

## Code of Conduct Background

This Code of Conduct has been developed for Massage Australia members and is relevant to all massage practitioners in all practice settings.

It is Massage Australia's expectation that all members adhere to and act in accordance with the expectations of the organisation. This is achieved by members following the 'Code of Conduct' set out by the organisation. All members when signing the Massage Australia Application Form are agreeing to maintain knowledge and competency in all areas of policy and other requirements set out by Massage Australia, at all times.

Massage Australia has chosen to create a 'Code of Conduct', as an alternative to a 'Code of Ethics'. We prefer this concept, as a number of traditional Codes of Ethics are based on points governed by law and are outside the responsibility of the organisation. In saying that, we certainly encourage good practices from all our members and expect legal and ethical responsibilities to be met at all times.

## Objectives of the Code of Conduct

The objective of the Massage Australia Code of Conduct is to provide our practitioners with a basis for professional and self-reflection, and evaluation on ethical conduct. This document defines and identifies acceptable behaviour, promotes high standards of practice, and establishes a framework for professional behaviour and responsibilities.

Massage Australia is a professional organisation, which has an obligation to our members, the general public and the industry as a whole.

## Principle and Professionalism

We acknowledge that the vast majority of massage practitioners conduct themselves in a competent, honest, ethical and accountable manner. Massage Australia seeks the highest standards in all areas of operations. The organisation has always anticipated that members would conduct themselves in an appropriate manner as a common practice. The Code of Conduct, is to formally detail our moral and ethical standing as an organisation and, allow an avenue for members to reflect and evaluate themselves in accordance with the expectations of the organisation.

Members are obligated by this Code and the principles set out in this Code. As a professional organisation within our of Massage Therapy it is our ethical duty to enforce the Code. Any breach of the Code leaves a member open to the possibility of action by Massage Australia, which may include expulsion from the organisation.

## Professional Conduct

### THE PUBLIC INTEREST

- Members shall ensure that within their chosen field of massage that they have appropriate knowledge and understanding of relevant legislation, State, Territory & Local Council laws and regulations and, that they comply with such requirements.
- Members shall in their professional practice have regard to basic human rights, compassion and respect for others and shall avoid any actions that adversely affect such rights.
- The practitioner shall not discriminate on the basis of race, age, religion, gender, ethnicity, sexual preference, political views, medical condition, and socioeconomic status, culture, and disability.
- Members must at all times conduct themselves in a professional and ethical manner and not withstanding comply with the Code of Conduct and Standards of Practice of Massage Australia.

### DUTY OF CLIENT/PATIENT CARE

- Members shall practice within the boundaries of their qualification(s) and shall not cause harm, or physical or emotional injury to the client/patient.
- Members shall carry out treatment with due care and diligence in accordance with the requirements of the client/patient and, with their verbal or written consent.
- Where the client/patient is unable to give informed consent, due to a medical condition, their psychological state-of-mind or other reasons; consent must be obtained from the legal guardian.
- When treating minors (under 16 years of age) the client/patient must be accompanied for treatment by a parent or guardian and have permission for any treatment. Where a Member's clinical work regularly brings the Member into contact with children, Members must acquire a Working With Children Check clearance (or State or Territory equivalent) before doing so and ensure that this is renewed as required by law. The Member must also ensure that any employees or volunteers engaged by the Member have current Work With Children Check clearances (or State or Territory equivalent). must not make claims as to the merits or outcomes of any treatment that they provide that cannot be substantiated.
- Members shall not make claims of a cure.
- Members shall not make claims of any treatment that they provide that cannot be substantiated.
- Uphold client/patient confidentiality. The practitioner shall ensure that there will be no wrongful disclosure, either directly or indirectly, of a patient's personal information (please see Australian Privacy Principles <https://oaic.gov.au/privacy/australian-privacy-principles/>).

#### DUTY OF CLIENT/PATIENT CARE

- Members must maintain a safe and hygienic practices in accordance with their training and, the Australian Guidelines for the Prevention and Control of Infection in Healthcare (<https://www.nhmrc.gov.au>).
- Members must maintain accurate clinical records in a secured environment, for the duration necessary to meet legal requirements.
- Members must recognise their professional limitations and be prepared to refer a client/ patient to other health service practitioners/ professionals, as appropriate.

#### PROFESSIONAL BOUNDARY

- The member will not engage in contact or gestures of a sexual nature to a client/patient.
- Any approaches of a sexual nature by a patient must be declined and a note made in the client's/patient's record.
- Members shall not engage in services that are sexual in nature with the client/patient.
- Members must comply with all applicable privacy legislation (please see Australian Privacy Principles <https://oaic.gov.au/privacy/australian-privacy-principles/>)

#### DUTY TO THE PROFESSION

- Members shall uphold the reputation of the profession and shall seek to improve professional standards through participation in personal development and will avoid any action, which will adversely affect the reputation of Massage Australia.
- Members shall seek to advance public knowledge and to counter false or misleading statements, which are detrimental to the profession.
- The place of business must be safe, hygienic and provide adequate amenities for clients at all times, and must comply with all applicable legislation. The place of business must allow for an appropriate level of privacy.
- Member must make consultation/treatment fees and if applicable, cancellation policy to clients.
- The place of business shall be a separate clinic space for private consultations, a separate waiting area, and hygienic washroom and toilet facilities in accordance with local government requirements for healthcare treatment rooms.
- Members must maintain accurate, legible, objective, comprehensive, and up to date records in English of each client. These records must be signed and dated by the practitioner performing the treatment.
- Members shall act with integrity toward fellow practitioners and to members of other professions with whom they associate with in a professional capacity.
- Members must provide the client with a receipt for payment under the criteria set by the Massage Australia Receipt Guidelines appearing in the Standards of Practice.

#### PROFESSIONAL COMPETENCE AND INTEGRITY

- Members shall maintain professional skills to represent themselves at a professional standard, seeking or maintain continue or maintain personal and professional development skills.
- Members shall accept professional responsibility for their work.
- Members shall not lay claim to any level of competence, which they do not possess, or provide services, which are not within their level of professional competence.
- Under no circumstances may a member use another practitioners' membership number or provider number on a tax invoice receipt for purposes of issuing a health fund rebate or, use another practitioners' provider details for electronic claiming (i.e. HICAPS Terminal). Each member has the responsibility of protecting their provider details and not allow others to use this information.
- The member shall not provide false, misleading or incorrect information regarding health fund registration to Massage Australia. The control of a member's health fund registration including clinic location(s), requesting an additional clinic location and the closing of clinic locations, is their responsibility of the member.

#### DISCIPLINARY PROCEDURES

- This Code sets out principles that are intended to help members maintain the highest standards of professional conduct. All members must accept professional, legal and ethical responsibilities in order to protect themselves and the public's interest.
- Should a case arise where a member is in breach of the 'Code of Conduct' Massage Australia has the right to cancel a practitioner's membership. No reimbursement of fee's will be refunded in this case.

Complaints procedures and termination of membership is further in the Massage Australia Suspension Procedures. Please refer to this document for further information.

Note: A Member's failure to comprehend the Massage Australia Code of Conduct, Standards of Practice and other legislation requirements including policies, procedures and codes of conduct applicable to them, is not a justification for defence against a breach or failure to comply with industry and membership requirements.