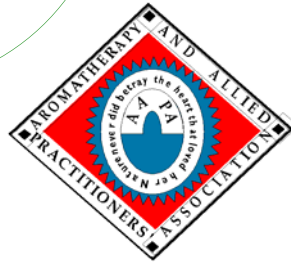


AAPA



*Code of Ethics
Conduct and
Practice*

*Adopted by the AAPA
November 2001*

THE AROMATHERAPY & ALLIED PRACTITIONERS' CODE OF ETHICS CONDUCT & PRACTICE

Values of Health Care Professionals – General Statement

All health care professionals are personally accountable for their actions and must be able to explain and justify their decisions. Health care professionals work in many different types of practice. They all have a duty to protect and promote the needs of their patients and clients.

To do this they must:

- 1. Be open with patients and clients and show respect for their dignity, individuality and privacy:**
 - Listen to patients and clients;
 - Keep information about patients and clients confidential;
 - Make sure their beliefs and values do not prejudice their patients' or clients' care.
- 2. Respect patients' and clients' right to be involved in decisions about their treatment and health care:**
 - Provide information about patients' and clients' conditions and treatment options in a way they can understand;
 - Obtain appropriate consent before investigating conditions and providing treatment;
 - Ensure that patients have easy access to their health records.
- 3. Justify public trust and confidence by being honest and trustworthy:**
 - Act with integrity and never abuse their professional standing;
 - Never ask for, nor accept any inducement, gift, hospitality or referral which may affect, or be seen to affect, their judgment;
 - Recommend the use of particular products or services only on the basis of clinical judgment and not commercial gain;
 - Declare any personal interests to those who may be affected.
- 4. Provide a good standard of practice and care:**
 - Recognise and work within the limits of their knowledge, skills and experience;
 - Maintain and improve their professional knowledge, skills and performance;
 - Make records promptly and include all relevant information in a clear and legible form.
- 5. Act quickly to protect patients, clients and colleagues from risk of harm:**
 - If either their own, or another health care worker's conduct, health or performance may place patients, clients or colleagues at risk;
 - If there are risks of infection or other dangers in the environment.
- 6. Co-operate with colleagues in their own and other professions:**
 - Respect and encourage the skills and contributions which others bring to the care of patients and clients;
 - Within their work environment, support professional colleagues in developing professional knowledge, skills and performance;
 - Not require colleagues to take on responsibilities that are beyond their level of knowledge, skills and experience.

SECTION 1: INTRODUCTION

1.1. Requirements of Conduct and Practice

Registered therapists must meet high standards of conduct and practice.

1.2. The Code of Practice

The Code of Practice contained in this document ("the Code") lays down the standards of conduct and practice, which are expected of all member therapists, and gives advice in relation to the practice of therapy on human beings only.

1.3. Scope of the Code

The Code sets expected standards. It is not an exhaustive set of rules. The Code deals with conduct and practice.

Standards of proficiency and Competence are covered in the Core Curricula of the Regulatory or emerging Regulatory Bodies of the therapy professions of AAPA member(s) and these are to be regarded as a base line for training.

This Code should also be read in conjunction with the National Occupational Standards relating to the therapy(s) relevant to the practise of AAPA Members.

SECTION 2: CONDUCT OF THERAPIST IN THEIR DEALINGS WITH PATIENTS

2.1. The welfare of the patient is paramount

The relationship between therapists and their patients is based on trust and on the principle that the welfare of the patient is paramount. Therapists must take care to observe this trust and principle.

2.2. Treating patients with respect and consideration

Therapists shall treat patients politely and considerately. In particular therapists shall listen to patients and respect their views; ensure that the therapists' own beliefs and prejudices do not affect adversely the treatment or advice which they give to patients; respect patients' privacy and dignity, and their right to refuse to be subjects for teaching or research; inform patients about any matters relating to their condition, or treatment, in a way which they can understand; and where appropriate or on request refer patients promptly to a competent health professional for a second opinion.

2.3. Honesty with regard to investigations, treatment and advice

Therapists shall be honest with their patients. In particular, therapists shall not misrepresent the gravity of a patient's condition or the therapeutic value of an aromatherapy treatment, nor promote undue dependence on their care or act or fail to act with regard to giving advice, recommending investigations or carrying out treatment in any way which is to the detriment of a patient.

2.4. Acceptance of responsibility for the care of patients

Therapists shall be free to choose whom they shall accept as patients and these will be human beings only (i.e. not animals).

On accepting a patient, therapists who work together in any capacity in the same practice or premises, are advised to provide the patient with written confirmation of:

- the name and status of the person responsible for the patient's day to day care;
- the person responsible for supervising the patient's overall treatment;
- the person to whom the practice belongs, who will be responsible for the patient's records (see 3.3.2);
- the person to approach in the event of any problem with any treatment.

It shall also give written notification of any change, whenever practicable before it occurs, or if that is not possible, so soon as reasonably practicable afterwards.

2.5. Termination of responsibility for the care of patients

Therapists shall not give up responsibility for the care of a patient without good cause, nor, where

appropriate, without making a genuine attempt to ensure that the responsibility for the future care of the patient is assumed by a competent health professional

2.6 Personal Relationships

2.6.1 Therapists shall not use their professional position as a means of pursuing an improper personal relationship with a patient or with a close relative or personal companion of a patient.

2.6.2 Therapists who find that they are becoming involved in such an improper personal relationship with a patient should end the professional relationship and arrange alternative care for the patient.

2.6.3 Where it appears that a patient is becoming involved in such an improper personal relationship with the a therapist, the therapist should take care not to encourage the patient, and may well be advised to arrange alternative care.

2.7. Undue influence

Therapists shall not attempt unduly to influence patients to do anything against their will or for the financial or other benefit of the therapist or anyone associated with them.

2.8. Informed consent

2.8.1 Need for informed consent

Before instituting any examination or treatment, a therapist shall ensure that informed consent to such treatment or examination has been given. Failure to obtain informed consent may lead to criminal or civil proceedings.

2.8.2 Meaning of informed consent

Informed consent means consent that is given by a person who has been supplied with all the necessary relevant information.

2.8.3 Capacity to give informed consent

2.8.3.1 A person from whom informed consent to examination or treatment is sought must possess the necessary intellectual and legal capacity to give such consent.

2.8.3.2 A person will have the intellectual capacity to give consent if able to

- understand in simple language what the examination or treatment is, its purposes and nature, and why it is being proposed;
- understand its principal benefits, risks and alternatives;
- understand in broad terms what will be the consequences of not undergoing the proposed examination or treatment;
- retain the information for long enough to make an effective decision; and,
- make a free choice.

2.8.3.3 A person will have legal capacity to give consent to examination or treatment if that person has attained the age specified by the relevant law for giving such consent.

2.8.3.4 The relevant law specifying the age for giving such consent is different in different parts of the United Kingdom, and is complicated. Thus, in some parts of the UK, patients under the age of 16 may have the legal capacity to give consent to certain examinations or treatments, while in other parts of the UK, such patients may not have such capacity.

2.8.4 Advice on action to be taken by therapists

Because of the practical difficulties involved in determining how the relevant law applies in a particular case, therapists are advised to act as follows.

2.8.4.1 *Patients under the age of 16*

In the case of patients under the age of 16, aromatherapists are advised not to institute any examination or treatment unless they are satisfied that the patient's parent or other legal guardian has given informed consent.

2.8.4.2 *Patients over the age of 16 who do not have intellectual capacity*

In the case of patients over the age of 16 who do not have the intellectual capacity to give consent (see 1.8.3) aromatherapists are advised not to institute any examination or treatment unless they are satisfied that the examination or treatment is in the best interests of the patient, in the sense that the action is taken to preserve the life, health or well-being of the patient.

2.8.4.2.1 The therapist cannot normally decide alone whether this test is satisfied in a particular case. The decision will be reached in different ways, depending on the nature of the examination or treatment.

2.8.4.2.2 Where the proposed examination or treatment is simple and uncontroversial, the therapist should seek agreement that it is in the patient's best interests from other health professionals, those close to the patient, and also the patient in so far as the patient can give an opinion.

2.8.4.3 *Patients over the age of 16 who do have intellectual capacity*

In the case of patients over the age of 16 who do have intellectual capacity, aromatherapists are advised not to institute any examination or treatment unless they are satisfied that:

- the patient has been given sufficient relevant information to allow informed consent to be given; and,
- the patient has given informed consent.

(* Note - Therapists should be aware of the special position concerning patients in England and Wales who are over the age of 16 but under 18. Consent to the examination or treatment of such a patient may be given by the patient; or the patient's parent or other legal guardian. All these people have an equal right to give consent, but it is not necessary to obtain consent from more than one of them. In the event of conflict between the patient and a parent or guardian, or between parents, aromatherapists should seek legal advice.)

2.9 Having a third party present

Where a therapist intends to examine or treat a child under the age of 16 years, or to treat a patient in the patient's home, or where a patient so requests, the therapist shall arrange for a third party (such as a suitable member of staff, or a relative or friend of the patient) to be present, unless this is impractical in the circumstances.

2.10 Dealing with medical emergencies

Therapists shall establish within their practices, and make known to staff (where applicable), proper procedures for dealing with any medical emergency occurring on their premises.

2.11 Guidance when unable to help

In any case where a therapist discovers that the patient is suffering from a condition, which is outside the therapist's scope of practice, the aromatherapist shall advise the patient to consult a registered medical practitioner or an appropriate, other person.

2.12 Reports on behalf of third Parties

Before a therapist prepares a report on behalf of a third party, such as an employer or insurance company, the aromatherapist shall obtain the patient's consent in writing to the release of information to the third party and shall ensure at the outset that the patient is aware of the purpose of the report and of the obligation which the therapist has towards the third party.

2.13 Notification of fees

Therapists shall ensure that details of their fees are made known to patients either by way of notice or by personal communication before liability for payment is incurred.

2.14 Commercial transactions

Therapists who supply to patient goods of any description shall ensure that such goods are likely to be beneficial to the patient.

2.15 Complaints and claims by patients

Therapists shall deal promptly and fairly with any complaint or claim made against them by a patient. In particular, they shall establish within their practices and make known to patients a formal complaints

procedure, and shall notify patients of their right to refer any unresolved complaint to the aromatherapists association, the address of which they shall supply.

Where a patient wishes to make a complaint against another health professional, the therapist shall give to the patient such assistance as is reasonable in the circumstances.

SECTION 3: PATIENT RECORDS AND CONFIDENTIALITY

3.1 Confidentiality - the general rule

Subject to the exceptions mentioned below aromatherapists shall not disclose to a third party any information about a patient, including the identity of the patient, either during or after the lifetime of the patient, without the consent of the patient or the patient's legal representative. Therapists are responsible for taking all reasonable steps to ensure that any employee or agent adheres to this general principle and that any information relating to a patient is protected from improper use when it is received, stored, transmitted or disposed of. If in doubt a therapist should take legal advice on the question of disclosure of information. Failure to observe confidentiality may be regarded as unacceptable professional conduct.

3.2 Exceptions to the general rule of confidentiality

3.2.1 The exceptions to the general rule of confidentiality are that a therapist may disclose to a third party information relating to a patient

- if the therapist believes it to be in the patient's interest to disclose information to another health professional;
- if the therapist believes that disclosure to someone other than another health professional is essential for the sake of the patient's health;
- if disclosure is required by statute;
- if the therapist is directed to disclose the information by any official having a legal power to order disclosure; or
- if, upon seeking the advice of the regulatory authority, the therapist is advised that disclosure should be made in the public interest.

3.2.2 In each case where disclosure is made by a therapist in accordance with an exception to the general rule of confidentiality, the aromatherapist shall:

- inform the patient before disclosure takes place;
- So far as is reasonably practicable make clear to the patient the extent of the information to be disclosed, the reason for the disclosure, and the likely consequence of disclosure, where to do so is appropriate;
- disclose only such information as is relevant; ensure so far as possible that the person to whom disclosure is made undertakes to hold the information on the same terms as those to which the aromatherapist is subject; and,
- record in writing the reasons for such disclosure.

3.3 Ownership of, and responsibility for records as between therapists

3.3.1 Where therapists work together, in any capacity, in the same practice or premises, they are advised to enter into a specific agreement as to the ownership of, and hence the responsibility for, the records of patients whom they treat in that practice or those premises.

3.3.2 In the absence of any legal rule or such specific agreement as is mentioned in 3.3.1 to the contrary, patients' records (including any case history, treatment chart, reports, correspondence, and other records of a similar nature) shall be deemed for the purposes of the provisions of the Code to be the property and responsibility of the therapist or therapists (if any) to whom the practice belongs.

3.3.3 Therapists who are deemed to own and have responsibility for patients' records (see 3.3.2) are also responsible for ensuring that patients have the written confirmation as required by Section 2.4.

Records must be returned to the patient where practicable or destroyed in accordance with section 3.5.

3.4 Retention of records

3.4.1 Therapists shall ensure that when ceasing to practice as a therapist or on the closure of a practice that the patient's records are returned to the patient (where practicable) or destroyed in accordance with section 3.5.

3.5 Disposal

Patient records (as defined in 3.3.2 above) provide valuable information. Such records shall be retained in safe custody by the therapist to whom they belong for a period of six years from the date of the last treatment. After the six year period and in view of the confidentiality to be observed with regard to patients' records, records must be disposed of securely, usually by incineration or shredding.

3.6 Access to records by Patients

If so requested by a patient in writing, a therapist shall make available to the patient without delay copies of any records, in accordance with any legislative provisions relating to data protection or access to health reports or records. Advice on these provisions may be obtained from the AAPA. Where a therapist releases original records to a patient for purposes other than their transmission to another health professional, the therapist is advised to obtain from the patient an undertaking for their return.

SECTION 4: CONDUCT IN RELATION TO COLLEAGUES AND OTHERS

4.1 Criticism and discrimination

Therapists shall not unjustly criticise or discriminate against a colleague or other health professional.

4.2 Complaints against other aromatherapists

Therapists shall report in the first instance any concern that they may have about the conduct, competence or health of another therapist to their Association having first made an honest attempt to verify the facts upon which their concern is based. The safety of patients must come first at all times and override personal and professional loyalties.

4.3 Approaching patients of other therapists

4.3.1 Where therapists work together, in any capacity, in the same practice or premises, they are advised to enter into a specific agreement governing their respective responsibilities for the patients whom they treat in that practice or those premises.

4.3.2 In the absence of any legal rule or such specific agreement as is mentioned in 3.3.1 to the contrary a patient who has been treated by one or more of the aromatherapists shall be deemed for the purposes of the provisions of the Code to be the patient of the therapist or therapists (if any) to whom the practice belongs, whose identity has been notified to the patient in accordance with section 2.4.

4.3.3 Therapists shall not approach someone who is the patient of another therapist with the intention of persuading that person to become their patient.

4.4 Commission and split fees

Therapists shall not offer or accept any form of commission or split fee relating to referred cases.

4.5 Provision of information contained in records: Health Professionals

4.5.1 Therapists shall make available to another health professional, with the patient's written consent, and without delay, full information relating to a patient's condition (including the originals or copies of any case history forms and treatment notes) where such information is required for the proper care of the patient.

4.5.2 Therapists who receive on loan records belonging to another health professional shall return them promptly.

4.6 Provision of information contained in health records: Evidence

Therapists who are required or requested to give evidence or information to legal bodies should do so with care. Where the evidence is given as an expert witness, the therapist must be independent and impartial.

4.7 Employing other health professionals

4.7.1 Therapists who employ health professionals of any description shall ensure that they are:

- properly qualified, and registered with the appropriate statutory or regulatory body if any;
- and
- properly insured against any liability to, or in relation to patients.

The nature and amount of such insurance relating to each health professional, and the conditions of cover, shall be those prescribed by the appropriate statutory or voluntary self regulatory body.

4.7.2 Unqualified persons

Therapists shall not practise in circumstances in which a person who is not a qualified therapist takes decisions with regard to the therapy treatment of the patient, unless that person is the medical practitioner for that patient.

4.7.3 Teaching and training

Therapists who undertake to teach or train therapy students shall ensure that they have the necessary skills and knowledge, and that those students whom they teach or train are properly supervised, and, where necessary, insured. Subject to these provisions, the therapist may allow therapy students to treat consenting patients provided that any such treatment is carried out under the qualified therapists' supervision.

SECTION 5: EDUCATION AND PROFICIENCY

5.1 Statutory Requirements

Therapists must comply with all standards laid down by the appropriate Council concerning education and proficiency and, in particular, with the Statement of the Standard of Proficiency required for the competent and safe practice of aromatherapy which has been published by the Council, and with any subsequent rules governing post registration training made by the Council (Continuing Professional Development).

SECTION 6: RESEARCH

6.1 taking part in clinical trials or other research, aromatherapists shall ensure that, in appropriate cases, they:

- adhere strictly to a research protocol which has been approved in accordance with rules made by an appropriate ethics committee;
- obtain the informed consent of any patient taking part in the research;
- accept When only such payments as are specified in the protocol;
- conduct the research uninfluenced by payments or gifts;
- maintain adequate records;
- record results truthfully;
- make no unauthorised claims to authorship; and,
- make no attempt to prevent publication of any criticism of the research.

SECTION 7: MATTERS RELATING TO THE PERSONAL CONDUCT OF THERAPISTS

7.1 Personal behaviour generally

Therapists shall at all times avoid conduct which may undermine public confidence in their profession or bring the profession into disrepute, whether or not such conduct is directly concerned with professional practice.

7.2 Appearance & Cleanliness

Therapists shall, while practising, wear suitable clean clothing and maintain standards of hygiene in respect of all aspects of personal cleanliness and specifically including the cleansing of hands & nails so as to prevent the likely spread of infection.

7.3 Alcohol or other drugs

Complaints of the misuse of alcohol or other drugs may lead to a charge of unacceptable professional conduct, whether or not the complaint is the subject of criminal proceedings. Impairment of an therapist's ability to practise as a result of the misuse of alcohol or other drugs may lead to the question of the aromatherapist's fitness to practise being referred to the Council.

7.4 Dealing with ill health

Therapists who have reason to believe that patients may be at risk because of the therapist's ill health,

whether mental or physical, must seek and follow proper advice as to whether or how they should modify their practice. Failure to do so may be regarded as unacceptable professional conduct.

7.5 Use of qualifications

Therapists shall not use any title or qualification in such a way that the public may be misled as to its meaning or significance. In particular, aromatherapists who use the title "doctor" and who are not registered medical practitioners shall ensure that, where appropriate (for example, in any advertisements and in their dealings with patients and other health professionals) they make it clear that they are registered therapists and not registered medical practitioners.

SECTION 8: PUBLICITY AND THE PROMOTION OF A PRACTICE

8.1 Generally

Therapists may publicise their practices, or permit another person to do so, subject to the provisions of the principles of the British Code of Advertising Practice and Sales Promotion for the time being in force, and to the following provisions

8.2 Legality

The publicity of a therapist shall comply with the general law, and shall not encourage or condone breaches of the law by others.

8.3 Decency

The publicity of an therapist shall contain nothing nor be in a form nor be published or circulated in any way which would be likely, in the light of generally prevailing standards of decency and propriety, either to cause serious or widespread offence or to bring the therapy profession into disrepute.

8.4 Honesty

The publicity of a therapist shall be worded in such a way that it does not abuse the trust of members of the public nor exploit their lack of experience or knowledge, either of matters of health or of aromatherapy services.

8.5 Truthfulness

Publicity of a therapist shall not be misleading or inaccurate in any way.

8.6 Frequency of Publicity

Publicity shall not be generated so frequently or in such a manner as to put those to whom it is directed under pressure to respond.

8.7 Physical details of publicity

The design, size, lettering, colouring, degree of illumination, material, and other physical details of the publicity used by an aromatherapist (for example, but not by way of limitation, name -plates, signs identifying professional premises, professional stationery, directory entries, professional announcements, and advertising for staff) shall be consistent with a professional approach towards the provision of information to members of the public.

8.8 Identity of a Therapist

The publicity of a therapist shall contain sufficient information to enable the therapist to be contacted.

8.9 Claims to specialisation or expertise

Unless reference to a specialist qualification has been entered on the Register held by an association, a therapist shall make no claim that the therapist is a specialist, or an expert in a particular field of therapy. Nevertheless, a therapist may indicate that a practice is wholly or mainly devoted to particular types of treatment.

8.10 Published material and broadcasts

The publicity of therapists may refer to clinical or research material published by them or others in a

professional journal, and to their authorship of books and articles relating to professional matters, provided that the reference is accurate and clearly identified, and no suggestion is made in either the publicity or the published material or the broadcasts that they should be consulted in preference to any other therapist.

8.11 Interactions with the media

Publicity about a therapist or a practice which arises through, or from interviews with representatives of the media, and which may be regarded as likely to bring the profession into disrepute, should be avoided. A therapist should wherever possible request access to the article, statement or interview before publication or broadcast in an attempt to ensure that it does not contravene the provisions of the Code.

8.12 Claims to superiority

No claim shall be made by a therapist and or training organisation that the services, which they are able to offer, or their personal qualities or skills, are in any way superior to that of any other.

8.13 Criticism of services or charges

No publicity may, in relation to any other therapist or other health professional, whether identifiable or not, criticise the quality or cost of services provided.

8.14 Guarantees of successful treatment

No publicity shall employ any words, phrases or illustrations, which suggest a guarantee that any condition will be cured.

8.15 Statements relating to fees

Any publicity relating to fees shall be clearly expressed. In particular, a therapist shall state what services will be provided for each fee.

8.16 Personal approaches

Therapists shall not publicise their services by making any unsolicited and direct approach to a private individual who is not a patient, whether in person, or by mail, telephone, facsimile or other form of communication. Therapists may approach representatives of organisations such as firms, companies, schools, clubs or other health professionals to publicise their services.

No publicity shall employ any words, phrases or illustrations which suggest a guarantee that any condition will be cured.

8.17 Business names

Therapists shall not use a name for a practice which may be misleading or cause confusion with similar names for the practices of other aromatherapists or other health professionals.

8.18 Personal names

Therapists shall not practise under any family or given names other than those which are entered on AAPA Members list

SECTION 9: PRACTICE ARRANGEMENTS, PREMISES AND ADMINISTRATION

9.1 Registration with the Appropriate Council

9.1.1 Therapist Members of the AAPA are also strongly advised to join the Voluntary Self Regulation Register(s) of any therapy which they practise where such a body exists.

9.2 Agreements of partnership, association or employment

Therapists who enter into any contract of partnership, association or employment shall abide by the terms of such contract, and ensure that such terms are recorded without delay in a formal, written document.

9.3 Limited companies

Therapists who work in a practice which is run by a limited company are reminded that they will remain personally liable to individual patients in respect of any treatment or advice which they provide.

9.4 Health and safety legislation

Therapists shall ensure that they are aware of and comply with all relevant legislative provisions relating to health and safety applying to practice premises, whether such provisions apply to them as employers or as employees.

9.5 Appearance and maintenance of Premises

Therapists shall ensure that the premises in which they practise reflect the professional nature of the practice; are well maintained and orderly; and are hygienic, suitably lit, heated and ventilated.

9.6 Privacy of changing and treatment areas

Therapists shall ensure that the privacy of changing and treatment areas is secured so far as is reasonably possible.

9.7 Insurance

9.7.1 Therapists who are involved in advising or treating patients must be indemnified against claims for professional negligence. This is in the interests both of patients, who may have a right to compensation, and of therapist themselves who may require professional and legal advice in connection with claims made against them.

9.7.2 Failure to arrange adequate indemnity cover which includes the cost of obtaining professional and legal advice, may lead to a charge of unacceptable professional conduct.

9.7.3 Therapists should also maintain at all times adequate public liability insurance and, where appropriate, employers' liability insurance.

9.8 Debt Collection

Therapists shall not use debt-collecting agencies, or institute legal proceedings to recover sums due, until all other reasonable measures to obtain payment have been taken, and shall ensure that, if such methods are used, only such information relating to the patient is disclosed as is necessary.

9.9 Separation of funds and financial information

9.9.1 In cases where aromatherapists hold money on behalf of another person or body they shall do so in such a way that it is kept separately from their own money, and that they account to the other party for any interest earned by such money.

9.9.2 So far as is practical, financial information relating to a patient should be kept separately from clinical notes.