

Code of Professional Practice and Ethics for Members

All therapies have both a Code of Professional Practice and Ethics to ensure standards and professionalism in practice. They may vary slightly but the essence is outlined below. This is a general guide to cover legal information and should be used in conjunction with current requirements made by your insurance provider. As a practitioner, you are personally accountable for your practice. Standards of proficiency and competence are covered in the NNA's Core Elements, which is the base line for training in Naturopathic Nutrition in the UK.

The Purpose of the Code of Professional Practice and Ethics

1. To inform practitioners of the high standards of professional practice and ethics to which they are required to adhere
2. To give advice in relation to the practice of Naturopathic Nutritional Therapy
3. To inform the public of the standard of professional practice
4. To inform the public about what to expect from a consultation

Introduction

1. Naturopathic Nutritional Therapy is not considered to take the place of conventional medicine. It cannot and does not exclude conventional medicine
2. A Naturopathic Nutritional Therapist does not make a medical diagnosis, but within the competence of training may make an assessment based on information given by the client
3. A Naturopathic Nutritional Therapist must never claim to 'cure' and 'recovery' must never be guaranteed. Practitioners are not permitted to countermand instructions or prescriptions given by a physician
4. Naturopathic Nutritional Therapists are not allowed to treat animals without the agreement of the animal's registered veterinary surgeon

Your Obligations to Your Clients

Your Duty of Care

1. You have a duty to your clients to maintain high standards of care, safety, competence and conduct
2. The relationship between you and your client is that between a professional and a client who is entitled to put complete trust in you as a professional. It is your duty not to abuse this trust or to exploit your clients in any way
3. You must maintain the highest morals and behave with courtesy, dignity, respect, discretion, tact and diplomacy and should aim to maintain goodwill
4. You must comply with current Health and Safety Regulations; accidents must be dealt with in accordance with the regulations current at the time
5. **Any client consulting you has the right to expect that you will:**
 - make their care your overriding priority
 - listen to them carefully and respect their confidentiality
 - respect the client's ethnicity, customs, ability, lifestyle, political beliefs, religious beliefs and their economic status
 - explain your findings to them and ensure that they understand what you tell them
 - inform them clearly of the nature and purpose of any proposed advice
 - respect their autonomy and encourage their freedom of choice
 - ensure that they know how and where you may be contacted at reasonable times

6. **In providing care you must:**

- assess any condition thoroughly, with appropriate case history taking and relevant analytical techniques. An initial consultation should always be carried out face-to-face, and not by telephone or electronically as to do so may result in an inappropriate assessment of the facts and potentially inappropriate therapeutic recommendations. If appropriate, subsequent consultation may be via telephone or electronically
- act to identify and minimise any risk to clients
- recognise the limits of your professional competence and work within them
- provide, where appropriate and with the client's consent, relevant information to other health professionals who are caring for them
- consult others and refer for investigation and treatment elsewhere, when necessary subject to the client's consent
- keep accurate and comprehensive case notes and records
- review the client's progress at agreed intervals and assess the suitability of further recommendations
- recognise the value of other therapies and health care professionals, both within complementary and natural medicine as well as conventional medicine, and aim to achieve a good professional relationship with medical and other recognised health professionals
- encourage clients to promptly seek other forms of treatment if you feel that your advice is no longer the most appropriate means of helping their problems
- acknowledge when a case exceeds your training, capacity and competence
- recommend a client with potential undiagnosed health problems or 'Red Flag' symptoms to seek advice from a medical practitioner. If the client does not wish to do so this must be recorded in the case notes. The client should be requested to provide written confirmation that he/she understands the reason(s) for your recommendation
- maintain your professional knowledge and competence on a continuous basis so that you may offer the very best standard of treatment and contribute to the advancement and improvement of Naturopathic Nutritional Therapy

Fees

1. When a client consults you this involves entering into a contractual relationship. The client will normally pay a fee. Even if the client does not pay a fee, or where there is no explicit contractual relationship (e.g. in an emergency) you still have a duty to apply the standards of care expected of a professional therapist
2. Your fee structure must be prominently displayed in your clinic or treatment room. This notice, and any advertisement quoting fees, must quote charges for both initial and subsequent sessions and must make clear what each fee covers
3. Prior to a consultation you should explain fully in writing or orally the general procedures involved in the consultation, for example the length and likely number of consultations, and the likelihood of additional costs, as appropriate, for laboratory tests and/or supplements

Case notes

1. You must keep accurate, comprehensive, easily understood, and dated case notes recording:
 - the clients personal details (name, address, telephone number and date of birth)
 - the presenting complaint and symptoms reported by the client
 - relevant medical and family history (including the GP's name and address)
 - your clinical findings
 - any advice given and details of progress of the case, including reviews of treatment planning
 - any information and advice that you give, especially when referring the client to

- any other health professional
 - any decisions made in conjunction with the client
 - records of the client's consent to treatment, or the consent of their next of kin
2. You are legally required to keep client records for a minimum of seven years. In the case of minors records must be kept until the client reaches the age of 25 (seven years after reaching 18). This applies even when you have referred the client on, or you have left the practice where you administered the advice
 3. Your client's case notes and records are your property, and you must retain them. Although a client can seek access to notes they have no legal rights of ownership. However, if a client requests a copy of their notes, you must follow the procedure laid out in the Data Protection Act 1998 and keep a record of this on the file
 4. The requirements to retain original records applies especially in the buying and selling of a practice; even with a client's consent you must only pass on copies of the records, not the original notes. You must also ensure that clients are kept fully informed and offered appropriate choices about their continuing care and the safe keeping and location of their original records
 5. You must not use knowledge gained from clients or from their records in any other context for personal or professional gain
 6. Client records must be kept secure and confidential at all times. If you keep client records on a computer you must register under the Data Protection Act 1998. If you hold client details on a computer which can be linked to manually held records, including holding their names and addresses for mailing purposes only, you may need to notify the Data Protection Commissioner. If you hold manual records only, you are now required by law to comply with the principles of the Data Protection Act 1998
 7. You may destroy old records, although the method of disposal is not regulated. Shredding or burning are the most appropriate methods. You must also make appropriate arrangements for the safe keeping and transfer of client notes in the event of your death or serious injury
 8. If you write your case notes in any language other than English it will be your responsibility to provide a full translation if the records are required for official purposes, or a request is made by the client under the terms of the Data Protection Act 1998
 9. It is advisable to record a brief audit trail of communications between you and the client during and after a consultation; sometimes communication may be difficult between the therapist and client. The notes should enable you to tell the story in a way that would be comprehensible to someone else. This may be important in the event of a complaint against you

Your Ethical Boundaries in Relationship with Clients

Inappropriate Relationships

1. You must not enter into a sexual relationship with a client. You must also be aware of the dangers of allowing any sort of emotional relationship to develop with a client. If you realise you are becoming emotionally or sexually involved with a client you should end the professional relationship, and recommend to the client an alternative source of appropriate care
2. If a client shows signs of becoming inappropriately involved with you, you should discourage them, and if necessary, end the professional relationship
3. You must ensure that your behaviour in dealing with clients is professional at all times and not open to misunderstanding or misinterpretation. Non-physical behaviour, gesture, unnecessary physical contact, verbal suggestion or innuendo can easily be construed as abusive or harassing
4. You may sometimes find yourself called upon to advise a relative or someone whom you consider to be a friend. There is no harm in this provided that clear boundaries are kept between the social and professional relationships
5. You must ensure that past, present or anticipated relationships of any kind do not

interfere with your professional duties, and you must avoid any behaviour which can be construed in this way

Your Legal Obligations

Client Consent

1. You must explain carefully the procedures and advice that you intend to administer, and must recognise that the client is entitled to choose whether or not to accept
2. Consent must be given by a legally competent person, must be given voluntarily and must be informed. Although consent may once have been taken as implied by a client's actions in turning up and preparing for a session, explicit consent is now considered essential. You must seek explicit consent, in writing if necessary, and ensure that the client understands what you propose to do. This is particularly important where treatment may involve sensitive areas of the body. You are recommended to record all relevant information in the case notes
3. You must record any subsequent explanation and consent obtained if the course of treatment extends beyond the original projection, if treatment continues beyond an agreed review date, or techniques used or time taken
4. You must not delegate the obtaining of consent to a receptionist or unqualified assistant. Informed consent requires that you (or an appropriately qualified colleague) must explain the procedure, be available to answer questions and be able to satisfy yourself that the client understands what you have told them. A client who is legally competent can understand and retain information that has been given and can use it to make an informed choice. Those who are legally competent can give consent in writing, orally or by co-operation. Clients also have the right to refuse consent

Consent of Minors

1. You must seek the consent of a parent or guardian if the client is under the age of 16. In the absence of such consent you must not offer recommendations
2. If you do advise a child under the age of 16, a parent or legally authorised guardian must be present in the consultation room throughout the whole of the session. No other person may perform this role without the explicit written consent of the parent or legally authorised guardian
3. Practitioners who work or volunteer to work with children or vulnerable adults, who take referrals from other professionals and not just from their own marketing are required to be Independent Safeguarding Authority (ISA) registered. This usually involves a one-off fee that covers Enhanced Criminal Records Bureau (CRB) checks plus the lifetime registration with ISA. Those who have current CRBs should check to see if they need to register before the end of the CRB cover

Confidentiality

1. You have a duty to keep all information, medical or otherwise, concerning your client entirely confidential and such information may only be released with the explicit consent of the client. This also applies to any views that you may form about the client. This duty, which survives the death of a client, also extends to anyone you may employ in your practice
2. The fact of a client's attendance at your practice must be considered confidential. You must also not assume that details of a client's case may be discussed with their partner or their relatives unless you have their explicit permission

Disclosures without consent

There is an ever growing list of demands on health professionals to disclose information to third parties such as insurers, the police, social workers, the DVLA and the relatives of deceased patients. If at all possible, members should check with the NNA for advice if they should consider disclosure without the client's consent may be necessary in the public interest or if the client is putting themselves or others at a serious risk.

Your Commercial Obligations

Advertising Standards

1. All advertising must be legal, decent, honest and truthful. It must comply with legal requirements and with the British Code of Advertising Practice. Current information may be found on the Advertising Standards Agency website at www.asa.org.uk. You may need to review your advertising against the provisions of the Committee of Advertising Practice (CAP) Code at: www.cap.org.uk
2. Advertising must not be false, fraudulent, misleading, deceptive, self-laudatory, extravagant or sensational. It must not make unrealistic claims as to specialism, superiority or curability, and any other claims made shall be capable of substantiation. It must not denigrate other members of the profession or other professions. Neither its content nor the manner in which it is distributed should be such as to put prospective clients under pressure. Advertising must not create unjustified expectations about the length or type of treatment or its prospects for relieving the condition concerned.

Placing and distribution of advertisements

You must ensure that advertisements appear in surroundings appropriate to professional advertisements, and are distributed by similarly professional means. When advertising in conjunction with practitioners of other therapies you must take reasonable steps to ensure that those other therapists are also registered with bona fide professional bodies.

Health Claims Legislation

1. Claims to treat or cure conditions, as distinct from aiming to relieve symptoms are strictly prohibited. This applies to verbal, pictorial and written claims. A 'health claim' is construed as any claim that states, suggests or implies that a relationship exists between a food category, a food or one of its constituents and health.
2. The Food Safety Act 1990 (and the Food Supplements Directive) makes it an offence to claim that any food (including supplements) can prevent, treat or cure any condition unless the claim has been accepted. A 'nutrition claim' is construed as any claim that states, suggests or implies that a food has a particular beneficial nutritional property. Accepted claims can be found at: www.food.gov.uk/foodlabelling/ull/claims/Nutrients. 'Nutrients' refer to proteins, carbohydrates, fats, fibres, vitamins and minerals listed in the Annex to Directive 90/496/EEC, and substances belonging to or being components of one of those categories.
3. Medicinal claims for foods are prohibited. A medicinal claim is a health claim that states or implies that a product has the property of treating, preventing or curing a human disease. In order to be permitted to make a medicinal claim, a product must be classed as a medicine in accordance with Directive 2001/83/EC.
4. If you promote any products, such as supplements, you must avoid any reference to a specific disease, or to disease in general terms as it could be construed as implying that the product/ingredient/food will have a medicinal effect in relation to disease.
5. It is bad practice to say things like:
 - xxx will cure
 - xxx will improve
 - xxx has been proven to
 - xxx will treat
 - xxx will enhance
 - xxx will reduce
 - xxx may restore
6. It is good practice to say things like:
 - It is believed that xxx
 - There is a view that xxx
 - xxx may assist

- xxx may support optimal
- xxx has been found to
- xxx could help/improve
- Many people have found that xxx (as long as you are able to justify the statement)

Financial and commercial activities

1. You must make a clear distinction between your role as a practitioner and any commercial activity in which you may be involved. There must be no suspicion of any business affairs having an influence over your attitude towards clients and their care.
2. To promote a product to clients for no good reason other than profit is highly unethical. If you sell or recommend any product or service to a client, you must be satisfied this will be of benefit to the client and that you are appropriately qualified to offer such products or advice. It must be clear that any financial interest you have in doing so does not influence the care or treatment provided.
3. Before selling or recommending such a product or service, you must declare to the client that you have such an interest. You must ensure that they can differentiate between the prescribing of a product and the marketing of a product.
4. You must not encourage your clients to give, lend or bequeath money or gifts that will directly or indirectly benefit you. You must also not put pressure on clients or their families to make donations to other people or organisations
5. Members practising from home must ensure they are legally entitled to do so under the Lease or other title deeds to the premises, and must be aware of and comply with any relevant business requirements and/or byelaws of the Local Authority