

香港助產士  
專業操守及實務守則

*Code of Professional  
Conduct and Practice  
for Midwives in Hong Kong*

香港助產士管理局

Midwives Council of Hong Kong

# *Code of Professional Conduct and Practice for Midwives in Hong Kong*

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## **PREAMBLE**

The Midwives Council of Hong Kong (“the Council”) is the regulatory body of the midwifery profession. Its function is to carry out the statutory duties assigned to it by the Midwives Registration Ordinance (Cap. 162, Laws of Hong Kong). Such duties include the registration of midwives and the discipline and regulation of the profession.

In determining whether an application for registration as a midwife should be approved, or whether a registered midwife should be allowed to continue to practise midwifery, a relevant factor to be taken into account is whether the applicant has been guilty of unprofessional conduct (section 8(3)).

Unprofessional conduct is defined under section 10(3) to mean an act or omission which could be reasonably regarded as disgraceful or dishonourable by registered midwives of good repute and competency.

The objective of this booklet is to provide general guidance to registered midwives on the conduct and practice of midwifery.

### Note

In this booklet, unless the context otherwise requires, words and expressions importing the feminine gender include the masculine gender, and words and expressions importing the masculine gender include the feminine gender.

Legislation referred to in this booklet is up to date as at 1<sup>st</sup> January 2016. Sections of the Midwives Registration Ordinance quoted herein are extracted in the Appendix.

## **DEFINITION OF MIDWIFE**

A midwife is a person who has successfully completed a midwifery educational programme that is duly recognized in Hong Kong and that is congruent with the Core Competencies for Hong Kong Registered Midwives issued by the Council; who has passed the assessment as stipulated by the Council, and has acquired the requisite qualifications to be registered and/or legally licensed to practise midwifery.

Adapted from the Position Statement of International Confederation of Midwives, 2011

## **THE PHILOSOPHY OF MIDWIFERY**

The philosophy of midwifery is based on the values relating both to the woman and her family as recipients of care and to the midwife as a care provider.

### Woman

Every woman is a unique, holistic being who warrants fundamental respect for the integrity of the person. She has her own dignity, rights and self-care abilities relating to her health concern. The woman as a mother is the centre of midwifery care. As childbirth is a characteristic physiological event, an expectant mother tends to look forward to a positive birth experience in a safe and friendly environment.

### Family

The family is the basic unit of society. It forms a social network that acts as a support system for its members.

The structure and culture of the family can influence the attitudes, beliefs, and health behaviour of the childbearing family. Simultaneously, changing economic factors, life styles, values and childbirth practice can affect the family in many ways. The woman's family is encouraged and facilitated to be an active participant during the childbirth process to enhance positive experience and parent-infant bonding.

### Midwifery

Midwifery is holistic by nature addressing the physiological, psychosocial, cultural and spiritual needs of a woman and her family by promoting and

protecting the safety and health of the woman and her infant.

Midwifery is a unique body of knowledge that encompasses elements of art and science and advances through experience and research.

Midwifery works within the paradigm of normal childbirth. It also has a role in the detection and management of abnormalities and complications.

Midwifery care is provided in partnership with the woman and her family in a continuous, empowering and supportive manner.

A midwife also works in collaboration with other healthcare professionals, and has a role in the early detection of abnormal conditions and in collaboration with doctors in the management of complications during pregnancy.

The goal and core activity of midwifery care is to deliver high quality, competent and compassionate care regardless of the client's race, creed, and economic or social status.

## **SCOPE OF PRACTICE**

A midwife must be able to give the necessary supervision, care and advice to women during pregnancy, labour and the postpartum period, to conduct deliveries on her own and to care for the newborn and the infant. This care includes the implementation of preventive measures, the promotion of normal birth, the detection of abnormal conditions in mother and children, the procurement of medical assistance and the execution of emergency measures in the absence of medical help. She also participates as a professional in the management of complicated and abnormal situations arising from pregnancy, childbirth and puerperium. She has an important task in health counselling and education, not only for women, but also within the family and community. The work should involve antenatal education and preparation for parenthood, and extends to certain areas of gynaecology, family planning and childcare. She may practise in hospitals, clinics, health units, and domiciliary conditions or in any other service.

Adapted from the International Confederation of Midwives, 2011

## **CODE OF PROFESSIONAL CONDUCT**

The values and beliefs that reflect the fundamental philosophy of midwifery and expectations of the professional conduct of a midwife are provided for below.

### To the Clients

1. A midwife respects the woman's and her family's needs, values and culture irrespective of her race, religion, life style, sexual orientation, socio-economic status or the nature of health condition; and works to avoid or to reduce the potential risks which affects the woman and her family.
2. A midwife preserves the dignity of the woman and her family.
3. A midwife respects the rights of the woman to make informed choices in relation to her care.
4. A midwife works in partnership with the woman and her family to promote self-care and the health of mother, infant(s), and family.
5. A midwife empowers the woman and her family to speak for themselves on issues affecting the health of woman and her family within their social-cultural context.
6. A midwife acts as an advocate to protect and promote the interests and welfare of the woman and her family.
7. A midwife should not conduct, participate or collaborate in any research involving human subjects without the prior approval of the relevant research ethics committee.

### To the Profession

1. A midwife has a moral right to refuse to participate in procedures that would violate her reasoned moral conscience, but without depriving the woman of essential healthcare.
2. A midwife ensures that she practices midwifery under a valid practicing certificate issued by the Midwives Council of Hong Kong.
3. A midwife takes appropriate action if an act by her colleague(s) infringes the standard of care required to be exercised in her practice.
4. A midwife upholds the good standing and reputation of the profession.
5. A midwife contributes to the advancement of the profession.



6. A midwife actively participates in the education of midwife learners.
7. A midwife may advertise her practice of midwifery, however she must ensure that the information is factual, relevant and neither misleading nor discreditable to the profession and that her registration status is not used in the promotion of commercial products or services and her professional judgment is not influenced by any commercial considerations.

### To Herself

1. A midwife has a duty to maintain and improve her knowledge and competence in order to promote higher standards of practice.
2. A midwife should keep her knowledge up to date through continuing learning which is relevant to her practice in order to ensure she is safe to practise in the contemporary world.
3. A midwife commits to maintaining personal integrity and self-discipline and acting lawfully.

### To the Community

1. A midwife acts as a role model in serving the community.
2. A midwife commits to the promulgation of quality midwifery care in Hong Kong.
3. A midwife values the promotion of an ecological, social and economic environment that supports and sustains the health and well-being of the society.

### With Other Healthcare Professionals

1. A midwife maintains professional independence and must always be able to justify the decisions she made in her practice.
2. A midwife has to maintain collaboration and a good working relationship with other healthcare professionals in the best interests of the mother and the family.

## **CODE OF PROFESSIONAL PRACTICE**

A midwife is required to comply with policies and procedures formulated by her hospital or institution insofar as they are consistent with her legal and professional obligations.

### Autonomy

A midwife is an autonomous practitioner subject to regulation by the Midwives Council of Hong Kong.

### Accountability

A midwife should practise midwifery within the parameters under the Midwives Registration Ordinance (Cap.162, Laws of Hong Kong). She is accountable and responsible for her midwifery practice to the woman and her family. She should maintain and update her professional knowledge and competence through continuous learning; and use the available evidence to ensure that her action taken within her sphere of responsibility will safeguard and protect the interests of the woman.

A midwife should practise in a safe and competent manner. She must obtain valid consent before initiating any procedure or providing care to the woman. She must recognize and work within the limits of her competence. She should consult and refer to expert or obstetrician if the woman's needs for care exceed the professional scope of her expertise.

### Documentation

A midwife has a duty to document clearly, concisely and systematically all observations, interventions given to the woman and the outcome of the care

provided. She must ensure all entries she makes in paper records are clearly and legibly signed, dated and timed and all entries she makes in the electronic records clearly attributable to her.

### Communication

A midwife should flexibly adopt different communication skills to suit the need of the woman and her family. She should appreciate the woman's interests in opting an informed decision through an open and mutual trustful relationship. To provide comprehensive care, a midwife should collaborate with and refer the woman to appropriate community organizations and support networks where necessary.

### Confidentiality

A midwife should keep all written/electronic information out of view whenever it is not required.

Any personal data of the client should be dealt with having due regard to the client's right to confidentiality and the provisions of the Personal Data (Privacy) Ordinance, Cap. 486, Laws of Hong Kong.

## **IMPORTANT LEGAL ISSUES TO NOTE**

1. A practising midwife must hold a valid practising certificate issued under section 22 of the Midwives Registration Ordinance (Cap.162, Laws of Hong Kong).
2. The midwife must report every birth occurring in her practice to the Registrar of Births and Deaths within 7 days giving the names and address of the parents, the sex of the baby, and other required information.
3. The midwife must keep a register of all cases and the labour record on the prescribed forms which she may be called upon by the Council to produce should she be at any time be accused of infringement of the Rules and Regulations governing the practice of midwives in Hong Kong.
4. With respect to the acceptance of advantages, midwives are reminded of the criminal liabilities imposed by the Prevention of Bribery Ordinance (Cap. 201, Laws of Hong Kong).

## **GLOSSARY OF TERMS**

Midwife	A midwife is a person who is registered under Section 8 of the Midwives Registration Ordinance, Cap.162, Laws of Hong Kong.
Client	The woman, her family members or community with whom midwifery care is planned and implemented.
Family	A small social system in the form of a household, made up of individuals of strong reciprocal affections and loyalties, and with a lasting relationship.
Code of Professional Conduct	The values and beliefs that reflect the fundamental philosophy of midwifery and the expectations of the professional conduct of a midwife.
Code of Professional Practice	General guidelines relating to the standard of practice of the profession and the breach of which may lead to disciplinary proceedings by the Council.
Medical practitioner	A medical practitioner registered in accordance with the Medical Registration Ordinance, Cap. 161, Laws of Hong Kong.

**Extracts of the Midwives Registration Ordinance**

<b><u>Section</u></b>	<b><u>Provisions</u></b>
8(1)	A person who claims to be qualified for registration as a midwife may apply in the manner provided to the secretary for registration.
8(2)	The name of a person qualified to be registered in accordance with section 7 who has complied with subsection (1) and with any regulations relating thereto shall, subject to payment of the prescribed fee and to subsection (3), be entered upon the register by the Council.
8(3)	If, after an inquiry in accordance with regulations made under section 23 into any case referred to it by the Preliminary Investigation Committee, the Council is satisfied that a person applying under subsection (1) has in Hong Kong or elsewhere – (a) been convicted of an offence with imprisonment ; or (b) been guilty of unprofessional conduct, the Council may, in its discretion, refuse to enter the name of that person upon the register.
10(3)	For the purpose of section 8 and this section, “unprofessional conduct” means an act or omission of a registered midwife which could be reasonably regarded as disgraceful or dishonourable by registered midwives of good repute and competency.
22(1)	A registered midwife shall not practise as such unless the midwife is the holder of a current practising certificate.

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