



British Orthopaedic  
Association

## Code of Conduct

This document defines the responsibilities and behaviour expected of all individuals involved in BOA activities, including social events. It signposts procedures for reporting actual or perceived infringements and for employees should be read in conjunction with the Association's Equal Opportunities, Anti-Harassment and Bullying policies. Where any provision of the Code conflicts with the law, the law will always take precedence.

This Code of Conduct aims to promote a working environment that is mutually supportive and consistent with the charitable aims of the association. It does not form part of a contract of employment, and may be amended at any time.

The BOA has also produced a statement relating to sexual misconduct in the workplace, educational activities, and social events.

### Scope

This document applies to all BOA members, trustees, employees, and officers involved in Association business. Association business includes but is not limited to, meetings, written and verbal communications, social events, educational activities, website and social media activity.

The BOA actively supports the BMA principles: *Be Professional; Be Accountable; Be Kind; Be Representative; Respect Others.*

It is the responsibility of BOA members to act as a role model for the medical profession in general and trauma and orthopaedic surgery in particular, acting in the best interests of patients, promoting positive behaviour and challenging poor behaviour.

### Responsibilities of the BOA towards members and employees

The BOA has a duty of care for members and employees and will support anyone who has been subjected to poor behaviour. Pastoral support is available to all parties involved in a complaint, with links on the BOA website ([www.boa.ac.uk](http://www.boa.ac.uk)) and within BOA employees' resources.

### Responsibilities as a member or employee

#### Personal conduct:

Members and employees are required to adhere to the principles outlined in this



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document. They are also expected to maintain a high standard of personal behaviour and to always treat other people with respect. Members must avoid circumstances where it could be perceived that they are breaching these boundaries or exercising an abuse of power. Bullying and harassment, including sexual harassment is defined by the recipient, not the perpetrator, and will not be tolerated.<sup>i</sup>

### **Information technology and social media:**

These principles also apply to social media and members should be clear about who they are representing and mindful of the principles of #thinkbeforeyoupost in all interactions.

### **Boundaries between Professional and Personal Matters:**

Individuals must avoid situations in which an actual or perceived breach of professional boundaries, or abuse of power may occur. Relevant events include, but are not limited to: conferences, meetings, working away on BOA business, representing BOA at a third party event, BOA related social events, including office parties, particularly when alcohol is involved.

Whilst consensual relationships are understood, a power gradient often exists between colleagues of the same professional background, as well as between medical and non-medical BOA personnel which influences the relationship. Clear boundaries must thus be maintained between professional and personal matters and proactive disclosure is recommended so that appropriate measures can be put in place to avoid conflicts of interest.

### **Reporting inappropriate behaviours and how to raise a complaint about a member or employee**

Individuals who have witnessed, or have experienced inappropriate behaviour by a BOA member or employee should report this to the current President, Immediate Past President or the Chief Operating Officer. Employees should also refer to the HR policies available on the BreatheHR site including

- Grievance policy (employees)
- Harassment and bullying policy (employees)

If employees or members are concerned about the conduct of a member or employee, the BOA resolution process (is there a link to insert?) sets out how to raise a complaint and details the investigation, decision-making and appeals process together with potential sanctions.

The alternative is to address poor behaviour informally through support, training and feedback. It is anticipated that issues will be resolved through discussion and mediation between the relevant individuals.



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Member or employee complaints should be raised directly with the relevant manager or in writing to the BOA President or Immediate Past President or, if the complainant feels these officers are conflicted, to any Trustee. Complaints must not be raised in open forum.

A formal complaint must trigger a resolution process within 30 days.

## **Resolution Process**

It is anticipated that most issues will be resolved by the President or Immediate Past President. This may involve an explanation of why the witnessed behaviour was unacceptable, with an opportunity for a written apology.

More serious infringements will be considered by a panel comprising the President or Immediate Past President, two Trustees, and a senior member of the Secretariat. Diversity on the panel will be a priority.

If a member of the Secretariat or an Officer is involved in the complaint, an HR representative will be engaged as a substitute.

The findings of any investigation will be brought to a closed, confidential meeting of the panel and available sanctions include:

- Formal letter notifying member of the breach and warning that future infringements could result in withdrawal of BOA membership.<sup>ii</sup>
- Loss of place on Council, officer role, committee chair or committee member position
- Referral to the GMC or relevant professional regulator
- Report of allegation/outcome to the individual's employer
- For employees - loss of employment or other sanctions (after appropriate Disciplinary procedure as laid out in Employees Handbook)

Where an investigation by the GMC is in progress, the BOA will withhold taking any action until the investigation is completed and the outcome is known.

## **Good Standing**

All BOA members should be in good standing with the GMC or other appropriate regulatory body. If, for any reason a member's status changes so that they are not in good standing with a regulatory body for any reason, the member must immediately notify the Chief Operating Officer of the BOA in writing.

Any member who finds themselves to be no longer in good standing with the GMC or other regulatory body may have their membership of the BOA withdrawn.



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<sup>i</sup> Bullying includes behaviour that is intimidating, malicious, offensive, undermining or insulting. It is an abuse or misuse of power and is unwarranted and unwelcome.

Harassment is against the law. In the Equality Act 2010, it is defined as conduct that is related to one of the protected characteristics (age, race, religion or belief, gender reassignment, disability, sex, or sexual orientation). It is unwanted by the recipient and it has the purpose or the effect of violating their dignity or creating a hostile, intimidating, offensive, degrading or humiliating environment for them.

Sexual harassment is separately defined in the Equality Act 2010 as unwanted conduct of a sexual nature which has the same purpose or effect.

<sup>ii</sup> Article 7.74 – British Orthopaedic Association - Articles of Association