



Naturopaths &
Medical Herbalists
of New Zealand (Inc)

Code of Professional Conduct

September 2019

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Application

The purpose of this Code is to provide a set of standards for the ethical and professional behaviour expected of Registered Naturopaths and Registered Naturopaths & Medical Herbalists (henceforth referred to as Naturopaths) towards consumers, society and the profession. All Naturopaths registered by the Naturopaths & Medical Herbalists of New Zealand (Inc.) (NMHNZ/the Society) are required to adhere to this Code and to be accountable to the Society should their conduct be considered to breach any provisions of the Code. While mandatory language has restricted use throughout this Code, it is expected that naturopaths will adhere to these standards.

Values Underpinning Professional Conduct

1. Respect

Treating health consumers, families and colleagues with respect enables relationships that support health consumers' health and well-being. This means behaving in a way that values the worth, dignity and uniqueness of the individual. It is a fundamental requirement of professional naturopathic relationships and ethical conduct.

2. Trust

Naturopaths need to establish trusting relationships with health consumers to effectively provide care that involves using personal information, emotional and physical support, and touch. Health consumers need to be able to trust naturopaths to be: safe and competent, not to harm them, and to protect them from harm. They need to trust naturopaths to work in the interests of their health and well-being. Naturopaths must be trustworthy and maintain the public's trust in the naturopathy profession.

3. Partnership

Partnership occurs when health consumers are given sufficient information, in a manner they can understand, to make an informed choice about their care and treatment and are fully involved in their care and treatment. Their independence, views and preferences are valued. Naturopaths must be aware of the potential for a power imbalance between themselves and the health consumer, especially when that health consumer has limited knowledge or may be in some way vulnerable.

4. Integrity

Being honest, acting consistently and honouring commitments to deliver safe and competent care is the basis of health consumers' trust in naturopaths. Integrity means consistently acting according to values and principles and being accountable and responsible for our actions. As health professionals, naturopaths are personally accountable for their practice, and must be able to justify their decisions.

The quality of naturopathic practice and science depends on the competence, values and the environment in which Registered Naturopaths work. Best practice flourishes when honesty, self-evaluation, constructive criticism and communication are valued, and where adherence to the highest professional standards and ethics prevails.

This Code is not intended to cover every situation and it is anticipated that members will adapt the fundamental principles to the particular circumstances of their work. It is expected that members will adhere to ethical requirements placed on them by legislation, regulations, advisory committees, professional bodies and their employer.

Naturopathy is not currently regulated under the Health Practitioners Competence Assurance Act 2003 (HPCAA). However, NMHNZ concurs with the purpose of the Act and encourages its professional members to meet safety standards.

NMHNZ operates a voluntary registration system that registers naturopaths who meet specified academic criteria and sets standards for education and ongoing professional development.

CODES

1. Integrity and Professionalism

Registered Naturopaths shall:

- make themselves familiar with the Law relating to the practice of medicine in New Zealand and comply with the provisions of Acts of Parliament and by-laws that concern the professional conduct of their practice, including the Scope of Practice, this Code of Conduct, the Constitution and Rules of NMHNZ (Inc.) and Competencies and Education Standards.
- display a current Practising Certificate, the Health & Disability Commissioners Code of Rights and a current First Aid Certificate, within view of their clients. It is recommended that all practising naturopaths are covered by professional liability insurance.
- not knowingly interfere with any on-going treatment instigated by another health practitioner, whilst the client is under that practitioner's care;
- strive to conduct themselves in a manner that enhances the reputation of the profession;
- refrain from commercial exploitation of the health consumer or the public for financial gain via inferences, claims and misrepresentations of any kind;
- show respect, consideration and courtesy to clients, colleagues and the public;
- demonstrate integrity and professionalism in all aspects of their work and practice;
- be fair and unbiased in all aspects of their application of their knowledge and their research;
- maintain consulting rooms in a hygienic condition reflecting the high standard of the profession and the local by-laws and shall be open to inspection by NMHNZ with 48 hours' notice. Furthermore:
 - (a) Naturopaths shall be suitably attired
 - (b) The consulting area shall be private, large enough to provide comfort, be well ventilated, well lit, and include access to toilet and handwashing facilities.
 - (c) There must be facilities for the client to be able to change privately and towels/drapes available for use as required
 - (d) If examination or bodywork is carried out, there should be a supply of clean towels, tissues or hand towels, clean covers for the plinth, and disposable gloves if blood samples are taken.

- not compromise the welfare, health and safety of the community and the environment;
- act in accordance with the spirit of the Treaty of Waitangi and, particularly when that work includes investigations which impinge on the New Zealand natural environment, on individual persons and communities or on customs, objects or places of special cultural significance;
- avoid or declare real, or apparent, conflicts of interest.

2. Competence and Standards

Registered Naturopaths shall:

- Adhere to the regulations outlined in *Medsafe: Dietary Supplements Guidance for Natural Health Practitioners* <http://www.medsafe.govt.nz/profs/NaturalHealth.asp>
- represent themselves only in their fields of expertise or scope of practice as defined by their formal qualifications and subsequent work experience
- only use names, words, titles, initials, abbreviations, or descriptions stating or implying that they are a health practitioner of a particular kind if they are qualified as a health practitioner of that kind. For example, the abbreviation N.D. applies to Naturopathic Doctors/Physicians whereas a Diploma of Naturopathy is correctly DipNat and degree in Naturopathy is BNat (or as endorsed by the awarding educational institution).
 - Naturopaths (and members of the public) are encouraged to report inappropriate use of abbreviations and qualifications or other breaches of NZ law to the Society.
- use the term "Registered Naturopath" and add the abbreviation MNMHNZ after their name.
- not advertise or display any qualification obtained from any company or organization claiming to be a higher education institution but is providing academic degrees and/or diplomas that may be deemed illegitimate and/or would not be recognised in a court of law or by a professional body in the country of origin.
- not make any statement or news release purportedly on behalf of or representing NMHNZ (Inc.) without prior approval by the Executive Committee.
- know the limits of their skills and knowledge and refrain from undertaking work in which they are not trained or competent
- make optimum use of available resources (e.g., government public health resources)
- follow acceptable work practices
- Assessment of the client can involve traditional naturopathic assessments, but naturopathic diagnosis must be based on scientific methods and/or observations that have an evidence-base and would hold up in the Court of Law.
- reflect on their own practice with a view to constant improvement of one's practice
- apply good practice to record-keeping in line with regulatory requirements and research protocols
- not falsify results, records, qualifications or experience
- maintain a high standard of skill and knowledge through continuing competency and record activities as part of annual membership renewal;
- endeavour to obtain and present facts and interpretations in an objective and

- open manner;
- adhere to the requirements specified in relevant New Zealand and international legislation and regulations, and any appropriate codes of work practice.

3. Respect for Colleagues

Registered Naturopaths shall:

- support ethical behaviour, and professional conduct of their colleagues;
- support the professional development of colleagues by providing honest and productive feedback on work;
- recognise and acknowledge differences in opinion and remain objective;
- review the work of colleagues without bias and treat all information so provided as privileged and confidential;
- treat incoming referrals with respect to the referring practitioner and only address the issues for which the referral was made.
 - If a member has a referral from a colleague, if so requested by the client, they shall return the client at the completion of the specified treatment, and copies of any accompanying client records with the client's permission and release form.
- fairly record the intellectual, material and practical contributions of others to their work;
- ensure joint authors of publications and reports share responsibility for their contents;
- not allow or commit plagiarism;
- be aware of ethical, social, legal and environmental implications and consequences of their practice.

4. Respect for Community

Registered Naturopaths shall:

- endeavour to ensure that all public statements (including on websites, social media etc.) are correct and supported by evidence;
- ensure that all speculative and interpretative statements are identified as such;
- not condone the manipulation of results to meet the perceived needs, or requirements, of employers, funding agencies, the media or other interested parties;
- communicate the results of their work to the wider community where this is in the public interest;
- support the publication and dissemination of all competent research.

5. Working with clients

Registered Naturopaths working with clients shall strive to:

- protect the health, wellbeing and dignity of clients;
- provide clients with relevant, impartial advice based on the best available traditional and scientific evidence in a manner that can be understood to enable decision-making
- refer a client to other practitioners when the needs of the client fall outside the competence, skill level or scope of practice; or client's condition has not responded positively in an expected timeframe

- respect the values, beliefs and freedom of choice of clients;
- be sensitive to cultural and social diversity;
- provide services in a manner that minimises the potential for harm and optimises the quality of life of clients;
- explore the options available to the client, including the risks, side effects, benefits and costs, so the client can make informed decisions;
- respect the confidentiality of clients when using social media;
- receive professional supervision to reflect on their practice;
- Complete and detailed records of consultations, treatments and transactions must be kept;
- follow the NZ Health Standards for Health Records (NZS8153:2002) and respect the confidentiality and privacy of clients ensuring all information is confidential and securely stored.

6. Commercial bias, advertising and recommendation of products, brands and services

- For the purposes of this code, advertising is considered as promotion of a product, brand or service in a public medium, for example, TV, magazine, social media, Registered Naturopath's website or other online media.
- Registered Naturopaths who advertise products, brands or services must:
 - do so only in a manner that protects and supports the health and wellbeing of the New Zealand public;
 - not use his/her registration for the promotion or enhancement of any product, remedy or commercial enterprise.
 - not bring the profession into disrepute;
 - recognise the overriding duty to protect the health and wellbeing of consumers independently of the personal and financial interests of the Registered Naturopath and those close to her or him;
 - members are to avoid Multi-level-marketing (MLM) where they are active participants in building a business with their therapeutic client base. Members can participate in MLM in order to use and/or provide the products to clients on the proviso that said products are declared as from an MLM company.
 - ensure any advertising in which they are involved, or which uses their name or likeness is not false, misleading or deceptive;
 - not claim that one product, brand or service is better than another, unless the basis of the claim is validated with scientific evidence that has been published in a reputable source;
 - give a balanced view during education and clinical sessions of all options available that are appropriate in the context of the client's needs;
 - not engage in any conduct that is misleading as to the nature, characteristics and/or suitability of any product and/or service;
 - ensure they comply with the Medicines Act, Fair Trading Act and Advertising Standards Codes.

7. Confidentiality

- Confidentiality and privacy are related, but distinct concepts.
- Any information learned by the naturopath during the care of a client must be safeguarded by that naturopath. Such information may only be disclosed to

other members of the client's health care team for health care purposes with the approval of the client.

- Confidential information should be shared only with the health consumer's informed consent, when legally required or where failure to disclose the information could result in significant harm. Beyond these very limited exceptions the naturopath's obligation to safeguard such confidential information is universal.
- Privacy relates to the health consumer's expectation and right to be treated with dignity and respect.
- Effective naturopath-health consumer relationships are built on trust. The health consumer needs to be confident that their personal information and dignity will be protected by the naturopath.
- Any breach of this trust, even inadvertent, damages the particular naturopath-health consumer relationship and the general trustworthiness of the profession of naturopathy.

8. Professional Boundaries

Maintain professional boundaries, including in the use of social media. Naturopaths should keep their personal and professional lives separate as far as possible.

- Avoid online relationships with current or former health consumers.
- Text messaging may be an appropriate form of professional communication, e.g. reminding health consumers about appointments. Naturopaths must be aware of professional boundaries and ensure communication via text is not misinterpreted by the health consumer or used to build or pursue personal relationships.
- Avoid relationships with clients outside of the professional relationship.
- You should seek the reassignment of care, if possible, of health consumers with whom you have a pre-existing, non-professional relationship.
- Sexual relationships between naturopaths and persons with whom they have previously entered into a professional relationship are inappropriate in most circumstances. Such relationships automatically raise questions of integrity in relation to naturopaths exploiting the vulnerability of persons who are or who have been in their care. Consent is not an acceptable defence in the case of sexual or intimate behaviour within such relationships.

BREACHES OF THE CODE

This Code will be used by the NMHNZ as a standard by which a Naturopath's conduct is measured.

A failure by a Naturopath to comply with this Code may result in, as appropriate:

- Referral to the NMHNZ Complaints Committee, which may result in:
 - Reporting to the NZ Police
 - Reporting to the Health & Disability Commissioner (HDC)
 - The removal of registration of the naturopath or
 - such other action as the Society may deem as appropriate;

The Registered Naturopath in potential breach has a right to be heard and can appeal regarding a decision.

The code has been developed with reference to:

- *Code of Ethics and Conduct for Dietitians*
- *Royal Society of New Zealand Code of professional standards and ethics,*
- *Health Practitioners Competency Assurance Act (2003)*
- *Nursing Council of New Zealand (2012), Guideline: Professional Boundaries and Nursing Council of New Zealand (2012),*
- *Nursing Council of New Zealand (2012), Guideline: Social media and electronic communication.*