

CODE OF ETHICS AND PROFESSIONAL CONDUCT FOR THE NZ AESTHETICS INDUSTRY

2022



The NZ Board of
**PROFESSIONAL
SKIN THERAPIES.**
INC. ©

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Editions

Complied by Julie Martin, Complaints Officer

Revised by: Julie Martin Complaints Officer 2017

Revised by: Julie Martin Chair NZBPST 2019

Revised by: Julie Martin Chair NZBPST 2020

Revised by: Julie Martin Chair NZBPST 202

Rewritten by: Julie Martin Chair NZBPST 2022

[This document is regularly reviewed].

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NEW ZEALAND BOARD OF PROFESSIONAL SKIN THERAPIES - CODE OF ETHICS AND PROFESSIONAL CONDUCT

Role of the New Zealand Board of Professional Skin Therapies

It is the role of [the New Zealand Board of Professional Skin Therapies](#) to represent, support and advocate not only health, hygiene, and safety standards, but also provide a moral code of behaviour for industry to adhere to.

As a watchdog organisation [The NZ Board of Professional Skin Therapies](#) also views and monitors the activities of government agencies, local authorities, industry bodies, organisations, and alerts members when we detect actions that go against the best interests of therapists, their clients or risks damaging the standards and reputation of our profession. The Board is a non-profit organisation that stands independently, completely neutral and has no conflicts of interest.

By doing so, [the NZ Board of Professional Skin Therapies](#) wishes to demonstrate their commitment to all sectors of the beauty/ skin therapy and aesthetics industry and the public, that as professionals we recognise the importance of these standards, to reflect professionalism and safeguard the health and wellbeing of our colleagues, their client, and the public.



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A MESSAGE FROM THE CHAIR

Dear Therapists,

In our profession industry is required to protect the health and wellbeing of our clients, the public and fellow colleagues. To achieve this there are standards, regulations and legislation that needs to be followed. These measures are easy to interpret and learn as these requirements are structured and tangible.

However, understanding the boundaries of acceptable behaviour and defining good conduct can be a little harder to interpret, especially if you have never been in a professional environment before.

For this reason, the NZ Board of Professional Skin Therapies has designed this document to assist everyone in the aesthetics industry to make the right choices on how they conduct themselves and relate to their clients, employers, fellow colleagues, government agencies and other professionals.

As ambassadors for the aesthetics community, how you portray yourself reflects directly on your own credibility, but also that of our profession.

With this in mind, we hope that you will make yourselves familiar with the expectations of this document and that you base your conduct on these principals and hold our profession in high esteem.

Kind regards

Julie Martin

Founder and Chair NZ Board of Professional Skin Therapies

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OBJECTIVES

In the absence of functioning statutory regulations and controls for the beauty and skin therapy industry, aesthetics, and practitioners, the NZ Board of Professional Skin Therapies (NZBPST) has developed this Code of Ethics to provide standards of behaviour fitting our profession. This code of professional conduct has been designed to sit alongside our Health, Hygiene and Safety Standards and other documents to give an overall guidance to the conduct expected of professionals in the aesthetics industry.

GENERAL INDUSTRY ETIQUETTE

While industries have a representational structure to support and grow their profession, there is also an unwritten role of how everybody within that profession is expected to behave, support, and demonstrate their professional commitment.

The duty of any committee is to represent the general populace in a neutral, unbiased way as it advocates and navigates at higher levels to make decisions on industry's behalf.

It is also the responsibility of the general community to support that advocating body through volunteering on projects and committees, memberships, attending AGM's, submitting supporting emails, answering surveys, and offering widespread support through communications.

Through this combined collaboration of efforts, a strong healthy environment is formed that leads to a progressive industry that grows from strength to strength to advance the profession and lead to greater opportunities for all concerned.

It is hoped that by adopting the following code and adhering to our other regulations we as an industry unite and work together for a healthy vibrant future.

CODE OF ETHICAL CONDUCT FOR THE AESTHETIC INDUSTRY ETHICAL OBLIGATIONS

1. All sectors of the aesthetics community must display ethical and professional decision making while consulting with clients and the public and uphold our reputation while engaging with government agencies and organisations, regardless of whether they are members of any industry organisations or not.
2. This Code of Conduct and all other industry regulations apply to all sectors of the beauty and aesthetics industry, regardless of whether they are members of any industry organisations or not.
3. Encourage beauty and skin therapists to perform to the highest possible standards of professional treatments and execute the highest possible ethical behaviour and judgement.
4. Beauty and skin therapists will recognise the importance of continuing education to upgrade and improve their knowledge and skills through appropriately recognized training.
5. Encourage beauty and skin therapists to extend their theoretical and practical knowledge in our industry by engaging in recognised continuous professional development.
6. Encourage clients to seek well trained professional therapists with recognised qualifications when transitioning and selecting a new therapist.
7. Identify credible training organisations that provide the best professional training.
8. No beauty or skin therapist shall perform or execute a treatment on a client or commence work while under the influence of drugs and/or alcohol, even if consumed outside of working hours.
9. Therapists will support their industry representatives as they engage and lobby central and local government, and other regulatory agencies that are responsible for regulation, registration and legislation of beauty and skin therapists, and related sectors.
10. Therapists will support their industry representatives as they work nationally and internationally with other organisations to advocate, educate, and build strong relationships that develop and grow infrastructure to safeguard the profession and protect the health and wellbeing of the public.

11. The beauty and skin therapy industry will always provide the most appropriate, treatments, therapies, and practices for their clients to ensure the health and wellbeing of client, staff, and the public.
12. All practicing therapists will execute a duty and standard of care to their clients as outline by the Health and Disabilities Commission
13. Employees will always be fair, honest, and objective and not withhold information to any given incidents that may occur at work.



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SCOPE OF PRACTICE AND COMPETENCY

A beauty/skin therapist's role is to provide their client with accurate information and treatments within their scope of practice to improve or maintain a given condition which could affect the client's physical and mental health. This is achieved through consultation, evaluation, and application of treatments all within the therapist's scope of practice, qualifications, and level of competency. A therapist may work in conjunction with a medical practitioner or independently.

1. Beauty and skin therapists will work within their scope of practice and at the skill level that they are trained and qualified in as their recognised qualifications dictate. Treatments must fall under industry's scope of practice.
2. A beauty or skin therapist shall not conduct any treatments that require administering medically prescribed drugs or medicines unless they are a registered medical practitioner, and their qualifications are defined by the Health Practitioners Competency Assurance Act.
3. A client with a medical condition that could be affected by treatments performed by a beauty/skin therapist, must have medical consent from their GP or specialist before treatment commences.
4. Issues regarding the diagnosis of a client's health must be referred to an appropriate registered medical practitioner.
5. Body modifications including but not limited to sub-cutaneous prosthetic insertions or excisions are not considered to be within the normal scope of beauty/ skin therapy practice.
6. Beauty or skin therapists can only use electrical equipment in treatments that has been designed and recommended for beauty/skin therapists and fall within their scope of practice. Therapists must hold recognised qualifications in the application and use of these electrical devices.
7. Should a treatment risk a client's health and wellbeing due to an existing health or medical condition, the therapist must seek or refer to their medical practitioner for advice and/or approval.
8. All beauty and skin therapists will co-operate with all medical practitioners that they consult with.

9. If any therapist does not feel confident in performing any treatment, she must refrain from doing so until she has gained sufficient training, confidence, and experience from a qualified training provider.
10. Any therapist or employee has the right to refuse performing any treatments to protect the health and wellbeing of the client, themselves, and the reputation of the business they are employed in.
11. Anyone therapist who overstates their abilities and expertise to further their career, entice fees from clients or promote their reputation will be seen as a dishonest representation of themselves and a breach of the Board's Code of Ethics.

PRIVACY AND CONFIDENTIALITY

1. Beauty and skin therapists will respect the confidentiality and privacy of their clients.
2. Beauty and skin therapists will respect their client's confidentiality and not discuss any information disclosed to them outside the treatment room, except in a medical situation to protect the health and wellbeing of the client or in a therapist hand over for the continuance of the client's treatment.
3. The practices of the beauty and aesthetics industry are subject to the Health and Disabilities Commission Code of rights and all sectors of our industry must be familiar with and follow the Health and Disability Commission Code of Rights. (See **Appendix HDC Code of Consumers Rights**).
4. All client files are to be held in a secure location, in accordance with the Privacy Act, and the Health Information Privacy Code (HIPC).



OBLIGATIONS OF STAFF AND EX-EMPLOYEES

1. A beauty/ skin therapist will be willing to collaborate in a harmonious and professional way with fellow colleagues and other professionals.
2. A beauty/ skin therapist shall not solicit either directly or indirectly staff from other clinics except through appropriate advertising and marketing channels. This does not include therapists executing their own free will in applying for a vacancy.
3. A beauty/ skin therapist who relieves for another therapist shall not disparage or solicit that client from her regular therapist.
4. Client files are the property of the clinic they are employed in and not the staff. Should any staff resign from said clinic, they cannot uplift clients' files or entice that client to leave for their own or another employer's financial gain.
5. At the termination of employment or the sale of that business, no staff or ex-employees can entice or lure existing clients from that business to their own or where they are currently employed.
6. In dealing with any work-related issues, employers and employees are encouraged to discuss any differences in a confidential, open, and honest manner to defuse any further escalation of the situation. Should this fail, the parties concerned may contact the NZBPST for conflict resolution advice.
7. Employees will always act ethically and professionally for the wellbeing of their client, employer, and industry.
8. All beauty/ skin therapists shall act in a polite, professional manner and protect the interests of their employer while employed without endangering or disadvantaging themselves or their client.
9. Any information the client shares with her therapist or fellow staff in a multi staffed clinic environment is considered private and confidential and cannot be shared outside that environment without the permission from the client.
10. No employee shall use their employer or ex-employer's business or personal documents, computer system, media platforms or other assets for personal or financial gain or for the benefit of themselves, or another person or business without written permission of their employer or ex-employer.

EMPLOYERS AND BUSINESS OWNERS

1. An employer and/or business owner will encourage and lead by example with high professional standards and encourage their staff to honor and uphold the NZBPST's Industry's Health, Hygiene and Safety Standards, Code of Ethics, Complaints Process, Scope of Practice Guidelines and Pandemic Response Plan
2. Employer and business owners are responsible for any negligent acts or misadventures that occur in their clinics at the hands of their employees and contract staff. This is called *Vicarious liability*.
3. No employer or senior therapist/manager, owner shall make a beauty/ skin therapist, or other employee conduct a treatment on a client that they are not qualified or confidently experienced in or is outside their scope of practice.
4. No employer, senior therapist/manager, owner will allow staff to use machinery which they know to be faulty, under powered or not delivering its full capabilities to deliver a successful treatment.
5. No employer, senior therapist/manager, owner will allow staff to use products and/or machinery which they know is not designed or manufactured for the specific use in the beauty/Aesthetic industry.
6. No employer, business owner, manager, or employee on instruction from the above will misrepresent, alter, overstate, or withhold information concerning the capabilities of equipment, products, software, or systems to industry or the public.
7. To prevent client injuries beauty/ skin therapists may not on sell industry equipment designed to be used by skin professionals. Such devices including, but not excluding, ultra-violet lamps, faradic body treatment units, IPL/Lasers, electrolysis machines, plasma jet pens.

CONFLICT RESOLUTION

The Board provides a platform for industry and the public to refer their complaints to and a Board who are qualified and competent to act on and/or in conjunction with other government or health agencies to effect appropriate preventative or remedial action.

If therapists are unable to resolve any complaints in a fair and timely manner, the party or parties have the option to contact the NZ Board of Professional Skin Therapies for assistance to help resolve their situation or seek advice and support in taking their issues further.

The Board's complaints process is there to offer neutral unbiased advice and assist to resolve any issues in the best interests of all parties concerned whether they be industry or the public. This assistance may include but is not excluded to the following, injuries requiring medical and/or hospitalisation, faulty equipment, poor learning outcomes in training courses, unsatisfactory training, substandard equipment, and general grievances.

It is also advised that in serious cases, legal advice is recommended and government agencies are informed.

It is expected that any complaint that has resulted in a client requiring medical treatment or hospitalisation due to an unforeseen event, the Board's governance committee will be notified as soon as possible.

All clinics are required to keep an incident log as required in our Health, Hygiene and Safety Standards and log any incident that involves a staff member or client, who require medical assistance or hospitalisation for any reason.

CODE ENFORCEMENT ROLE OF THE NZBPST

In the absence of any functioning statutory agency to maintain professional standards and protect the professional reputation of beauty or skin therapists, the NZBPST operates a complaints process and advocacy service.

If any persons learn of any breaches to our Industry's Health and Hygiene Standards, the Code Ethics, and our Scope of Practice policies, or know of establishments permitting activities lowering the professional and/or ethical standards of beauty and skin professionals by offering substandard training or equipment or who bring our profession into disrepute, they can report such matters to the office or a Governance Committee member of the NZ Board of Professional Skin Therapies in confidence.

These complaints are reviewed by the NZBPST and are dealt with accordingly.

Beauty and Skin Therapists may be assured that any complaints or statements made to the Chair, or Governance Committee will be treated in the strictest of confidence.

The beauty and skin therapy industry are requested to actively co-operate with the NZBPST to ensure the highest status of the profession is not discredited by the actions of a few unscrupulous persons.

HOW TO LAY A COMPLAINT

If anyone in the aesthetics industry or members of the public, wish to lay a complaint, please refer to our complaints process located on our website or contact the complaints officer. M 02102294638

<https://www.nzbpst.org/complaints-advisory-service>

APPENDIX HDC CODE OF CONSUMERS RIGHTS

The rights are called the Code of Health and Disability Services Consumers' Rights or "the Code". (see <https://www.hdc.org.nz/your-rights/about-the-code/code-of-health-and-disability-services-consumers-rights/>)

1. The right to be treated with respect.
2. The right to be treated fairly.
3. The right to dignity and independence.
4. The right to have good care and support that fits your needs.
5. The right to be told things in a way that you understand.
6. The right to be told everything you need to know about your care and support.
7. The right to make choices about your care and support.
8. The right to have support.
9. The right to decide if you want to be part of training, teaching, or research.
10. The right to make a complaint.

THE DISPUTES TRIBUNAL

The Disputes Tribunal is a Ministry of Justice mediation service which is less formal than going to court, is quicker, cheaper and the decisions are legally binding.

Unlike a formal court you usually represent yourself in a hearing - a lawyer cannot represent you, and there are no judges.

You can use the Disputes Tribunal to settle disputes involving small claims up to \$30,000.00.

Types of disputes the Tribunal can help with

Car accidents or other vehicle issues, house or flat.

Buying goods or services

Disputes about:

- goods that don't work properly
- whether a tradesman has done work properly
- the amount of money charged for work done
- loss caused by misleading advertising
- disputed debts.

Business deals

Disputes about:

- contracts
- business agreements.

You can use the Tribunal even if you've signed an agreement saying that you won't.

For more information,

<https://disputestribunal.govt.nz/>

If in doubt always seek legal advice.

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