

## Applying the Code of conduct

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29 June 2022

### Health activities in a public setting

#### Overview

The aim of this fact sheet is to help chiropractors in understanding the requirements of performing health activities in a public setting in a safe and responsible manner. Chiropractors carrying out these activities should be aware of, and comply with, the provisions of the Health Practitioner Regulation National Law<sup>1</sup> that relate to advertising, the [Code of conduct](#), the [Guidelines for advertising a regulated health service](#) (the *Advertising guidelines*), and the [FAQ: Who needs to be registered under the National Law](#).

#### Promoting health of the community

You are required to incorporate principles of public health into professional practice and participate in activities to promote public health in the community.

Health activities include chiropractic services such as assessing the health of another person and/or providing health information to another person in a public setting. These activities are normally conducted somewhere separate from your usual place of practice where paid clinical consultations are provided.

Health activities can support good practice by providing information from health screenings (including spinal screenings) and [best available evidence](#) to promote health literacy in the community and improve clinical decision-making in the profession.

#### Engaging in health activities

It is your responsibility to ensure that, if required, all necessary permits are in place before starting the health activity. It is not necessary to advise the Chiropractic Board of Australia (the Board).

You should comply with the [Code of conduct](#), in particular:

- Principle 6 - Working within the healthcare system

Chiropractors have a responsibility to contribute to the effectiveness and efficiency of the healthcare system and use resources wisely.

- Principle 8 - Professional behaviour

Chiropractors must display a standard of professional behaviour that warrants the trust and respect of the community. This includes practising ethically and honestly.

The content and materials associated with health activities should be consistent with the [Advertising guidelines](#). The Board's resources on [Advertising a regulated health service](#) and [FAQ: Advertising for chiropractors](#) may also be helpful to practitioners.

#### Things to consider when engaging in health activities

Before engaging in health activities, you need to ensure:

- a) that any information you provide to participants is not false, misleading, deceptive or elicits unwarranted fear in the mind of the participant

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<sup>1</sup> As in force in each state and territory

- b) the participant is provided with contact details at their request, but should not include obtaining contact information from participants or the making of appointments at the time of the activity
- c) that any screening, analysis or advice is only being performed by a registered chiropractor or a registered student participating in an approved supervised practice program (students should be in their final year of study in an approved program)
- d) that members of the public are aware of the purpose of, and the limitations of the health activity, e.g. ensuring that members of the public are aware that the purpose of a spinal screening is to give the participant an overview of the general state of their posture and is not a comprehensive spinal examination, and
- e) that practitioners provided balanced, non-biased and [evidence-based](#) information in order to enable members of the public to make informed health decisions and considerations.

You must also not charge a fee for the activity or make unsolicited contact with participants after a public health activity.

### **Public interest vs promotional activities**

Health activities must be carried out for public benefit and must not be seen to have a direct promotional benefit to the chiropractor(s) carrying out the activity.

The public relies on your independence and trustworthiness when they seek health advice or treatment. To comply with the [Code of conduct](#), good practice is supported when you consider any financial, professional and/or personal interests associated with the promotional activity and resolve any conflicts in the best interests of the public.

Examples of where public health activities may be perceived as promotional include the following:

- practitioner and business specific branding/signage
- letterheads
- brochures that include practitioner or practice details
- business cards, and
- marketing merchandise and materials

More information on appropriate promotional and advertising practices, can be found in the Board's [Advertising a regulated health service](#) and in the [Code of conduct](#).

## Case study

### Case summary

Amal is a chiropractor who has just started a new job at a private practice.

At a team meeting, the practice owner suggested a new marketing strategy to set up a spinal screening stand at a local shopping centre. The proposal sets out that the team of three chiropractors can spend two hours on a Saturday at the stand on a rostered basis to provide free spinal screenings to the public. The practice owner explained that apart from providing a health service to the community, they could have business cards and clinic brochures available to help people connect with services available at the practice.

### Applying in practice

Amal knows that there is relevant guidance from the Board as the activity included assessing a person's health and providing them with health information in a public place. Although Amal was new to the practice, they highlighted the information on the Board's fact sheet so that the team could make an informed decision about this proposal.

The team discussed that the spinal screenings could benefit the public by promoting the health of the community without fees. The information from the assessment may help people to understand more about their spine and musculoskeletal health. However, they agreed that the strategy had the main purpose of improving the practice's patient base by advertising their chiropractic services.

This discussion prompted the team to read principle 8.10 of the Code of conduct and they explored recognising potential conflicts of interest that may arise if a patient initiated or continued a professional relationship after receiving a spinal screening. The secondary purpose of promoting the practice may cause people to question whether they were focused on putting patients first, before the interests of the practice.

### Outcome

Amal suggested that the team could consider whether there were other ways of promoting their chiropractic services, such as on their website, or partnering with local networks on upcoming community events to provide educational materials to the public. The team agreed to find out more about alternative options for further discussions at their next team meeting.