



Professional Practice in the Health and Fitness Industry:

Code of Ethical Conduct for Registered AUSactive Professionals

AUSactive 

AUSactive is the peak health and fitness industry association in Australia.

AUSactive's mission is to activate Every Body, Every Way, Every Day.

AUSactive expects all registered and accredited AUSactive professionals to establish and maintain a high standard of ethical and professional conduct. This Code of Ethical Conduct establishes these standards.

1 About this Code

1.1 Purpose of the Code

The Code is a mandatory list of professional expectations of AUSactive professionals. It is not exhaustive, and should be read together with prevailing legal obligations. The purpose of the Code is to promote good professional practice.

Failure to comply with the Code may result in AUSactive applying sanctions to an AUSactive professional, including, but not limited to, suspension or revocation of a professional's registration and/or accreditation with AUSactive (see the AUSactive's Complaints and Disciplinary Procedure), which may lead to the cessation of the professional's membership with AUSactive (Constitution²).

1.2 Use of the Code

This Code:

- Supports individual AUSactive professionals in their commitment to excellent client care and to fulfil their professional roles.
- Provides a framework to guide professional judgement and behaviour.
- Sets out standards and guidelines that represent best practice for exercise professional conduct.
- Operates in parallel with other AUSactive policies and guidelines.

1.3 The Code and the law

This Code is not a substitute for the provisions of legislation and case law. AUSactive professionals must comply with all laws that apply to them, inform themselves of relevant legal requirements, and stay up-to-date with these requirements. These requirements include, but are not limited to:

- Anti-discrimination law
- Child safety protection
- Consumer law
- Criminal law
- Intellectual property law
- Privacy law
- Workplace health and safety law

The Code should be read together with the professional standards, policies and guidelines issued by AUSactive. These can be viewed on AUSactive's website: <https://ausactive.org.au/policies-guidelines>

If a provision in this Code conflicts or is inconsistent with a provision in any other AUSactive policy or guideline, the provision in this Code will take precedence to the extent necessary to resolve the conflict or inconsistency.

1.4 Administration of the Code

The Board of Directors of AUSactive (Board) is responsible for overseeing and administering the Code and considering any complaints made against an AUSactive professional including a complaint that an AUSactive professional has failed to comply with the Code or is otherwise:

- (a) engaged in unsatisfactory professional conduct;
- (b) engaged in professional misconduct;
- (c) not a suitable person to hold registration as an AUSactive professional with AUSactive; or
- (d) brings AUSactive into disrepute

The Board may delegate its powers under this Code to a committee of the Board with delegated authority to investigate and make decisions about any complaints made against AUSactive professionals. This includes decisions regarding the suspension or termination of an AUSactive professional's registration with AUSactive or any other sanction to be applied to an AUSactive professional.

The Board or any committee of the Board with delegated authority will consider complaints in accordance with the AUSactive Complaints & Disciplinary Procedure^[1] which will be developed and approved by the Board.

AusREPs must abide by:

- 1. Standards set by the Australian Health and Fitness Industry Standards Council
- 2. Decisions made by the Board or any committee of the Board with delegated authority.

2 Good professional practice

Good professional practice means providing high quality, safe services for clients. AUSactive professionals are required to:

- 2.1** Understand and work within the limits of their competence, Scope of Practice for AUSactive Professionals^[3], and other AUSactive standards, policies and guidelines.

- 2.2** Maintain and extend the knowledge and skills required to provide safe services through continued professional education consistent with current evidence base.
- 2.3** Assess their clients' needs and undertake appropriate pre-exercise screening^[4,5] processes.
- 2.4** Carefully evaluate and consider the results of a client's pre-exercise screening and the client's objectives when developing, delivering or recommending a suitable exercise program or service.
- 2.5** Refer a client to another professional when the client requests or needs services that are outside an AUSactive professional Scope of Practice^[3] or current competence.
- 2.6** Maintain complete records of services provided to clients, including records of pre-exercise screening, client progress, and referrals.
- 2.7** Hold appropriate professional indemnity insurance that covers the scope of all activities undertaken, whether in a professional or voluntary capacity.

3 Working with clients

Relationships between AUSactive professionals and clients should be collaborative, and based on respect, openness, trust and good communication. AUSactive professionals are required to:

- 3.1** Be courteous, respectful, compassionate and honest with clients.
- 3.2** Respect their clients' privacy and right to confidentiality.
- 3.3** Ensure that clients consent to the release and exchange of health information with third parties where this is necessary.
- 3.4** Use client information carefully when developing exercise programs.
- 3.5** Conduct themselves within appropriate professional boundaries.
- 3.6** Prioritise each client's health, well-being and safety taking into account their individual circumstances and exercise objectives.

3.7 Working with children and young people

Providing services for children and young people brings additional responsibilities for professionals. AUSactive professionals and businesses are required to:

- 3.7.1** Comply with child protection (or equivalent) legislation and mandatory reporting in their jurisdiction.
- 3.7.2** Ensure they consider a young person's capacity for decision-making and consent.

- 3.7.3** Ensure that, when communicating with a child or young person, they:
- are aware of age-related development and physical exercise needs;
 - encourage questions and answer these questions to the best of their ability;
 - provide information in a way that a child or young person can understand; and
 - recognise the role of parents or guardians.

4. Culturally safe and inclusive practice

Professional practice in the health and fitness industry involves acknowledgement of cultural diversity of clients. AUSactive professionals are required to:

- 4.1** Have respect for, and show sensitivity towards, the cultural needs of the community, including Aboriginal and Torres Strait Islander Australians and those from culturally and linguistically diverse backgrounds.
- 4.2** Acknowledge the social, economic, cultural and behavioural factors influencing health behaviour and health outcomes, both at individual and community levels.
- 4.3** Have appropriate referral systems in place to improve client engagement and health outcomes.

5. Publication and public statements

An AUSactive professional making any public statements should be aware that such statements may reflect upon AUSactive and the sector. A public statement, for the purposes of this Code, means a statement reported in the media, including social media. AUSactive professionals must:

- 5.1** Avoid making public comments or statements that bring, or are likely to bring, AUSactive or the industry into disrepute.
- 5.2** Only make public comments or statements within their Scope of Practice and where they have adequate knowledge, and provide information supported by evidence-based research.
- 5.3** Obtain prior written authority, when stating or implying that their personal statements are made on behalf of AUSactive or any of its officers or employees.

6. Mentoring, supervising and assessing

Mentoring and supervising current and emerging professionals is important to ensure the highest standards of professional practice are achieved. AUSactive professionals are required to:

- 6.1** Treat any professional or student they are mentoring or supervising with respect and patience.
- 6.2** Offer honest, objective and constructive feedback on the performance of colleagues or students.
- 6.3** Obtain client consent for student participation, and respect a client's right to choose not to consent.
- 6.4** Clearly explain to the student and the client the scope of the student's participation.
- 6.5** Draw on appropriate evidence from research and good practice to inform their decisions, advice and practice.

7. Complaints and investigations

AUSactive professionals have responsibilities and rights relating to any legitimate investigation of their practice or that of a colleague. In meeting these responsibilities, it is advisable to seek legal advice and advice from your professional indemnity insurer. AUSactive professionals are required to:

- 7.1** Cooperate with any legitimate inquiry into the professional services provided for a client or clients.
- 7.2** Disclose information relevant to an investigation into their own or a colleague's conduct, performance or health to any regulator or delegate entitled to the information.
- 7.3** Assist the coroner when an inquest or inquiry is held into a client's death in accordance with legal obligations.

8. Reporting obligations

An AUSactive professionals must:

- 8.1** Report to AUSactive any criminal convictions associated with young and/or vulnerable persons or in connection with their health and fitness services.
- 8.2** Report to AUSactive if they are the subject of any criminal, summary or civil complaint in connection with their professional services. To maintain the integrity and standing of its profession, AUSactive may suspend an individual's registration and/or accreditation status when the individual is being investigated for professional misconduct and/or criminal activity.
- 8.3** Notify AUSactive if their professional indemnity insurance is cancelled or not renewed for any reason.

9. Glossary of terms

AUSactive professionals: an individual who is registered on the AUSactive Register and has been deemed qualified by AUSactive to provide Health and Fitness Services (including exercise, yoga or Pilates)

Board: the board of directors of AUSactive

Code: is this Code of Ethical Conduct, as amended from time to time

Client: means an individual to whom an AUSactive professional provides goods or services

AUSactive business: an Australian business that offers goods and/or services in the Health and Fitness Industry and is registered with AUSactive

Health and Fitness Industry: the industry of supplying fitness, exercise, yoga and/or Pilates services, made up of a range of stakeholders that include (but are not limited to) consumers, professionals and businesses

Health and Fitness services: includes pre-exercise evaluation, exercise consultations, use of exercise equipment, professional services or programs whether it be in a group setting or individualised, supervised or unsupervised, provided by a supplier in any form or manner (including online), excluding services supplied by the following:

- (a) a person registered under the relevant laws in the state or territory in the medical profession
- (b) a person registered under the relevant laws in the state or territory in the physiotherapy profession
- (c) a sporting club or organisation, for the playing of, or training for, a sport
- (d) an educational institution for exclusive use by staff or students
- (e) a person for the performance of, or training for, martial arts; or
- (f) a facility is provided for the sole purpose of medical rehabilitation

Laws: statute, ordinance, code or other law (including regulations) and other statutory instruments under it and consolidations, amendments, re-enactments or replacements of any of them in the relevant state or territory

Pre-exercise screening: a questionnaire/system^[4,5] that identifies those who may have medical conditions or symptoms associated with diseases which may indicate a consumer's elevated risk of an adverse event during physical activity/exercise that is recognised and used by AUSactive or another recognised peak body in the Health and Fitness Industry

Unsatisfactory professional conduct: the knowledge, skill or judgment possessed by the AUSactive professional is below the standard reasonably expected of an AUSactive professional of an equivalent level of training or experience.

10. References

1. AUSactive (2020) *Complaints Handling & Disciplinary Procedure* retrieved from <https://ausactive.org.au/complaint-and-disciplinary-procedure/>
2. Fitness Australia (2019) *Constitution* retrieved from <https://ausactive.org.au/FAL-Constitution>
3. AUSactive (2021) *Position Statement: Scope of Practice for Registered Exercise Professionals*, retrieved from <https://ausactive.org.au/scope-of-practice>
4. Exercise & Sports Science Australia, Fitness Australia and Sports Medicine Australia (2019) *Adult Pre- Exercise Screening System*, retrieved from <https://ausactive.org.au/apss>
5. Exercise & Sports Science Australia, Fitness Australia and Sports Medicine Australia (2021) *Pre-Exercise Screening System for Young People*, retrieved from <https://ausactive.org.au/pss-yp>

11. Review

The Code of Ethical Conduct for Australian Registered Professionals will be reviewed periodically, no later than November 2024.



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