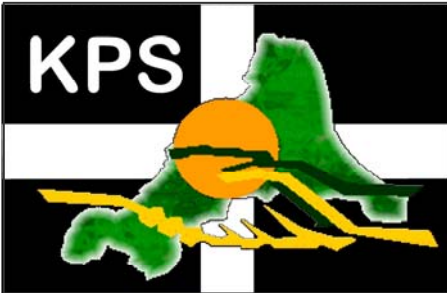


Harassment

Kernow Positive Support

SPECIALISED HIV INFORMATION,
SUPPORT, RESPITE & RETREAT

POLICY DOCUMENT 2011



CODE OF ETHICS AND PRACTICE

This code applies to all staff/workers (*including practitioners and volunteers*) and clients involved in Kernow Positive Support (KPS). Its purpose is to establish and maintain standards for work carried out by KPS and to guide and inform any member of the public seeking treatment from a KPS practitioner.

All staff/workers (*including practitioners and volunteers*) will be signatories to this code of ethics.

Clients of KPS are not asked to sign this code but are asked to note its provisions, especially those directly relating to them.

KPS abides by the laws of the land and requires all its staff/workers to do the same. The code of ethics must be viewed within this context.

KPS is independent of any political group or other organisation.

The code is in the process of constant development and will be reviewed by the Board of Trustees as necessary. For that reason signatories are asked to sign annually.

KPS cannot accept responsibility for any negligence or malpractice by any of the practitioners offering treatments through

KPS practitioners offering treatments through KPS are required to provide their own professional indemnity insurance. Premises from which they provide treatment are required to be covered by public liability insurance. No charge will be made for any services/therapies provided by any workers as part of their treatment work with KPS; however voluntary contributions are welcomed.

The following words shall have these meanings in this code:

KPS: Kernow Positive Support

Staff: Any individual employed by KPS. Other than on a purely external services basis, including practitioners and volunteers, at the discretion of the Trustees or their appointed officers.

Worker: Any individual providing services on behalf of KPS. Other than on a purely external services basis, including practitioners and volunteers, at the discretion of the Trustees or their appointed officers.

Practitioner: Any person providing therapies/counselling and/or facilitating for and or behalf of KPS.

Volunteer: Any person providing services other than treatments to or for KPS on a voluntary basis.

Trustee: A Trustee of KPS.

RULES OF PRACTICE

GENERAL

1. Staff/workers shall comply at all times with this code, any infringement of which renders them liable to disciplinary act or loss of their position as a KPS practitioner.
2. Staff/workers must not by statement, action or conduct do anything to disempower clients from their own freedom choose and conduct their lives as they see fit.
3. Any new therapy/counselling session should be considered by the Board of Trustees or their appointed officers on its merits and should comply with this code of ethics.
4. Staff/workers shall, at all times, conduct themselves in an honourable manner in their relationship with their clients, the public and with other staff/workers, practitioners and volunteers.
5. No therapy/counselling session should intentionally do the client any harm, either physically, emotionally, spiritually or financially.
6. No staff/worker shall reveal any information concerning any member of staff/worker or any client without prior written consent from the individual concerned save for consultations within KPS' integrated treatment system, if appropriate in the particular case, where information about the subject of the consultation may be revealed.
7. All statements made regarding any therapy, counselling session, practitioner or other staff member or worker must be factual.
8. Staff/workers should not make any deprecatory remarks or comments about other therapies/counselling or practitioners, including orthodox medical approaches, providing that all other conditions in this code are complied with. This does not preclude constructive discussions on the relative merits of therapies, which form a fundamental part of KPS' integrated treatment approach.
9. Staff/workers should not make or purport to make any type of statement or representation on behalf of KPS or reveal any information concerning KPS or its practices without the prior written approval of the Board of Trustees or their appointed officers.
10. Staff/workers should declare to KPS any interest (*financial or otherwise*) in any health clinic, pharmaceutical organisation or other business or organisation.
11. Staff/workers should declare to KPS any other interest, which might affect their judgement or relationship with the client, or any other member of staff or worker.
12. The Board of Trustees shall have the power to set up a disciplinary committee of three members to investigate possible breaches of the code of ethics by a staff member or worker. Their findings will be passed on to Board of Trustees who will reprimand, suspend, expel or take any other action, depending upon the findings of the disciplinary committee. The member of staff or worker shall have 21 days to appeal, the appeal being heard by the Board of Trustees. Any such power will only be exercisable if a majority of the Trustees are in favour.
13. Before any disciplinary action is taken the member of staff or worker shall be given full opportunity to state his/her case to the disciplinary committee or the Board of Trustees as appropriate.

PRACTITIONERS

1. No practitioner should diagnose unless qualified to do so. No practitioner should prescribe unless qualified to do so. No practitioner should offer therapeutic advice unless qualified to do so. No practitioner should diagnose or prescribe or advise beyond the limits of their expertise and discipline.
2. Practitioners should not enter into any improper association with, or seek to exert any undue influence over their Clients, including (*but not limited to*) a sexual relationship.
3. Practitioners should not witness the wills and testaments of clients.
4. Practitioners must not exaggerate the client's condition, or make promises as to the results of treatment.
5. Practitioners are required to keep maximum confidentiality at all times. Case notes are not to be made available to anyone other than the practitioner and client unless specifically authorised by the client, except where required by law to do so. The client has the right to see information and records held on him/her.
6. All practitioners must carry valid Professional Indemnity Insurance. Copies of current certificates of insurance must be placed on file at the KPS main office.
7. No practitioner shall claim, pretend or purport to hold any qualification that they do not in fact possess. Practitioners should do their best to ensure that clients are under no misapprehension about the nature of their qualifications. Qualification should be by membership of a relevant professional body approved by KPS. Advanced students may be permitted to offer treatments under the supervision of a qualified practitioner of the relevant therapy.
8. All practitioners should be willing to work with clients who are being treated by other practitioners except where treatments are considered inimical or incompatible. All practitioners should co-operate wherever appropriate with another practitioner treating the client.
9. Any practitioner who is consulted by a client who is receiving treatment from another practitioner of the same therapy must ensure that the other practitioner is told before or, in an emergency, straight away after the treatment of the client, of the client's wish to receive treatment.
10. If it appears that it would be in the client's interest to be treated by another practitioner or specialist, the practitioner will not obstruct the client from consulting with that practitioner or specialist.
11. Where client's needs are beyond a practitioner's competence, the practitioner should seek a second opinion and, if necessary, refer the client to another practitioner or specialist.
12. Practitioners should pay all due regard to the possible need to refer clients to orthodox medical care and advise accordingly. If practitioners give such advice they should record it in the case notes.
13. Practitioners must retain their professional independence and not allow their judgement in choice of remedy or therapy to be influenced by the possibility of receiving any consideration, financial or otherwise, as an inducement to use or refrain from using or advising any remedy or therapy.
14. Practitioners are required to inform the Board of Trustees of any police, governmental or professional inquiry and of any complaint or disciplinary or legal action regarding their practice.

15. Treatment should not be given without the client's consent or, in the case of a person under the age of 18, without the consent of a responsible parent or guardian.

16. Practitioners will not carry out an internal examination of a client unless they are properly qualified to do so and hold full membership of a relevant professional body. It is essential that a chaperon be present throughout the examination.

NEW THERAPIES AND PRACTITIONERS

Any new therapy should be considered by the Board of Trustees or their appointed officers on its merits and should comply with this code of ethics.

Before an individual can become a KPS practitioner, the following must be complied with:

1. The individual should fill in KPS' practitioner records form and return it to KPS. where it will be kept on file.
2. The individual should agree with the principles contained in this code of ethics and practice and the KPS confidentiality policy and sign a copy, which will then be placed on the individual's file.
3. Photocopies of qualification certificates and current certificates of professional indemnity insurance in the therapy or therapies to be practised should be presented to KPS and placed on file. In cases where a qualification certificate is not appropriate, a photocopy of a membership card of an appropriate body should be similarly presented and placed on file. [Copies of professional indemnity insurance certificates and membership of relevant professional bodies must be provided at each renewal period.]
4. All practitioners must present a current certificate of public liability insurance if therapies are offered from the practitioners premises.
5. All practitioners must be approved by the Board of Trustees, and/or their appointed officers.

CLIENTS

Clients are asked to give as much warning as possible of any cancellations and are asked to note that, if appointments are repeatedly missed without adequate warning of at least 24 hours, treatment may be suspended. In some instances a charge may be made for failure to give adequate notice of cancellation.

EQUAL OPPORTUNITIES

KPS strives towards equal opportunities in both access to the service it provides and in the employment of staff and workers. KPS recognises that in our society groups of individuals have been and continue to be discriminated against on the basis of race, gender, marital status, disability, sexuality, creed, age, ethnic origin and other factors.

The aim of this policy is to ensure that no person is discriminated against on any grounds other than suitability for treatment: or in the case of staff/workers, according to suitability, capability and qualifications for a particular job.

KPS commits itself to monitoring the effectiveness of this policy and recognises the need to take positive steps to redress discrimination.

In carrying out this policy KPS will require all staff/workers to agree to these statements as a condition of their relationship with TVPS.

KPS will operate a Complaints Procedure (*see Complaints Procedure*) to consider issues raised which relate to this policy.

This policy also includes the identification of risks posed to both clients and staff during lone working. KPS recognises that a significant proportion of the support provided will be through one to one contact in a variety of settings and the risks to clients, staff and volunteers need to be identified. Staff and volunteer training and induction procedures will highlight the potential risks to staff and volunteers, and the risk to clients will be identified in the client handbook. As part of the overall service provision staff and volunteers are required to draw to the attention of perspective clients the relevant section of the client handbook which deals with these potential risks.

Information covering these potential risks and how staff, volunteers and clients deal with the possible risks which can arise from one to one working are contained in several policy documents including:

- KPS Risk Assessment
- KPS Lone Worker Policy
- KPS Whistleblowing Policy
- KPS Safeguarding Policy Children/Adults
- KPS Managing your Personal Safety
- KPS Harassment Policy
- KPS Disciplinary Procedure Policy
- KPS Conflict of Interest Policy
- KPS Confidentiality Policy
- KPS Complaints Policy
- KPS Health & Safety Policy

Including the KPS Client Handbook, and the KPS Staff and Volunteer Handbook.

ADVERTISING

Staff/workers working with or having previously worked with KPS may not use the name of the organisation or the fact of their being retained by the organisation for any professional purpose whatsoever without prior written approval of the Board of Trustees.

This code of ethics and practice is based on the Immune Development Trust code of ethics and practice.

This CODE OF ETHICS AND PRACTICE POLICY has been reviewed and ratified by the KPS Board of Trustees commencing 1st April 2011.

The KPS Board of Trustees will also review the effectiveness of this policy periodically through the year. (*under 'policies' as shown in the KPS Annual Report and Accounts*).

Ref: CoE&P2011/12.