

THE New Zealand Board of Professional Skin Therapies

Code Of Ethics-Rules And Regulations

Function 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 on behalf of skin therapists and the other sectors of the beauty industry to safe guard the health and wellbeing of the public.

Objectives

The objectives of the Board are to:

1. Provide the safest and best treatments for the health and wellbeing of their clients, their staff and the public.
2. Encourage our members to perform to the highest possible standards of professional treatments and execute the highest possible ethical behaviour.
3. Promote public awareness in choosing their therapist
4. Encourage our members to extend their theoretical and practical knowledge in our industry by engaging in recognised continuous profession development.
5. Identify credible training organisations that provide the best professional training.
6. Provide a platform for 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..
7. Work nationally and internationally with other organisations to advocate, promote or educate and build strong relationships that develop and grow infrastructure to safe guard the profession and protect the health and wellbeing of the public.
8. Engage and lobby government, local government, and other regulatory agencies that are responsible for regulation, registration and legislation of skin therapists, and related sectors.
9. Equitably represent the diverse sectors of the skin therapy industry.

Scope of Beauty Therapy Practice

As a general principle, skin therapists are restricted to the application or prescription of treatments designed to improve the external physical appearance or produce a greater feeling of well-being for our clients by the use of cosmetics and/or electrical equipment which the therapist is trained and qualified to use. Beauty professionals may only conduct treatments that they are trained and hold relevant and recognised qualifications

- A member will not, even within the above field, operate or give manipulative treatment for any condition requiring the use of a general or local anaesthetic by injection or inhalation, unless permitted to do so as a registered medical professional within the definition of the Health Practitioners Competency Assurance Act.
- A member will not treat any person who to their knowledge is at the time under the care of a medical practitioner for a condition likely to be affected by their treatment without the knowledge and consent of that practitioner.
- Issues regarding the diagnosis of a client's health must be referred to an appropriate registered medical practitioner.
- Body modifications including but not limited to sub-cutaneous prosthetic insertions or excisions are not considered to be within the normal scope of Beauty Therapy practice, unless the Board is satisfied with the level of competency of the practitioner.
- Members are prohibited from using ultra-sonic and/or electrical devices unless they hold the necessary medical and /or industry qualifications entitling them to operate said equipment.

Rules and Regulations

- No member shall perform or execute a treatment on a client or commence work in the beauty industry while under the influence of drugs or alcohol.
- A member shall maintain a high standard of professionalism including being willing to address any treatment complaints, without charge, that have occurred due to poor delivery on the part of themselves, or any of their employees, or for faulty products.
- A member shall in all cases beyond the field of practice specified in this document, advise the client to consult a medical practitioner should there be a conflict with the client's treatment.

- A member shall always be ready and willing to assist fellow members and share knowledge and industry experience for the benefit of all.
- A member shall refrain from either directly or indirectly offering employment or hire an employee from another clinic except through proper advertising vacancies in the media. N.B. This ethical rule shall not be construed as inhibiting an employee acting on their own initiative in pursuing employment opportunities in the beauty therapy industry.
- No member shall, for any reason, knowingly, entice any other member's clients for their own financial gain.
- A member temporarily taking charge of a client for another member shall make no effort to influence such client to leave their usual beauty therapist and shall uphold as far as is consistently possible and in no way disparage the methods of such member.
- All client files are to be held by the clinic owner in a secure location on the premises, in accordance with the Privacy Act, and the Health Information Privacy Code (HIPC).
- Client files are not the property of the treating therapist of the clinic they are employed in and cannot be uplifted by the employee once she leaves their employers employment for the employee's financial gain.
- A member who has been employed as an assistant by another member shall not at the termination of their employment, or on decease of their former employer where the practice of their former employer has been purchased by another member, circularise or otherwise attempt to induce clients to forsake the practice of said former employer.
- All duly constituted medical bodies shall be respected, and endeavours made to merit the esteem of medical practitioners with whom members may come into contact.
- An Honorary Life member may use the Society's title and logo if that member held those entitlements prior to appointment as an Honorary Life member.
- A non-member is prohibited from using the NZ Board of Professional Skin Therapies title or logo for advertising or self-promotion.

- In cases where a member acts jointly with, or practices in partnership with one or more persons (whether they are all members of the Board or not), they shall not use the designated letters of the Board after the joint names or after the title of the firm, or in any manner directly or indirectly calculated to lead to the assumption that all such persons are individually members of the NZ Board of Professional Skin Therapies.
- Advertising or publicity by members of a category not sanctioned by the Board or an entry in any directory not approved by the Board shall be considered to be a breach of this Code of Ethics.

Employees

- Employees will always avoid conflict of interest and inform their employer of any potential conflict of interest as and when it occurs.
- Employees will be fair, honest and objective at all times and not withhold information to any given incidences' that may occur at work.
- Employees will execute the best possible decisions and practices for the wellbeing of their client, employer and industry.
- All employees shall only provide treatments that are in their scope of practice and that they are qualified in and feel confident in performing.
- All members shall protect the proper interests of their employer at all times.
- All members shall protect the privacy and confidentiality of their employer's client data base at all times.
- Any information shared by your employer is to be kept confidential at all times.
- No employee shall use the resources of their employer for the employee's personal or financial gain without prior written permission from their employer or ex-employer.
- No employee shall exploit the weakness of a computer system for personal or financial gain.

Employers and Business Owners

- An employer and/or business owner will encourage and lead by example with high professional standards and encourage their staff to honour and uphold the Board's Best Practice for Health and Hygiene and Code of Ethics.
- No employer or senior therapist/manager, owner shall make a staff member conduct a treatment on a client that they are not qualified or confidently experienced in or is outside their scope of practice.
- 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 in a treatment that they receive financial gain from.
- No employer, business owner or 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.
- Members are restricted to the sale of equipment that may be sold to clients. Members may not sell ultra-violet lamps, faradic body treatment units, IPL/Lasers or any other electrical equipment to clients without a certificate permitting such sale signed by the client's medical advisor. This rule is designed to prevent clients causing themselves unnecessary damage through using instruments without adequate information or training.

Governance Committee and Advisory Committee

- Members of the Board of Professional Skin Therapies must represent their role in a professional and ethical manner and demonstrate neutral, unbiased opinions for the good of the members and the beauty industry. No Board member shall manipulate a situation for their own personal or financial gain or pecuniary advantage.
- If a complaint is being investigated against the following, the Board member [BM], Advisory Committee member [ACM] will stand down from their position until the complaint is resolved.
- All conflicts of interest must be declared to members via the Board and reported at the AGM.

How to Make a Complaint:

Please follow "How to lay a complaint" protocol found later in this document.

Conflict of Interest

A conflict of interest is any situation in which any BM [Board Member], ACM [Advisory Committee Member] or interests or loyalties could affect the ability to make a decision in the best interests of the organisation. It is common for conflicts of interest to occur in any Organisation, Society or Association. Therefore all conflicts of interest no matter how small or perceived declared to maintain transparency and impartiality.

When do Conflicts of Interest Arise?

A conflict of interest can arise when:

- A BM or ACM could benefit financially or otherwise from the NZ Board of Professional Skin Therapies, either directly or indirectly through someone they are connected to, or
- When an BM, ACM 's duty to the organisation is in conflict with the duty or loyalty they have to another organisation or person.
- When an BM, ACM stands to gain pecuniary advantage from business dealings, programmes, or services provided to the NZ Board of Professional Skin Therapies.
- Information provided to the BM, ACM in confidence might give an advantage either financially or personally to that member.
- When an BM, ACM uses their position in the NZ Board of Professional Skin Therapies to gain financial gain from the industry.

How Conflicts of Interest are managed

1. Any BM, ACM must declare to the NZ Board of Professional Skin Therapies any potential conflict of interest as soon as practical after such conflict becomes apparent.
- 2 The conflict will be logged in the Conflict of Interest Register.
- 3 The Board will determine if consultation on the Conflict of Interest is material and an investigation is warranted.
- 4 The decision of the Board members are logged in the Conflict of Interest Register.
- 5 The Conflict of Interest Register will be made available to members at each AGM.

Example Clauses

“A conflict of interest exists for a BM, ACM if that person’s interests or duty in a particular matter conflicts, with his or her duty to the NZ Board of Professional Skin Therapies”.

“When a conflict of interest exists for an BM or ACM that member must declare the nature of the conflict or the potential conflict. The member must not take part in the deliberations or proceedings including decision-making in relation to the conflict of interest. The member must not be counted in the quorum required for the decision-making on the matter for which he or she has the conflict of interest”.

Failure to notify the organisation at the earliest opportunity will result in the following:

1. The person accused of a conflict of interest will be stood down from their position.
2. A special Board meeting is held to discuss the case.
3. The person is given the opportunity to submit information and evidence in their defense.
4. The Board makes a decision and notifies the person in writing of that decision.

Code Enforcement

In enforcing the Code of Ethics and trying to prevent improper practices being performed by members and non- members, we depend upon the co-operation of everyone. If members learn of any breaches to our Best Practice for Health and Hygiene and the Code Ethics or know of establishments permitting activities lowering the professional and/or ethical standards of beauty professionals or who bring our profession into disrepute, then they are obliged to report such matters to a Board member of the NZ Board of Professional Skin Therapies.

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

Members may be assured that any complaints or statements made to the Chair, or Board members will be treated in the strictest of confidence.

We would ask for your active co-operation in this matter so as to ensure that the highest status of our profession is not discredited by the actions of a few unscrupulous persons.

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.

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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.