

New Bye Law 1, (CNHC model 25/6/2010)

Code of Conduct, Performance and Ethics for Members and Officers;

General Principles;

Your main duty as a Hypnotherapist and member of the NCH is to protect the health and wellbeing of all those who use your services.

- The care of your patient must be your first concern
- You must provide a high standard of care at all times
- Patients must be treated with respect, as individuals
- Your professional knowledge must be kept up to date
- You must act lawfully in your professional and personal practice
- You are personally accountable for your professional activity

A Introduction;

All applicants for membership of the NCH must confirm that they have read, and agree to observe, the standards set out in this document. Every Member must be familiar with the standards and must ensure they are observed. The standards apply to all Members.

The NCH will establish and keep under review the standards of conduct, performance and ethics expected of members and give them such guidance on these matters as seen fit and proper.

B Your duties as a Member: the standards of conduct, performance and ethics that you must follow;

This document explains the standards of conduct, performance and ethics which all members must keep. They are the basis against which the NCH will assess possible complaints made against a member.

The main responsibilities of a member are summarised below, grouped into categories of conduct, performance and ethics. Each responsibility is explained in more detail further on in this document. Please remember that this is not a fully comprehensive list of all the issues that can arise in relation to your conduct, performance and ethics.

As a member you must also seek to protect the health and wellbeing of people who use your services.

You must always maintain high standards of conduct. You must:

- Act in the best interests of your patients, clients and users (see C1)
- Respect the confidentiality of your patients, clients and users (see C2)

- Maintain high standards of personal conduct (see C3)
- Provide the NCH, on request, any relevant information about your conduct, competence or health (see C4)

You must always observe high standards of performance. You must:

- Keep your professional knowledge, skills and performance up to date and relevant to your field(s) of practice (see C5)
- Act within the limits of your knowledge, skills and experience and, if necessary, refer on to another member or healthcare professional (see C6)
- Maintain appropriate and effective communication with patients, clients, users, carers, other members and professionals (see C7)
- Effectively supervise tasks you have delegated (see C8)
- Obtain informed consent to give treatment, preferably in writing (except in emergency) (see C9)
- Keep accurate patient, client and user record (see C10)
- Be aware of and manage effectively and safely the risks of infection or injury (see C11)
- Limit your work or stop practicing if you or another person has reason to believe that your performance or judgement is effected by your physical, emotional or mental health (see C12)

You must always maintain high ethical standards. You must:

- Carry out your duties in a professional and ethical way (see C13)
- Behave with integrity and honesty (see C14)
- You must follow NCH guidance in relation to advertising your services (see C15)
- You must not be involved in any behavior or activity which is likely to damage your profession's reputation or undermine public confidence in your profession (see C16)
- You must register with the Independent Safeguarding Agency (see C17)

C The main responsibilities of Members

1, You must act always in the best interests of your patients, clients and users

You are personally responsible for making sure that you promote and protect the best interests of the people you care for. You must respect and take account of these factors when providing care, and must not exploit or abuse the relationship with patient, client, user or carer. You must not allow your views about patients', clients' or users' sex, age, colour, race, disability, sexuality, social or economic status, lifestyle, cultural or religious beliefs to affect the way you treat them or the professional advice that you give.

You must, at all times, act to protect the interests of patients, clients, users, carers and other members of the public. You must try to provide the best possible care, either alone or with other

members, health and social care professionals. You must not do anything, or allow anything to be done, that you have reason to believe will put the health or safety of a patient, client or user in danger. This includes both your own actions and those of others.

When working in a team you remain accountable for your professional conduct, any care or professional advice you provide, any failure to act and any tasks you may delegate. You must protect patients and clients if you believe that they are actually or potentially at risk from a colleague's conduct, performance or health. The safety of patients, clients and users must come before any personal and professional loyalties at all times. As soon as you become aware of any situation that puts a patient, client or user at risk, you should discuss the matter with a senior professional colleague or the NCH.

2. You must respect the confidentiality of your patients, clients and users

You must treat information about patients, clients and users as confidential and use it only for the purpose for which it was given. You must not knowingly release any personal or confidential information to anyone who is not entitled to it, and you should check that people who ask for information are entitled to it. You must only use information about a patient, client or user:

- To continue to care for that person; or
- For purposes where that person has given you specific permission to use the information

You must also keep the conditions of any relevant data-protection legislation and follow best practice and NCH policy for handling confidential information relating to individuals at all times. Best practice and policy is likely to change over time and you must stay up to date. You must be particularly careful not to reveal, deliberately or accidentally, confidential information that is stored on a computer.

Confidentiality can be a particular challenge when treating minors. In most circumstances it would be most appropriate to have an adult present at the consultation but the issue of confidentiality would need to be carefully considered and decisions made on individual circumstances.

3 You must maintain high standards of personal conduct

You must keep high standards of personal conduct, as well as professional conduct. You must not do anything that may affect someone's treatment by or confidence in you.

If you are convicted of a criminal case or have accepted a Police caution, the NCH must be informed. Each case will be considered individually and a decision made in the light of the circumstances of the case. Your membership may be at risk if you are convicted of a criminal offence that involves, for example, one of the following types of behaviour:

- Violence

- Abuse
- Sexual misconduct
- Supplying drugs
- Drink-driving offences where someone was hurt or killed
- Serious offences involving dishonesty
- Any serious criminal offences for which you received a prison sentence.

4 You must provide, on request, any relevant information about your conduct, competence or health

You are required to tell the NCH (and advised to inform any other relevant regulators and professional bodies) if you have any relevant information about your own conduct or competence, or about any other members you work with. In particular, you must let us know straight away if you are:

- Convicted of a criminal offence (other than a minor motoring offence) or accept a Police caution;
- Disciplined by any organisation responsible for regulating or licensing a healthcare practitioner or social care profession; or
- Suspended or placed under a practice restriction order by an employer or similar organisation because of concerns about your conduct or competence.

You are required to co-operate with any NCH investigation or formal inquiry into your professional conduct, competence or health, or the conduct of any other healthcare provider, or treatment of a patient, client or user, where appropriate. Relevant information in connection with conduct or competence should be supplied to any legitimate enquirer.

You should also provide information about the conduct or competence of other healthcare providers if someone who is entitled to know asks for it. This relates to your duty to act in the best interests of your patients, clients and users. A complaint about a colleague should be referred on to the NCH for advice.

5 You must ensure that your knowledge, skills and performance are of a high quality, up to date, and relevant to your field(s) of practice

You must be capable of meeting the Standards of Proficiency that relate to your profession specific practice(s), as defined by the NCH. As a member you are required to meet these standards, whether you are in practice or not. The Standards of Proficiency describe minimum standards of clinical practice. You must stay up to date with any changes to the Standards of Proficiency that the NCH may make, as knowledge and techniques develop.

6 You must act within the limits of your knowledge, skills and experience and, if necessary, refer on to another member or healthcare professional

You must keep within the scope of your practice. This means you should only practice in those fields in which you have appropriate education, training, qualification and experience.

Your duty of care to a patient includes the obligation to refer them for further professional advice or treatment if it becomes clear that what they need is beyond your own scope of practice. If you accept a referral from another healthcare or social care professional, you must make sure that you fully understand the request. You should only provide the treatment or advice you believe is appropriate. If this is not the case, you must discuss the matter with the practitioner who has made the referral, and also with the patient, client or user, before you begin any treatment.

7 You must maintain appropriate and effective communications with patients, users, carers and other members and professionals

You must take all reasonable steps to make sure that you can communicate properly and effectively with your patients, clients and users, and their carers and family. You must also communicate effectively, co-operate, and share your knowledge and expertise with professional colleagues for the benefit of patients, clients and users. This is of particular importance when entering multiple relationships involving the same patient, client or user.

8 You must effectively supervise tasks you have delegated

People who consult you or receive treatment or services from you are entitled to assume that a person who has the knowledge and skill to carry out their treatment. Whenever you give tasks to another person to carry out on your behalf, you must be sure that they have the knowledge, skills and experience to carry out the task safely and effectively. If they are not members and healthcare professionals, you must not ask them to do the work of healthcare professionals. If they are members and healthcare professionals, you must not ask them to do work that is outside their scope of practice. If they are trained to be healthcare professionals, you should be sure that they are capable of carrying out the task safely and effectively.

Whoever you ask to carry out a task, you must always continue to give adequate and appropriate supervision and you remain accountable for the outcome. If someone tells you that they are unwilling to carry out the task because they do not think they are capable of doing so safely and effectively, you must not pressure them to carry out the task. If their refusal raises a disciplinary or training issue, you must deal with that separately, without endangering the safety of the patient, client or user.

9 *You must get informed consent to give treatment (except in emergency)*

You must explain to the patient, client or user the treatment you are intending to carry out, the risks involved and any other treatments possible. You must make sure that you obtain informed consent to any treatment you carry out, in writing where possible. You must make a record of the person's treatment decisions and pass this on to all members of the healthcare or social care team involved in their care. It is recognised that in emergencies, you may not be able to fully explain treatment or get informed consent at the time.

10 *You must keep accurate patient, client and user record*

Making and keeping records is an essential part of care and you must keep records for everyone you treat or who asks for professional advice or services. All records must be complete and legible, and you should sign all entries.

When supervising students, you should also counter-sign any student entries in the notes. Whenever you review the record, you should up-date them and include any arrangements you have made for continuing care of the patient.

You must protect information in records against loss, damage or use by anyone who is not authorised. You can use computer-based systems for keeping records, but only if they are protected against anyone tampering with them (including other healthcare professionals). If you update a record, you must not erase information that was previously there, or make that information difficult to read. Instead, you must mark it in some way (for example, by drawing a line through the old information.)

11 *You must be aware of and manage effectively and safely the risks of infection*

You must take appropriate precautions to protect your patients, clients and users, their carers and families, your staff and yourself from infection.

You must also take precautions against the risks that you might infect someone else. This is especially important if you suspect or know that you have an infection that could harm others, particularly patients, clients and users. If you believe that you have such an infection, you must get medical advice and act on it. This may include the need for you to stop practicing altogether, or to change your practice in some way in the best interests of your patients.

You must keep to the rules of confidentiality when dealing with people who have infections. For some infections, such as sexually transmitted infections, these rules may be more restrictive than the rules of confidentiality for people in other circumstances.

12. *You must limit your work or stop practising if your performance or judgement is affected by your physical, emotional or mental health*

You have a duty to take action if your physical, emotional or mental health could be affecting your fitness to practise. You should get advice from a consultant in occupational health or another suitably qualified medical practitioner and act on that advice. This advice should consider whether, and in what ways, you might need to change your practice, including stopping practising if this is necessary. You also have a duty to report any other NCH registered practitioner if you believe they are failing to meet this requirement

13. You must carry out your duties in a professional and ethical way

You must carry out your duties and responsibilities in a professional and ethical way. Patients, clients and users are entitled to receive good and safe standards of practice and care. The NCH seeks to protect the public from unprofessional and unethical behaviour, and to make sure that registrants know the standards expected of them.

14. You must behave with integrity and honesty.

You must make sure that you behave with integrity and honesty and keep to high standards of personal and professional conduct at all times.

15. You must follow NCH guidelines in relation to advertising your services

Any advertising you undertake in relation to your professional activities must be accurate. Advertisements must not be misleading, false, unfair or exaggerated. You must not claim that your personal skills, equipment or facilities are better than anyone else's.

If you are involved in advertising or promoting any other product or service, you must make sure that you use your knowledge, healthcare skills, qualifications and experience in an accurate and professional way. You must not make or support unjustifiable statements relating to particular products or services or allow them to be made on your behalf. Any potential financial rewards to you should be made explicit and play no part at all in your advice or recommendations of products and services that you give to patients, clients and users.

16. You must not be involved in any behaviour or activity that is likely to damage your profession's reputation or undermine public confidence in your profession

As a member your behaviour will potentially be under scrutiny at all times by members of the public and you should ensure you do nothing to bring your profession into disrepute. Appropriate professional boundaries must be maintained between practitioners and the patient, client or user. Development of a personal relationship must result in the cessation of the therapeutic relationship.

17 *You must register with the Independent Safeguarding Authority*

Because many patients, clients and users are in a vulnerable state due to their presenting condition you must be registered with the Independent Safeguarding Authority. (or, During the roll-out period for the ISA Registers, you must have a current Certificate of enhanced CRB checking and vetting by the NCH.)

D Inquiries into allegations against members

The NCH has Professional Standards Procedures and Health Panels, which will process complaints against members based on the expectations set out above in the Codes of Conduct, Performance and Ethics.

Every complaint is considered in line with the NCH Complaints Procedure which is available to all at www.hypnotherapists.org.uk . The Professional Standards Officer will decide if there is a case to be investigated and, if there is, it will be dealt with in accordance with the Complaints Procedure. If the case against the member is well founded, the NCH can take a range of appropriate measures against the member as necessary. The ultimate sanction would be removal from the NCH register.

When an allegation is made against a member, the NCH will always take account of the standards set out in this Code when considering the allegation. While this document contains several examples of issues that may be considered, it is not an exhaustive list. An allegation against a member may be upheld even if the details of the issues that arise in their case are not specifically mentioned in this document. Every case referred to the NCH will be considered individually.

E Comments and review

The NCH would be pleased to receive any comments on this Code and how members use it in their practice. Such comments will be fed into the next review of the Code in 2011