

Osteopathic Council of Ireland
Code of Professional
Conduct and Ethics

October 2014

Foreword

I am pleased to present the Osteopathic Council of Ireland's *Code of Professional Conduct and Ethics*. The code specifies the standards of ethics, conduct and performance expected of osteopaths who are registered members of the Osteopathic Council of Ireland ("the OCI"). By registering with the OCI, members agree to comply with the provisions of the *Code of Professional Conduct and Ethics*.

Osteopathy is a profession based on principles of physiological adjustment of the body to itself and to its environment. It is a system of clinical therapeutics that is patient-centred and individual to the patient's bio-mechanical, bio-physiological and bio-psychosocial needs. It includes manual techniques of assessment, treatment and evaluation.

The OCI is the governing, regulating and representative body for osteopathy in Ireland. The OCI aims to promote osteopathy and to protect the public by ensuring that the highest professional standards have been reached and maintained by all its registered members. Adopting this code is a key part in this process and, as the profession develops, the OCI is committed to reviewing these standards on an on-going basis to ensure that they remain both relevant and comprehensive.

It is important that all members of OCI read, understand and meet the standards set out in this code. The OCI's Ethics and Disciplinary Committee (EDC) is charged with promoting ethical awareness among members and investigating complaints concerning individual osteopaths. The EDC will consider the provisions of the *Code of Professional Conduct and Ethics* when it receives and considers complaints regarding osteopaths who are registered members of the OCI.

Under the OCI's Disciplinary Proceedings By-Laws the EDC hears complaints about registered osteopaths in respect of any of the following allegations:

(a) Professional misconduct

Professional misconduct is:

- (i) Conduct which osteopaths of experience, competence and good repute consider disgraceful or dishonourable and / or
- (ii) Conduct connected with his or her profession in which the osteopath concerned has seriously fallen short by omission or commission of the standards of conduct expected amongst osteopaths.

(b) Poor professional performance

Poor professional performance means any failure by an osteopath to meet the standards of competence that may reasonably be expected of osteopaths.

(c) Impairment of an osteopath's ability to practise osteopathy because of a physical or mental ailment, an emotional disturbance or an addiction to alcohol or drugs

(d) A failure to comply with a term or condition of registration

- (e) A failure to comply with an undertaking or to take any action specified in a consent or undertaking given to the Osteopathic Council of Ireland
- (f) A conviction in the State for an offence triable on indictment or a conviction outside the State for an offence consisting of acts or omissions that, if done or made in the State, would constitute an offence triable on indictment.

In this Code, the OCI has aimed to set out the standards of ethics, conduct and performance expected of registered members in a clear and accessible manner. We expect that all registered members will comply with these standards and that the consistent application of these standards will benefit patients and the osteopathic profession alike.

This document replaces the Codes of Osteopathic Practice (OICOP) and the Standards of Osteopathic Practice (OISOP), both produced on the 8th of January, 2008.

President

Contents

1.	Overview	5
2.	Ethics	6
3.	Performance	8
4.	Professional Conduct	12
5.	References	15

1 Overview

The Osteopath has a duty to protect the health and well-being of people who need his or her services in every circumstance. In order to protect the public and promote patient wellbeing, the Osteopath shall comply with the provisions of this *Code of Professional Conduct and Ethics*. The obligations of Osteopaths as set out in this *Code of Professional Conduct and Ethics* are as follows:

Ethics

1. Demonstrate Ethical Awareness
2. Respect the rights and dignity of all persons
3. Comply with laws and regulations governing the practice of osteopathy
4. Carry out duties in a professional and ethical way
5. Ensure that advertising is truthful, accurate, not misleading and complies with any relevant legislation
6. Undertake research ethically

Performance

7. Keep professional knowledge and skills up to date
8. Act within limits of knowledge, skills and experience and, if necessary, refer on to another professional
9. Communicate effectively with patients, carers and other professionals
10. Assist and advise recently qualified osteopaths and students
11. Supervise tasks delegated to others
12. Obtain informed consent
13. Keep accurate patient records
14. Deal with any health and safety risks
15. Address health issues relating to fitness to practice

Professional Conduct

16. Act in the best interests of patients
17. Respect patient confidentiality
18. Maintain high standards of personal conduct
19. Provide information about conduct, competence or health to the OCI

2 Ethics

2.1 Demonstrate Ethical Awareness

The Osteopath will accept the obligation to study and understand the provisions of this Code of Professional Conduct and Ethics.

The Osteopath must avoid entering into agreements or contracts which might oblige him or her to contravene provisions of this Code of Professional Conduct and Ethics.

The Osteopath must be aware of conflicts of interest and take care when ethical issues arise.

2.2 Respect the rights and dignity of all persons

The Osteopath must show through his or her practice and conduct a respect for the rights and dignity of all persons. In accordance with the provisions of the Equal Status Acts 2000 to 2012, the Osteopath must not discriminate against a person on any of the following grounds:

- Gender
- Civil status
- Family status
- Sexual orientation
- Religion
- Age
- Disability
- Race
- Membership of the Traveller Community.

2.3 Comply with laws and regulations governing the practice of osteopathy

The Osteopath must be familiar with the laws and regulations governing his or her professional practice and keep up to date with any changes in legislation or regulation.

2.4 Carry out duties in a professional and ethical way

The Osteopath must carry out duties and responsibilities in a professional and ethical way. Patients are entitled to receive good and safe standards of practice and care.

The OCI's aim is to protect the public from unprofessional and unethical behaviour and Osteopaths must be familiar with the standards they are expected to meet. The purpose of these standards is to protect the public.

The Osteopath must ensure that he or she behaves with integrity and honesty.

2.5 Ensure that advertising is truthful, accurate, not misleading and complies with any relevant legislation

2.6 Undertake research ethically

- 1) Prior informed consent must be obtained and recorded if a patient is to be involved in any form of research. The aims and methods of the proposed research, together with any potential risks or discomfort and information about how his or her details will be used should be explained to the potential participant in advance of his or her involvement. The Osteopath must give each patient sufficient time to consider whether he or she wishes to participate in research projects or not.
- 2) Research activity must preserve anonymity and/or confidentiality unless permission has been given by the potential participant to use his or her name.
- 3) Refusal to participate in research must not influence the delivery of treatment to the patient in any way.

3 Performance

3.1 Keep professional knowledge and skill up to date

The Osteopath must make sure that his or her knowledge, skills and performance are of a high quality, up to date, and relevant to the Osteopath's practice.

The Osteopath must:

- 1) Understand osteopathic concepts and principles and apply them critically to patient care;
- 2) Be able to conduct an osteopathic patient evaluation sufficient to make a working diagnosis and formulate a treatment plan;
- 3) Maintain and develop professional competence by undertaking relevant education and training to maintain and improve knowledge and skills;
- 4) Keep up to date with relevant knowledge, research methods, and techniques, for example, through the reading of relevant literature, peer consultation and continuing education activities in order that the Osteopath's treatment and/or research activities and conclusions shall benefit and not harm others;
- 5) Participate in and contribute to the Osteopath's own continuing professional development ("CPD");
- 6) Maintain clear and accurate records of CPD.

3.2 Act within limits of knowledge, skills and experience and, if necessary refer on to another professional

- 1) The Osteopath must only practise in those fields in which he or she has competence by reason of appropriate education, training and experience. When accepting a patient, the Osteopath has a duty of care and this duty of care includes the obligation to refer the patient for further professional assessment, intervention or treatment if it becomes clear that the task is beyond the Osteopath's own knowledge, skills and experience.
- 2) A patient is entitled to a referral for a second opinion from another health professional at any time. The Osteopath must accept the request and do so promptly.
- 3) If an Osteopath receives a referral from another health professional, the Osteopath must make sure that he or she fully understands the request. Assessment, intervention or treatment must only be given where appropriate and in the patient's best interests. If this is not the case, the matter must be discussed with

the practitioner who has made the referral, and also the patient, before providing any treatment.

- 4) The Osteopath must meet relevant standards of practice and work in a lawful, safe and effective manner.

3.3 Communicate effectively with patients, carers and other professionals

- 1) The Osteopath must take all reasonable steps to make sure that he or she communicates properly and effectively with patients, their carers and family.
- 2) The Osteopath must also communicate effectively, co-operate and share their knowledge and expertise with professional colleagues and students for the benefit of patients.

3.4 Assist and advise recently qualified osteopaths and students

The Osteopath should assist and advise recently qualified osteopaths and students on the development of correct professional values, courtesies, attitudes and behaviour required when dealing with others.

3.5 Supervise tasks delegated to others

Patients who consult or receive treatment from Osteopaths are entitled to assume that a person who has the knowledge and skills to practise their profession will carry out their treatment.

- 1) The Osteopath must not delegate osteopathic care to anyone who is not competent to practice osteopathy.
- 2) The Osteopath must not delegate osteopathic care of a patient without the fully informed consent of the patient concerned.
- 3) The Osteopath must ensure that anyone assisting in the place of work is competent to carry out the duties delegated to them, is aware of their responsibilities and is properly trained and supervised where necessary.
- 4) A person must not be asked to perform tasks that are outside his or her knowledge, skills and experience except under the direct supervision of an experienced Osteopath.
- 5) The Osteopath must recognise that he or she remains accountable for any tasks delegated to another osteopath and responsible for any task delegated to students or others.

- 6) In a situation where a person tells an Osteopath that he or she is unwilling to carry out a task because he or she does not think he or she is capable of doing so safely and effectively, the Osteopath must not force that person to carry out the task. If their refusal raises a disciplinary or training issue, it must be dealt with separately; the safety of the patient must not be endangered.

3.6 Obtain informed consent

- 1) The Osteopath must explain to the patient the assessment, treatment or intervention that the Osteopath is planning to carry out, the risks involved and any other treatments or interventions possible. Account must be taken of the person's capacity to understand the information and to give their consent.
- 2) The Osteopath must make sure that the patient's informed consent has been received for any treatment or intervention to be carried out.
- 3) The Osteopath must make a record of the patient's treatment decisions and if appropriate, pass this on to others involved in the patient's care.
- 4) If informed consent cannot be given, the Osteopath must act in accordance with the best interests of the patient.
- 5) The Osteopath must respect a person's right to refuse to consent to any assessment, treatment or intervention.
- 6) Employers' procedures on consent, if relevant, must be adhered to and the Osteopath should also be aware of any guidance issued by appropriate authorities.

3.7 Keep accurate patient records

- 1) The Osteopath must maintain clear and accurate records.
- 2) All records should be complete and legible and signed and dated.
- 3) Osteopaths who supervise students should sign any student's entries in their notes.
- 4) Osteopaths must protect information in records against loss, damage, use or access by unauthorised persons. Computer based systems can be used for keeping records but must be protected against unauthorised access or tampering.
- 5) If records are updated, information previously held in such records must not be erased, or made difficult to read.
- 6) Records should be held in accordance with the Osteopath's obligations under the Data Protection Acts 1988 and 2003 and any other relevant legislation or guidelines.

3.8 Deal with any health and safety risks

The Osteopath must follow risk assessment policy and procedures to assess potential risks in the workplace and area of practice and take the necessary steps to minimise, reduce or eliminate any risk identified.

3.9 Address health issues relating to fitness to practice

The Osteopath has a duty to take action and limit or stop practising if physical or psychological health issues may be negatively affecting his or her judgment or performance or ability to carry out professional practice competently and safely.

4 Professional Conduct

4.1 Act in the best interests of patients

The Osteopath is personally responsible for making sure that he or she protects the best interests of the patient.

The Osteopath must:

- 1) Treat each patient as an individual;
- 2) Respect diversity and different cultures and values;
- 3) Listen to patients and respect their views and wishes;
- 4) Support the patient's right to participate in all aspects of the treatment provided and make informed choices about the treatment he or she receives;
- 5) Support the patient's right to have a chaperone present and to stop the examination or treatment at any time;
- 6) Not do anything, or allow anything to be done, that the Osteopath has good reason to believe will put the health or safety of a patient at risk;
- 7) When working in a team, be responsible for his or her own professional conduct, for any treatment or professional advice the Osteopath provides and for any failure to act;
- 8) Protect the patient if the Osteopath believes that he or she is threatened by a colleague's conduct, performance or health. The safety of patients must come before any personal and professional loyalties at all times;

The Osteopath may:

- 9) When becoming aware of any situation that puts a patient at risk, discuss the matter with an appropriate professional colleague.

The Osteopath must not:

- 10) Exploit any professional relationship to further his or her own personal or business interests.

4.2 Respect patient confidentiality

- 1) Excluding any exceptions provided for by law or by professional practice obligations, the Osteopath must treat information about patients as confidential and use it only for the purpose for which it was given.

- 2) The Osteopath must not knowingly release any personal or confidential information to anyone who is not entitled to it and should check that people who ask for information are entitled to receive it.
- 3) The Osteopath must only use information about a patient to provide care or treatment to that patient or for the purposes for which that patient has given his or her specific permission to use the information.
- 4) The Osteopath must keep to the conditions of the Data Protection Acts 1988 and 2003 and follow best practice for handling confidential information relating to individuals at all times. Best practice is likely to change over time, and the Osteopath must keep abreast of all developments.
- 5) Information may need to be shared with other relevant professionals to provide safe and effective care. If disclosure of a patient's information is necessary as part of their care, the Osteopath should take reasonable steps to ensure that he or she makes such a disclosure to an appropriate person who understands that the information must be kept confidential.

4.3 Maintain high standards of professional conduct

The Osteopath must not:

- 1) Abuse, harm or neglect patients, carers or colleagues;
- 2) Exploit or discriminate unlawfully or unjustifiably against patients, carers or colleagues in any way;
- 3) Form inappropriate personal relationships with patients;
- 4) Condone any unlawful or unjustifiable discrimination by patients, carers or colleagues;
- 5) Put him or herself or other people at unnecessary risk;
- 6) Behave in a way which would call into question the Osteopath's suitability to work in professional healthcare.
- 7) Engage or become involved in any conduct which is likely to damage the public's confidence in the Osteopath concerned or the osteopathic profession.

The Osteopath must:

- 8) Work openly and co-operatively with colleagues and others;
- 9) Recognise and respect the roles and expertise of individuals from other agencies or professions and work in partnership with them.

4.4 Provide information about conduct and competence to the OCI

- 1) The Osteopath must immediately notify the OCI if he or she has been:
 - (i) Convicted of a criminal offence (other than a Fixed Charge driving offence under the Road Traffic Acts);
 - (ii) Disciplined by any organisation or professional body within or outside of Ireland whether responsible for regulating or licensing osteopaths or otherwise;
 - (iii) Suspended or placed under a practice restriction by an employer or similar organisation because of concerns about conduct or competence.
- 2) The Osteopath must co-operate with any investigation or formal inquiry into his or her professional conduct.
- 3) The Osteopath must take reasonable steps to inform an employer or other appropriate authority, including the OCI, where the practice of colleagues may be unsafe or adversely affect patient care. This is related to an Osteopath's duty to act in the best interests of patients.

References

Data Protection Acts 1988 and 2003

Employment Equality Acts 1998 to 2011

Equal Status Acts 2000 to 2012

General Osteopathic Council, 'Osteopathic Practice Standards' (2012) Available online at:

http://www.osteopathy.org.uk/uploads/osteopathic_practice_standards_public.pdf
[Accessed 13 October 2014]

Health and Social Care Professionals Act 2005.

Health and Social Care Professionals Council, 'Framework Code of Professional Conduct and Ethics' (2013) Available online at:

http://www.coru.ie/uploads/documents/Final_Version_of_Revised_Framework_Code_approved_by_Council_March_2013_17_July_2013.pdf [Accessed 13 October 2014]

Health and Social Care Professionals Council, 'Radiographers Registration Board Code of Professional Conduct and Ethics' (2013) Available online at:

http://www.coru.ie/uploads/documents/Code_of_Professional_Conduct_and_Ethics.pdf

Health Information and Quality Authority, 'Guidance on information governance for health and social care services in Ireland' (2012) Available online at:

<http://www.hiqa.ie/system/files/Guidance-on-information-governance.pdf> [Accessed 31 March 2014]

Medical Council 'A Guide to Professional Conduct and Ethics for Registered Medical Practitioners' (7th ed., 2009) Available online at: <https://www.medicalcouncil.ie/News-and-Publications/Publications/Professional-Conduct-Ethics/Guide-to-Professional-Conduct-and-Behaviour-for-Registered-Medical-Practitioners-pdf.pdf>

[Accessed 13 October 2014]