



Code Of Advertising and Marketing National Guild of Australian Therapists

Preamble

- a The National Guild of Australian Therapists (NGAT) has been established to;
 - i. Provide an inclusive environment for the exploration of what being in private practice means.
 - ii. Provide an industry based Guild for practitioners engaged in, or wanting to be in, therapeutic private practice.
 - iii. Provide an industry based Guild for students who wish to pursue their goal of private practice.
 - iv. Monitor, maintain, set and improve professional standards in therapeutic private practice.
 - v. Be a self-regulatory body to provide for registration of members, and to provide a mechanism for dealing with complaints about members.
 - vi. Provide advice, information, support and guidance to practitioners wanting to commence their own practice.
 - vii. Provide relevant training and ongoing professional development.
 - viii. Inform practitioners of the many ways private practice can be developed.
 - ix. Nurture, support, encourage, empower and educate members about private practice.

- b Membership of the National Guild of Australian Therapists commits members to adhere to the NGAT Code of Advertising and Marketing. This Code applies to therapists work related activities and practice management. It includes the clinical or therapeutic practice as well as research, teaching, supervision of trainees and other activities that relate to the overall general training and employment within the therapeutic profession.

- c The Code of Advertising and Marketing is intended to provide standards of professional conduct that can be applied by the National Guild of Australian Therapists.
- d Depending upon the circumstances, compliance or noncompliance with the Code of Advertising and Marketing may be admissible in some legal proceedings.
- e Depending on the circumstances, a breach of this Code may result in the practitioner's membership being suspended or wholly cancelled at the discretion of the NGAT.

Definitions:

“Client” refers to an individual, couple, family, group or organisation receiving a service from a member practitioner.

“Guild” refers to the National Guild of Australian Therapists.

“Guild Member” means a practitioner or student who has a current membership of NGAT.

“Practitioner” refers to any NGAT Member using their skills and knowledge to work with clients or colleagues in the mental health field, health education services, welfare, counselling, or social work services, and/or any alternative health care fields not mentioned here but accepted by the Guilds insurer.

“Sexual relationships” means relationships involving sexual intercourse and/or any other type of sexual activity or sexualised behaviour.

“Supervision” refers to a defined professional activity within clinical practice, which aims to support practitioners to deliver competent and ethical services.

“Reportable Breach” means an ethical breach by a Guild Member, which involves:

- Practising while intoxicated by alcohol or drugs;
- Sexual misconduct with a client or close family member of a client;
- Placing the public at risk of substantial harm because of an impairment (i.e. a health issue);
- Placing the public at risk because of a significant departure from accepted professional standards; or
- Any other serious misconduct that could result in de-registration by NGAT.

“Dual and multiple relationships” refer to situations in which the practitioner takes on two or more kinds of relationship concurrently or sequentially with a client. The existence of dual and multiple relationships with clients is seldom neutral and can have powerful impacts in the present and future that are not always easily foreseeable.

These dual relationships can involve unforeseen impacts in the present and future that we, as practitioners, cannot always see or even be aware of. We should always act mindfully and be aware of the nature of the relationships we engage in.

“Conflict of Interest” refers to a situation where the practitioner’s care of the client may conflict with other financial, professional or personal interests of the practitioner, or where the practitioner is in dual or multiple relationships with the client or parties related to the client.

“Advertising and Marketing” refers to any activity designed to promote the practitioner, their practice, or any other endeavour in which the practitioner is engaged, whether intentional or not. It applies to any and all mediums in which the practitioner may operate to promote: online, print, radio, social media, websites, publications and any medium that may be developed and unforeseen at the time this Code comes into force.

“Deceptive and Misleading Conduct” ‘Conduct’ includes actions and statements, such as:

- Advertisements
- Promotions
- Quotations
- Statements
- any representation made by a person.

Code of Advertising and Marketing

Practitioners hold a position of trust within the community and their profession, and it is beholden on each of us to uphold and maintain the high standards. Acting ethically is central to the relationship each practitioner has with a client, and colleagues, and underpins the values of the Guild. This code forms the framework within which each practitioner operates as they market and promote themselves and their practice, and informs our best practice model.

- 1 Practitioners must comply with the Australian Consumer Law (ACL), as well as any other Federal, State and Territory Law.
- 1 Under the ACL It is unlawful for a business to make statements in trade or commerce that:
 - 1 are misleading or deceptive
 - 2 would be likely to mislead or deceive.
 - 2 Failing to disclose relevant information, promises, opinions and predictions can also be misleading and deceptive.
- 3 A practitioner must not use deceptive or misleading language when advertising their services in any medium or any form, whether traditional or non-traditional, print or online.
- 4 Practitioners cannot rely on small print and disclaimers as an excuse for misleading and deceptive conduct.
- 5 A practitioner’s conduct is likely to break the law if it creates a misleading overall impression among the intended audience about the price, value or quality of their qualifications, service, modality and/or products.

- 6 Whether a practitioner intended to mislead or deceive is irrelevant; what matters is how statements and actions - the 'conduct' – could affect the thoughts and beliefs of a consumer.
- 7 Practitioners must not use false testimonials
- 8 Practitioners not to make claims to cure certain serious illnesses
- 9 Practitioners must not hold himself or herself out as qualified, able or willing to cure cancer and/or other terminal illnesses.
- 10 Practitioners may make a claim as to his or her ability or willingness to treat or alleviate the symptoms of those illnesses if that claim can be substantiated.
- 11 Practitioners must not engage in any form of misinformation or misrepresentation in relation to the products or services he or she provides or as to his or her qualifications, training or professional affiliations.
- 12 Practitioners must provide truthful information as to his or her qualifications, training or professional affiliations if asked about those matters by a client.
- 13 Practitioners must not make claims, either directly or in advertising or promotional material, about the efficacy of treatment or services provided if those claims cannot be substantiated.
- 14 Practitioners must be committed to the above Code of Advertising and Marketing and recognise that procedures for withdrawal of membership will be implemented for reportable breaches determinations.
- 15 Practitioners agree to, and understand, that these policies and procedures may be updated from time to time, and that it is the responsibility of each practitioner to maintain awareness of the updating of any such policy, notwithstanding any formal notification of policy update.

Membership of the National Guild of Australian Therapists requires each member to sign and declare his or her commitment to adhering to the Code of Advertising and Marketing.

I, _____ being a member of the National Guild of Australian Therapists, do willingly declare that I will abide by the above written Code of Advertising and Marketing, and further state that I have read and understood the document I am signing, and understand that breaches may result in my membership being cancelled.

Signed _____

Date: / /