and where the Annual General Meeting will be held.
  - iii. At each Annual General Meeting the Board shall present a report covering the previous year's work and other matters pertaining to the welfare of the Association and the Association's year-end financial statements.
  - iv. Other business, including general business, may also be undertaken.
- d. **Special General Meeting**
  - i. The Board may call special general meetings.
  - ii. The Board must call a special general meeting if the Chairperson receives a written request signed by at least 10% of the Members.
  - iii. A request for a special general meeting must—
    1. Be in writing; and
    2. State the business to be considered at the meeting and any resolutions to be proposed; and
    3. Include the names and signatures of the Members requesting the meeting; and
    4. Be given in writing to the Board.
  - iv. If the Board does not convene a special general meeting within one month after the date on which the request is received by the Board,
    1. The Members making the request (or any of them) may convene the special general meeting.
    2. The Association must reimburse all reasonable expenses incurred by the Members convening the special general meeting.
  - v. A special general meeting convened by Members
    1. Must be held within 3 months after the date on which the original request was received; and
    2. May only consider the business stated in that request.
- e. **Quorum**
  - i. No business shall be transacted at any general meeting unless a quorum is present at the time when the meeting proceeds to business.
  - ii. A quorum shall be at least 5% of Members or by proxy. In the case of any dispute as to whether the requisite number of Members are present, the decision of the chairperson of the meeting will be final.
- f. **Adjourning Meetings**
  - i. The chairperson may, with the consent of any meeting at which a quorum is present (and must, if so, directed by the meeting) adjourn the meeting but only business left unfinished at the meeting from which the adjournment took place may be transacted at the adjourned meeting.

- ii. If a meeting is adjourned for 21 days or more, notice of the adjourned meeting must be given as in the case of an original meeting.

**g. Chair at Meetings**

- i. The chairperson for the purposes of any general meeting of the Association shall be the Chairperson.
- ii. The Chairperson will be entitled to take the chair at every general meeting of the Association.
- iii. If at any general meeting the Chairperson is not present within 15 minutes after the appointed meeting time, the Members present will choose a member from their number to be the chairperson.

**h. Equality of Votes**

- i. In the case of an equality of votes, the chairperson of the meeting shall not be entitled to have a second or casting vote. The resolution put to the vote shall be deemed lost.

**i. Minutes**

- i. All minutes of general meetings shall be kept at the registered office of the Association or by electronic means, as determined from time to time by the Board.

**j. Resolutions Decided by Show Of Hands Unless a Poll Is Demanded**

- i. At any general meeting, a resolution put to the vote of the meeting must be decided on a show of hands unless any member, either in person or by proxy, demands a poll. Such demand must be made before or immediately on the declaration of the result of the show of hands.
- ii. If a resolution is to be voted on by show of hands, each member present shall have one vote.
- iii. Unless a poll is demanded in accordance with these Rules a declaration by the chairperson that a resolution has on a show of hands been carried unanimously or by majority or lost.
- iv. An entry to that effect in the minutes of the Association is conclusive evidence of the fact provided that the chairperson's declaration reflects either the show of hands or the votes received.

**k. How and When Poll Taken**

- i. If a poll is demanded in accordance with these Rules it must be taken either:
  - 1. At once.
  - 2. After an interval or adjournment not exceeding one hour; or
  - 3. Otherwise as the chairperson directs.
- ii. The result of the poll is the resolution of the meeting at which the poll was demanded.
- iii. A poll demanded on the election of a chairperson or on a question of adjournment must be taken immediately.
- iv. On a poll, a member holding more than one vote need not exercise all votes in the same way.
- v. A demand for a poll may be withdrawn.

**l. Votes of Members if Poll is Demanded**

- i. If at any general meeting a resolution is put to the vote of the meeting by a poll, either at the meeting or by postal or electronic ballot, each member who is entitled to vote has one vote.

**m. Postal and Electronic Ballots**



- i. Any resolution of Members able to be passed at a general meeting may instead be passed by postal or electronic ballot (a ballot) conducted in accordance with these Rules.
- ii. The Board may determine that any resolution be put to Members by way of ballot and, if so, the Board is to be responsible for conducting the ballot, for supervising the conduct of each ballot and for determining whether the votes have been properly cast.
- iii. The ballot paper for, and other papers relating to, any ballot are to be in the form determined by the Board, but in each case must:
  - 1. Specify the resolution proposed to be put for the consideration of Members,
  - 2. Include an explanatory memorandum, setting out the general effect of the resolution, and
  - 3. State the time and date on which the ballot is to close.
- iv. On any ballot, voting shall be deemed a poll. The Board shall ensure that Members are advised of the result of the ballot within 48 hours of the counting of the votes in any ballot. The result of any ballot shall be as effective and binding on Members as a resolution at a meeting.

**n. Proxies**

- i. A Member may appoint another Member as his or her proxy to vote and speak on his or her behalf at any general meeting.
- ii. The appointment of a proxy must be in writing and signed by the Member making the appointment.
- iii. The Member appointing the proxy may give specific directions as to how the proxy is to vote on his or her behalf, otherwise the proxy may vote on behalf of the Member in any matter as he or she sees fit.
- iv. If the Board has approved a form for the appointment of a proxy, the Member may use any other form that clearly identifies the person appointed as the Member's proxy and the Member has signed that.
- v. A form appointing a proxy sent in writing is of no effect unless the Association receives it no later than 24 hours before the commencement of the meeting.

**7. Election of Officers / Kowhiringa Poti O Nga Apiha**

**a. Board**

- i. The Board may consist of up to seven Members as follows:
- ii. Three Members elected as Board members by the Members of the Association in accordance with Rule 7 c below.
- iii. One Podiatrist Maori representative. A Maori representative body (recognised by the Board) shall determine their processes for selecting their representative.
- iv. One Podiatrist student representative. A student representative body (recognised by the Board) shall determine their processes for selecting their representative.
- v. The Board may co-opt from time-to-time additional Board members with or without full voting rights provided that at no time shall there be more than two [2] such co-opted Board members. Their term of appointment will be two years unless the Board specifies a shorter period or earlier rescinds their appointment. A person may be co-opted because they bring particular aptitude to the Board and such person(s) may or may not be a current Member.

**b. Chairperson**

- i. At the first Board meeting after the Annual General Meeting, the Board will appoint a Board member as Chairperson by consensus or a simple majority vote of the Board. The Board member proposed as Chairperson may participate in any such vote.

**c. Election of Three Members to the Board**

- i. Notifications calling for nominations to vacant Board positions are to be sent in writing to all Members at least 45 days prior to the Annual General Meeting.
- ii. All nominations must be in the hands of the Secretariat 30 days prior to the Annual General Meeting
- iii. A proposer and seconder must sign the nominations. The nominee must also agree in writing to accept nomination. Proposer, seconder and nominee must all be Members of the Association
- iv. Any nominee must have been a Member of the Association for at least two consecutive years.
- v. The term of appointment will be 2 years.
- vi. In the event the nominations received do not exceed the number of vacancies, the Board may declare that nominees duly elected without the need for a ballot of any kind.
- vii. Voting forms, whether paper or electronic, shall be forwarded to all Members no later than 20 days prior to the Annual General Meeting.
- viii. Voting must be concluded at least seven days before the Annual General Meeting.
- ix. The Board may appoint two scrutineers to determine the result of the election.

**d. Vacancies**

- i. Should a position become vacant through death, resignation or for any other reason the Board may appoint a suitable replacement from the membership to act in that office until the next regular election of that Board member would occur.

**e. Duties of the Board**

- i. As soon as practicable after being elected or appointed to the Board, each member must become familiar with these Rules and the Act.
- ii. The Board is collectively responsible for ensuring that the Association complies with the Act and that individual members of the Board comply with these Rules.
- iii. Board members must exercise their powers and discharge their duties—
  - 1. In good faith in the best interests of the Association.
  - 2. For a proper purpose.
  - 3. With care and diligence; and
  - 4. To avoid and declare any potential or perceived conflicts of interest
- iv. Board members and former Board members must not make improper use of—
  - 1. Their position
  - 2. Information acquired by virtue of holding their position so as to gain an advantage for themselves or any other person; or
  - 3. To cause detriment to the Association.
- v. The business of the Association must be managed by or under the direction of the Board.

- vi. The Board may exercise all the powers of the Association except those powers that these Rules or the Act require to be exercised by general meetings of the Members.
- vii. The Board may—
  1. Appoint and remove the chief executive officer/Secretariat.
  2. Establish subcommittees consisting of Members and non-members with terms of reference it considers appropriate.
  3. Approve (and from time to time amend) a Code of Professional and Ethical Conduct and a Complaints Policy and Procedure, both of which will be binding on all Members once notice is given to Members of them (which may be done in the same manner as a notice of meeting is given under Rule 6 b ii). That code of Professional and Ethical Conduct and the Complaints Policy and Procedure may be published on the Association's website.

**f. Delegation**

- i. The Board may delegate to a member of the Board, a subcommittee or staff, any of its powers and functions other than—
  1. This power of delegation; or
  2. A duty imposed on the Board by the Act or any other law.
- ii. The delegation must be in writing and may be subject to the conditions and limitations the Board considers appropriate.
- iii. The Board may, in writing, revoke a delegation wholly or in part.

**g. Vacation of Office**

- i. A Board member may resign from the Board by written notice.
- ii. A person ceases to be a Board member if he or she—
  1. Ceases to be a Member
  2. Fails to attend 3 consecutive Board meetings without a leave of absence from the Chairperson.
- iii. A Board member may be removed from office by the Chairperson by reason of:
  1. Inability to perform the requirements of the position
  2. Neglect of duty
  3. Misconduct
  4. Bankruptcy

**h. Quorum**

- i. No business shall be transacted at any Board meeting unless a quorum is present at the time when the meeting proceeds to business. A quorum shall be not less than half the Board members plus one, all personally (including by technology as referred to in Rule 7 i below) present and eligible to vote. If there is any dispute as to whether or not a quorum is present, the Chairperson's decision will be final.

**i. Use of Technology**

- i. A Board member who is not physically present at a Board meeting may participate in the meeting by the use of technology that allows that member and the Board members present at the meeting to clearly and simultaneously communicate with each other.
- ii. A Board member participating in a Board meeting is taken to be present at the meeting and, if the member votes at the meeting, is taken to have voted in person.

**j. Conflict of Interest**

- i. A Board member who has a material personal interest in a matter being considered at a Board meeting must disclose the nature and extent of that interest to the Board.
- ii. If the Chairperson determines that the member has a material conflict, the member -
  - 1. Must not be present while the matter is being considered at the meeting; and
  - 2. Must not vote on the matter.
- iii. If there are insufficient Board members to form a quorum after all Board members who have a material personal interest are disqualified from voting on a matter, a general meeting may be called to deal with the matter.
  - 1. This rule does not apply to a material personal interest—
    - a. That exists only because the member belongs to a class of persons for whose benefit the Association is established; or
    - b. That the member has in common with all, or a substantial proportion of, the Members of the Association.

**k. Minutes of meetings**

- i. The Board must ensure that minutes are taken and kept of each Board meeting.
- ii. The minutes must record the following—
  - 1. The names of the members in attendance at the meeting.
  - 2. The business considered at the meeting.
  - 3. Any resolution on which a vote is taken and the result of the vote.
  - 4. Any material personal interest disclosed by a member.

**l. Transition provisions**

- i. Following the adoption of these Rules, the President shall assume one of the Board positions until the following Annual General Meeting.
- ii. The remaining Board members (excluding the Maori and student representatives) will by consensus reduce their number to two. If agreement cannot be achieved, straws will be drawn for the remaining positions.
- iii. By consensus, one Board position will remain until the following Annual General Meeting, the other will remain in place until the second Annual General Meeting.

**8. Common Seal / Te Tohe TakeTake**

- a. The Secretariat shall have custody of the common seal, which shall only be used by the authority of the Board. Two members of the Board shall sign every document to which the common seal is affixed.

**9. The Control and Investment of the Association's Funds**

- a. The Association must keep true and fair accounts.
- b. The Board is responsible for keeping proper accounting records of the Association's financial transactions to allow the Association's financial position to be readily ascertained.
- c. Annual financial statements for presentation at each Annual General Meeting will be prepared in accordance with the Association's accounting policies.
- d. The income and property of the Association shall be applied solely towards the promotion of the objects of the Association and no portion shall be paid or transferred directly or indirectly by way of dividend, bonus or profit to any Member or those who have previously been Members.

- e. Nothing shall prevent the payment in good faith of remuneration or payment for services or goods provided by any Member or employee of a Member for any service actually rendered to the Association, provided that any contract for the engagement of that Member with the Association has been fully disclosed to the Board. If the service is to be rendered by a Board member, that person shall not be present at any deliberations or vote on any matter in which he or she is financially interested.
- f. Nothing shall prevent the reimbursement from the funds of the Association, as may be decided by the Board, of expenses which are incurred by Board members, or officers in carrying out duties for the Association which, by reason of offices held by them under these Rules they are required to perform, or duties for which they are specifically appointed by the Board.
- g. The Board may use the funds of the Association as it considers necessary, expedient or proper in payment of the costs and expenses in furthering or carrying out the objects of the Association including the employment of solicitors, auditors, officers, agents, consultants and employees or others authorised to perform the functions delegated to the Secretariat.
- h. How Funds Will Be Invested
  - i. The Association may invest and deal with funds of the Association not immediately required in such a manner as decided by the Board.

#### 10. The Powers to Borrow Money

- a. The Board may borrow or raise money from time to time, by the issue of debentures, bonds, mortgages or any other security based on all or any of the property and/or rights of the Association and either with or without security. The borrowing may be upon such terms as to priority and otherwise as the Board thinks fit.

#### 11. Winding up

- a. The Association shall not be dissolved except by special resolution passed in accordance with the provisions of section 24 of the Incorporated Societies Act 1908 and if upon winding up or dissolution of the Association there remains, after the satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid to or distributed among the Members, but shall be given or transferred to such other organisations, having objects similar to the objects of the Association, as may be decided at or before the time of dissolution by the Members.

#### 12. Divisions, Specialist Groups

##### a. Divisions and Specialist Groups

- i. The Board may grant permission for the establishment of Divisions and Specialist Groups.
- ii. The Board may provide financial and/or other assistance to Divisions and Specialist Groups where it considers it to be in the interests of the Association.
- iii. Where it considers it to be in the interests of the Association, the Board may take steps (including the calling of a meeting of Members) to promote the establishment of a new Division or Specialist Group.
- iv. Where an existing Division or Specialist Group has not for a significant period being operating effectively, the Board may call a meeting of the Division or Specialist Group for the purpose of reactivating or reforming the Division or Specialist Group, and if such meeting is not able to reactivate or reform the Division or Specialist Group, the Board may appoint a convenor with the task of trying to secure the reactivation or reform of the Division or Specialist Group, such convenor shall hold office until the appointment is discontinued by the Board.

- v. A Division or Specialist Group shall have at least five active Members. If at any time a Division or Specialist Group ceases to have at least five active Members and/or cease to have regular meetings, the Division or Specialist Group shall automatically be suspended and shall remain suspended until either the Board is satisfied that the Division or Specialist Group membership will on the lifting of the suspension be restored to at least five active Members or the question of the future of the Division or Specialist Group has been dealt with as otherwise provided for in these Rules.
- vi. The Board may cancel any permit issued for the establishment of a Division or Specialist Group by resolution.
- vii. Each Division or Specialist Group shall exist by virtue of a permit issued by the Board and shall consist of Members (and by agreement of the Board Non-Members) of the Association and shall retain such permit so long only as it remains united to the Association according to these Rules.
- viii. The Board may draw up a set of by-laws or terms of reference for the operation of a Division or Specialist Group provided that such by-laws or terms of reference are not inconsistent with these Rules. No Division or Specialist Group shall be allowed to act under any rules other than those adopted by the Board.

# Code of Professional and Ethical Conduct

*Updated: October 2017*

For members of PodiatryNZ

The members of PodiatryNZ are committed to the highest standards of professional and ethical conduct at all times.

All members are expected to abide by this Code of Professional and Ethical Conduct as well as complying with all applicable laws, regulations and rules.

## Definitions

For the purpose of this Code, the following definitions apply:

Client/patient	Includes current clients/patients, potential clients/patients and past clients/patients of a member.
Code	Means this Code of Professional and Ethical Conduct adopted by the Board of PodiatryNZ in accordance with the Rules of PodiatryNZ.
Complainant	Means a person expressing concern about a member or making a complaint.
Complaints Policy and Procedure	Means the Complaints Policy and Procedure adopted by the Board of PodiatryNZ in accordance with the Rules of PodiatryNZ.
PodiatryNZ	Podiatry New Zealand (Incorporated) – Te Roopu Tiaki Waewae O Aotearoa.
Member	Means a member of PodiatryNZ and includes the employees, agents, contractors and sub-contractors of a member.

## Values and Principles

All members shall act in accordance with the following values and principles:

### 1. Integrity

- Members will act with integrity. They shall not gain unfair advantage from the lack of knowledge, inexperience or inability of a client/patient.
- Members will treat all persons fairly, respectfully and with dignity.
- Members will always conduct their business in a manner that reflects favourably on the profession.
- Members who are practising podiatrists will adhere to the Code of Health and Disability Services Consumers' Rights.
- Members will not make any oral or written statements to the media unfairly criticising PodiatryNZ without first seeking resolution with the PodiatryNZ Chair or Secretariat.

### 2. Confidentiality

- Members shall be committed to protecting the confidences and privacy of past, current and prospective client/patients and employees in all their dealings.

### 3. Ethics

- Members must always conduct their business to the highest standards of honesty, accuracy, integrity and decency.
- Staff induction programmes are to include ethical considerations.

- c. Members shall not take advantage of a privileged position to compete unfairly or fail to give credit for the work of others to whom credit is due.
- d. Members must not knowingly disseminate false or misleading information.
- e. Members should exercise careful judgement before accepting any gift, hospitality or gratuity, which could be interpreted as an inducement to use or endorse any product, equipment or policy. Members must not allow gifts to influence their clinical judgement.
- f. Members will recognise that client/patients have a choice and will treat the client/patient's decision with respect. client/patients should fill in their own application forms for funded treatments – unless the client/patient has a medical impairment and requests assistance.
- g. Members should always exercise judgment that the chosen methods of diagnosis and treatment are appropriate especially when giving a remote consultation. It is essential that the member and the client/patient are able to reliably identify each other. Remote interactions should be documented in the client/patient's clinical record.
- h. Members shall behave cooperatively and respectfully towards PodiatryNZ members and colleagues.
- i. Members will treat all client/patients fairly and equitably, respecting cultural and moral values and the dignity of the individual.

#### 4. Duty of Care

- a. Welfare, health and safety - The welfare, health and safety of the client/patient shall at all times take precedence over professional or private interests.
- b. Competence - members shall only operate in their areas of competence, inform client/patients in any instances where they do not hold appropriate qualifications or experience to carry out work and only give advice and opinions on the basis of adequate knowledge.
- c. Unsafe or unethical practices - members have a general responsibility to ensure unsafe or unethical practices are reported to relevant authorities (Registration Board) without delay. Members have a responsibility to assist colleagues who are unwell or under stress in order to avoid harm to patients.
- d. Informed consent - members shall involve client/patients as far as possible in understanding the nature of their problems. Client/patients need to be informed of the full range of options, including the benefits, risks, and costs of each. Client/patients are to be provided with the information needed to make an informed decision.
- e. Entitlements - When requested, or if a need is apparent, members shall provide client/patients with any requisite information, which they hold, to enable them to receive benefits to which they may be entitled.
- f. Support person - members will advise all client/patients of their right to have a third-party present during any contact.

#### 5. Quality

- a. Members shall be committed to delivering high quality, timely, efficient, reliable and valued services.
- b. Members shall ensure all information is recorded accurately and in a timely manner.
- c. Members shall seek to improve the standards of medical care through continuing self-education and thoughtful interaction with appropriate colleagues.
- d. Members have a responsibility to participate in reviewing their own practice and that of others, and to develop a critical attitude towards accepted and traditional practice.
- e. Advances and innovative approaches to clinical practice should be subject to review and promulgation through professional channels. Members should provide carefully



considered and generally accepted scientific knowledge. If presenting an opinion contrary to that generally held within the profession, members must indicate that this is the case and present the information fairly.

**6. Environmental Care**

- a. Members shall act responsibly towards the environment at all times, ensuring compliance with all relevant environmental legislation and encouraging environmentally responsible work practices.

**7. Cooperation**

- a. Members shall always demonstrate the highest standards of professional courtesy.
- b. If a client/patient requests a change to a different provider, members must (with the client/patient's permission) communicate to ensure the change is completed with minimal disruption to the client/patient's service and without disadvantaging the client/patient in any way.
- c. Members shall not publicly injure the professional reputation of other members or colleagues.

**8. Conflict of Interest**

- a. Members shall strive to avoid all known conflicts of interest and to keep client/patients or other relevant third parties fully informed in any such matter. members shall not allow any preferred relationship with another member to interfere with the interest of client/patients.

**9. Compliance**

- a. Members shall abide by this code and all relevant New Zealand laws and regulations.

**10. Complaints**

- a. If a member is concerned about the service delivery or conduct of another member, they must seek to resolve the issues with that member before making a complaint.
- b. If the matter cannot be resolved and the member (Complainant) refers the matter to PodiatryNZ, PodiatryNZ may investigate that matter in accordance with the Complaints Policy and Procedure, or it may recommend that the complaint be directed to a more appropriate authority.
- c. All members are required to cooperate with PodiatryNZ in relation to any investigation.

## Complaints Policy and Procedure

*Updated: October 2017*

This complaints Policy and Procedure applies when a Complainant expresses a concern or complains about the service delivery of a member, or a member is alleged to have breached the Code of Conduct.

### Definitions

Board	The governing committee of PodiatryNZ constituted under Rule 7, each member of which is a "Board member".
Chief Executive	The chief executive of PodiatryNZ.
Client/Patient	This includes current client/patients, potential client/patients and past client/patients of a member.
Code of Conduct	The Code of Professional and Ethical Conduct as may be approved by the Board from time to time in accordance with the Rules.
Complaint	A formal complaint made by a person to PodiatryNZ in relation to a member.
Complainant	The person expressing concern about a member or making a complaint about a member.
Member	A current member of PodiatryNZ. This includes any employees, agents, subcontractors or other representative of the relevant member.
PodiatryNZ	The incorporated society known as Podiatry New Zealand (Incorporated) – Te Roopu Tiaki Waewae O Aotearoa
Policy	This complaints Policy and Procedure
Rules	The Rules of PodiatryNZ in force from time to time.

### Policy Statement

PodiatryNZ is committed to facilitating resolution in respect of complaints about made about PodiatryNZ members in respect to the PodiatryNZ Code of Professional and Ethical Conduct.

This Policy is not intended to be a substitute for the ability of a person to make complaints to the Podiatrists Registration Board or to the Health and Disability Commissioner.

### Rules, Code of Conduct and Applicable Law

Every member is bound by the Rules and all applicable laws, including the Health Practitioners Competence Assurance Act 2003. The Rules of PodiatryNZ and the Code of Professional and Ethical Conduct.

### Concerns may be treated as Complaints

If the Board becomes aware of negative comments about a member, or of a breach of the Code of Conduct by a member, but no formal complaint has been received by the Board, the Board, acting

reasonably, may, decide to investigate these negative comments. In such a case, the Board may enquire into such matters and this Policy will apply as if a complaint had been received.

### Natural Justice

Every member who has a complaint made against him or her has the right to be fully informed of the nature of the complaint and the right to respond. At all proceedings, the member and the complainant may be represented or attend with a support person.

All decisions will be made fairly and with regard to the rights of all parties. An impartial and consistent approach will be used to ensure parity and fairness in resolving complaints.

### Confidentiality

All complaints received will be dealt with in strict confidence in accordance with this Policy.

PodiatryNZ, Board members, and panel members will keep the complaint and all matters in relation to it confidential until the Board makes a decision in respect of it. At this point the Board may decide to make a public statement or to refer the complaint elsewhere.

### Procedure – From a member about another member

1. A complaint must be lodged within 12 months of any alleged incident.
2. When a complaint is received by PodiatryNZ about a member by another member, (which that member has been unable to resolve with that member in accordance with the Code of Conduct), the chief executive will inform the member complained about, and the Board of PodiatryNZ.
3. The member will provide a written complaint, which will include the following information:
  - a. the name of the member being complained about, (or their employee, agent, contractor, subcontractor or other representative);
  - b. an outline of the nature of the complaint;
  - c. identification of the relevant clauses of the Code of Conduct that have been breached
  - d. evidence of breach(es) of the Code.
4. On receiving the complaint, PodiatryNZ will inform the member being complained about that a complaint has been received.
5. The written complaint will be forwarded to the member being complained about.

### Procedure – From clients/patients about a member

1. A complaint must be lodged within 12 months of any alleged incident.
2. When a complaint is notified to PodiatryNZ from a client/patient about a member, the chief executive will inform the member complained about and seek to mediate a satisfactory solution to the issues raised.
3. If necessary, the chief executive will assist the client/patient in preparing an outline of the written complaint, which will include the following information:
  - a. the client's name and contact details;
  - b. the name of the relevant member (or their employee, agent, contractor, subcontractor or other representative);
  - c. an outline of the nature of the complaint; and
  - d. the relevant provision of the Code of Conduct, or other relevant code or standard, that have been breached.

- e. evidence of breach(es).
- 4. The member will be fully informed of the nature of the complaint and, if appropriate (at the discretion of the Board) of the client/patient making the complaint.

### Complaints Process

1. The Board will appoint one of its members to investigate, with the chief executive, the nature and circumstances of the complaint.
2. The appointed Board member and the chief executive are the "panel" for the purposes of this Policy.
3. Both the chief executive and the appointed Board member must act independently and impartially and have no conflict of interest which would influence, or be seen to influence, the investigation of the complaint and the outcome.
4. The chief executive or the appointed Board member may have a conflict of interest if their financial, private or business interests could compete with their duties under this Policy in a way which might mean they favoured a particular position, had a personal interest in the outcome or connection with the relevant member or client/patient or be perceived to have that bias.
5. If there is any suggestion of a conflict of interest that cannot be adequately managed or lack of independence or impartiality, the Board will appoint another person to act in the chief executive's stead and/or or appoint another, independent and impartial, Board member or other person who can so act.
6. The panel will ensure that both the client/patient and the relevant member:
  - a. are able to provide their own account of the circumstances of the matter;
  - b. are given the opportunity to respond to the other party's account;
  - c. are given the opportunity to comment on the draft conclusions and recommendations of the panel to the Board; and
  - d. are notified of the panel's reasons for those conclusions and the consequences of the relevant recommendations.
7. If the complaint is withdrawn, or if concerns are being treated as a complaint, the Board (through a panel appointed for the purpose) may at their discretion continue to investigate the complaint.
8. The panel will investigate the complaint, taking into account the views and responses from the parties with a view to making a recommendation to the Board. The panel will endeavour to complete its investigation within 14 working days of receipt of the complaint.
9. The Board will review that recommendation, and may seek further information from the panel if required. The Board may:
  - a. dismiss the complaint; or
  - b. consider what sanctions or penalties might be appropriate for the member, including expulsion from PodiatryNZ if the complaint is upheld.
10. When the Board makes a decision in respect of the complaint, it will also decide whether or not a public statement should be made.

## Social Media Guidelines

### PodiatryNZ Members Only

PodiatryNZ forums are a closed group to ensure that members can talk to members in a private collegial forum where experiences can be shared and questions asked.

### Patient Privacy

Being part of this group requires mutual trust. Discussions can be sensitive. Please respect all ideas and at all times maintain patient confidentiality.

### Respectful and Courteous

We're all in this together. Let's treat everyone with respect. Healthy debates are natural, however, we require all discussion to be courteous and professional.

### Focus on Podiatry

Comments on matters not related to podiatry, such as race, religion, culture, sexual orientation, gender or identity will not be tolerated.

### No Promotions or Spam

Self-promotion, spam and irrelevant links aren't allowed.

### Code of Ethics

Members are required to adhere to the PodiatryNZ Code of Ethics. Failure to do so may lead to expulsion from PodiatryNZ membership.

### Members must use own name

Own names must be used. Members using pseudonyms will not be accepted as members. Members must not share their account information with others.