

The European Federation of Organisations for Medical Physics  
**Guidelines on Professional Conduct and Procedures to Be Implemented in the Event of Alleged Misconduct\***

*EFOMP Policy Statement No 11*

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Manuscript received: July 11, 2003

Accepted for publication: July 21, 2003

### *Abstract*

The role of the medical physicist in health care is diverse. In many areas the medical physicist will take decisions and give advice that have a direct influence on the management of patients and in all of them medical physicists will interact with individuals from a wide range of professional groups. Guidelines on professional conduct have been drawn up to enable the National Member Organisations of EFOMP to establish a code of practice which will ensure that medical physicists across Europe conduct themselves at all times in a manner that is appropriate to the profession.

KEYWORDS: EFOMP, Medical physicists, Professional conduct

#### 1. INTRODUCTION

The role of the medical physicist in health care may be expressed in the following terms:

- designing, introducing and providing improved diagnostic and therapeutic equipment or procedures for individual patients or groups of patients;
- providing advice to clinicians on the appropriateness of diagnostic investigations and the interpretation of non-standard or novel data;
- maintaining quality standards for scientific services;
- undertaking clinical audit, supporting information technology, evaluating technical developments;
- engaging in problem-orientated research and development where a critical ability, innovative approach and specialised scientific knowledge are required;
- providing education and training in scientific methods for a range of professional groups;
- leading and managing routine technical services.

In many of these areas the medical physicist will take decisions and give advice that have a direct influence on the management of patients and in all

of them medical physicists will interact with individuals from a wide range of professional groups and sometimes members of the public.

The guidelines on professional conduct have been drawn up to ensure that medical physicists conduct themselves at all times in a manner that is appropriate to the profession.

#### 2. GUIDELINES FOR PROFESSIONAL CONDUCT

1. Remember that the well-being, interests and dignity of the patients are paramount at all times.
2. Accept personal responsibility for your own work and that carried out under your supervision or direction.
3. Take all reasonable steps to ensure that those working under your authority are competent to carry out the tasks assigned to them and have appropriate resources. Be aware of workload pressures on them and try to take action if these could threaten safe standards of practice.
4. Maintain and develop your professional knowl-

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\* A Policy Statement issued jointly by the Education, Training and Professional Committee and the Standing Committee on Registration. Approved by EFOMP Officers in December 2002. This manuscript is not subjected to peer review, being a Policy Statement of EFOMP.

- edge and competence whenever it is reasonable so to do. Make sure that staff for whom you are responsible do so too.
5. Only those responsibilities that are within your competence should be undertaken.
  6. Under no circumstances should you behave in a manner that suggests you are a qualified medical practitioner. Direct involvement with patients in diagnosis or treatment of injury or disease must be undertaken either in accordance with an agreed system of work or at the direct request of a medical practitioner.
  7. Confidential information obtained in the course of your work must be respected.
  8. Give advice that is, to the best of your ability, objective and reliable. Take all reasonable steps to ensure that a person rejecting such advice, particularly in respect of safety standards, is aware of the consequences. Inform management if necessary.
  9. Always endeavour to work in a collaborative and co-operative manner with other health care professionals.
  10. Do not accept any gift, favour or hospitality that might be seen as intended to influence your professional judgement.
  11. Behave at all times in a manner that will uphold the highest standards of health care and the dignity of the profession.

### 3. MATTERS LIKELY TO RESULT IN DISCIPLINARY PROCEDURES

It is helpful to identify a few examples of inappropriate actions by medical physicists that are likely to result in disciplinary procedures. The list is not exhaustive.

- Breaching legal, professional or ethical guidelines relating to the discharge of ones duties (several guidelines);
- failure to deal with a patient (or the patient's relatives) in a courteous and sympathetic manner (guideline 1);
- undertaking work beyond ones capability – for example, either work one is not competent to perform, or when suffering from physical or mental disability (guideline 5);
- breach of confidentiality – note that this could be patient, academic or commercially related (guideline 7);
- being convicted of a serious crime (guideline 10).

### 4. MECHANISM FOR THE INVESTIGATION OF A COMPLAINT

A complaint may arise from many quarters, includ-

ing patients, relatives, medical or other professional staff, or technical staff in the department. Medical physicists themselves also have an obligation to report situations in which colleagues are clearly not complying with the code of professional conduct.

It is not the intention of this document to specify in detail the mechanism for dealing with a complaint. National Member Organisations (NMOs) must draw up their own detailed arrangements. Bear in mind that the outcome of a serious allegation, if substantiated, could have a very bad effect on the individual's career. This may result in litigation by the individual against the NMO, so legal advice should be taken when drawing up the mechanism which should be consistent with national procedures in a court of law.

Some points for consideration are given below

1. *Preliminary investigation* – especially for complaints raised within the profession, it is desirable to have a preliminary investigation to determine if there is a case to answer. Relatively minor complaints can sometimes be dealt with in this way. Note that, if another medical physicist makes a complaint that is totally without foundation, the complainant may themselves have breached the Code of Conduct.

2. *Complaints investigation* – if there is a case to answer then a thorough investigation of the complaint should be made as rapidly as reasonably practical

3. *Disciplinary Panel* – the rules for setting up a disciplinary panel must be clear and no member of the panel should be involved in investigating the complaint.

4. *General warning* – a mechanism must be in place to ensure that the member against whom the complaint has been raised is aware, at the earliest opportunity, of the nature of the complaint.

5. *Completing the investigation* – options open to the NMO at this stage, including, at the extremes, “no further action” and “proceed to a full disciplinary hearing before a Disciplinary Panel” must be spelled out.

6. *Disciplinary hearing* – when formulating the mechanism for setting up a full disciplinary hearing the following should be specified:

- the scope of enquiry available to the Disciplinary Panel;
- arrangements for the member against whom the complaint has been made to be supported by a colleague or represented (e.g., by a Trades Union representative);
- a mechanism for recording the proceedings;
- a list of the sanctions available to the Disciplinary Panel;
- the mechanism for reporting findings.

7. *Ratification* – any decision taken by the Disciplinary Panel should be subject to ratification by the full Council of the NMO.

## 5. APPEALS

Written procedures must be in place to cover the eventuality of an appeal. Again, the detailed arrangements must be drawn up by each NMO but the following points should be addressed:

- who will be responsible for handling the appeal? – e.g., Full Council or a specified group of senior officers;
- on what grounds will an appeal be accepted for consideration? – this is normally on matters of procedure, not matters of fact;
- what is the time limit for an appeal?
- what will be the terms of reference of the Appeal Group? – for example should it admit new evidence?
- what options are open to the Appeal Group?
- how will their decision be communicated to the appellant?

## 6. FURTHER INFORMATION

All NMOs that have fully approved Registration Schemes have drawn up a code of professional conduct and disciplinary procedures. NMOs seeking further information are advised to contact one or more of the NMOs with a fully approved scheme (an up-to-date list may be obtained by addressing a letter to the Registrar, c/o the York Office).

Documentation currently available in fully approved Registration Schemes is rather variable. When this Policy Statement has been distributed, each NMO will be asked to review its procedures to check that they comply with the EFOMP guidelines.