

# HAPIA

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The Health & Productivity Institute of Australia

## CODE OF ETHICS

### Preamble

The HAPIA Code of Ethics serves as a code of professional conduct for HAPIA Members. In co-operation with employees and management, HAPIA members' primary objective is to provide the most effective health and wellness services to employers and employees. The following principles are in accord with this goal and serve as guidelines for the HAPIA ethics committee in their efforts to educate HAPIA members regarding ethical professional conduct.

This document was drafted in the first form on the 5th day of March, 2009 for distribution at the First HAPIA AGM on March 30<sup>th</sup> 2009.

### Professional Responsibility

HAPIA members help protect employees, management and the community against unethical practices by an individual or an organisation engaged in an employee wellness program, direct treatment, or consultation activities.

When a HAPIA member knows of an apparent ethical violation by another HAPIA member, it becomes his/her ethical responsibility to attempt to resolve the matter by bringing that alleged unethical behaviour to the other members' attention.

If a resolution of ethical matters between members is not achieved, it is the responsibility of the aggrieved HAPIA member to bring the issue to the attention of the Ethics Committee.

### Confidentiality

- HAPIA members will respect confidential business communications of client organisations and will not disclose such information without the client organisation's prior consent.
- HAPIA members will treat all individual client information as confidential. Members inform clients fully about rights regarding the scope and limitations of confidential communications elicited during the assessment, referral and intervention processes.
- They do not disclose information without clients' consent except when failure to disclose would likely result in imminent threat of serious bodily harm to the client or others, or where required to do so by law.
- HAPIA members are sensitive to the way in which information is presented to client organisations, to ensure that confidentiality regarding individuals is not violated.

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## Professional Competency

- HAPIA members who are providers of Corporate Wellness Services, shall use appropriately qualified personnel in the relevant field of interest (ie. Nutrition, Fitness, Stress Management etc – See Standards and Accreditation Document).
- HAPIA members will seek to use all appropriate resources (within the required service and budgetary constraints) in resolving health/lifestyle issues of clients to assist the employee to achieve improved physical and emotional health and productivity.
- HAPIA members are responsible for recognising their professional limitations and, when providing services for which they are not competent, work only under the supervision of a qualified person.
- HAPIA members acknowledge the necessity of continuing experience, education, training and peer consultation to maintain and enhance proficiency.
- Whilst membership of HAPIA may not be used to suggest professional competency, it does suggest adherence to professional conduct and standards.

## Consumer Protection

HAPIA members do not discriminate because of a client's race, religion, national origin, physical handicap, gender or sexual preference. They conduct research that respects and safeguards the welfare of research participants. HAPIA members make full disclosure of the functions and the purposes of the Health Promotion Programs, as well as of any affiliation with a proposed subcontractor, therapist or treatment program, do not give or receive financial consideration for referring clients to third parties; do not engage in sexual conduct with clients; and do not act in any manner which comprises a professional relationship.

## Assessment and Referral

Members are to make assessment and referral decisions only within their area of specific competency and to seek consultation or supervision when clinically indicated. At all times referral decisions will be made with the most appropriate intervention for the client in mind.

## Procedures for Review of Members' Conduct

Members of HAPIA shall comply with the Rules of Incorporation and with this Code of Ethics. Any member who shall be found in violation thereof shall be subject to investigation by the HAPIA Ethics Committee.

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1. To be considered, a complaint against a member from any source shall be submitted in writing to a member of the HAPIA executive team (Ethics Committee).
2. If in the judgment of the HAPIA Executive the complaint warrants investigation, the Committee shall prepare a formal charge and schedule a hearing. The charge shall state clearly the section or sections of the Code of Ethics under which the violation is charged, as well as the alleged conduct of the member constituting the violation.
3. A copy of the formal charge shall be delivered to the member either in person or by registered or certified mail, and the member shall be given not less than thirty (30) days' notice by registered or certified mail of the time and place of the scheduled hearing.
4. A closed hearing shall then be conducted by the Ethics Committee. The member shall be entitled to be present at the hearing and any continuation thereof, and may present oral or written evidence. The member may be represented in the closed proceedings by any voting member of HAPIA in good standing.
5. A written summary of the proceedings shall be made. Technical rules of evidence shall not apply.
6. When the hearings have concluded, the Ethics Committee shall determine if a violation has occurred and within thirty (30) days shall prepare a written confidential report for the Executive Committee with their findings. The Ethics Committee report shall recommend action: to dismiss the complaint; to ask that certain recommendations be undertaken immediately; to request a letter of resignation; to censure, suspend or expel the member; or any combination of these actions.
7. The Executive Committee shall no later than its next scheduled meeting, act upon the report and the recommendations of the Ethics Committee. The member shall be informed promptly by registered or certified mail of the action of the Executive Committee.
8. The findings of fact of the Ethics Committee shall be conclusive. However, the member may appeal to the Executive Committee concerning the interpretation of the facts or the proposed penalty. The member may request permission to appear before the Executive Committee and, if such permission is so desired, to present arguments. The Executive Committee shall have the right to impose reasonable time limitation upon such a presentation. The Executive Committee's final decision shall be conveyed promptly by registered or certified mail to the member.
9. Any member who resigns, fails to maintain his/her membership during the duration of these procedures or is expelled, shall be eligible to reapply for membership only upon conditions, if any, specified by the Executive Committee.
10. For the convenience of HAPIA, the President may agree to accept the member's resignation as an alternative to these procedures.

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## *Appendix A*

The following chart provides a procedural guideline for addressing alleged ethics violations.

### RESPONSIBILITY TASK/OBJECTIVES COMPLETION DATE

- Complainant Specify facts in writing to President or Chairperson Ethics Committee
- President/Chair Refer matter to Ethics Committee Within 7 Days
- Ethics Committee Makes judgment Within 30 Days
- If hearing warranted, formal charge prepared and hearing scheduled
- Member informed
- Ethics Committee Conduct closed hearing Within 30 Days
- Written summary made
- Determine if violation has occurred
- Written report and recommendations for Executive Committee
- Executive Committee Action taken by next scheduled meeting
- Member May appeal to Executive Committee Within 14 Days
- Resign
- Take appropriate action to correct
- Executive Committee Appeal upheld
- Appeal not upheld

Decision is final.