

Code of Professional Conduct and Ethical Practice

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1.0 Introduction

Exercise & Sports Science Australia (ESSA) is the peak professional body for exercise and sports science professions including Accredited Exercise Scientists, Accredited Exercise Physiologists, Accredited Sports Scientists and Accredited High-Performance Managers.

The ESSA professions are self-regulating, and as such, all individual members and accredited professionals who hold current membership and/or accreditation with ESSA agree to be bound by the ESSA Code of Professional Conduct and Ethical Practice ('the Code').

ESSA is dedicated to ensuring that professionals meet these essential standards for safety and quality of services provided by the ESSA professions.

The Code establishes the minimum standards of professional behaviours, integrity, and ethical practice expected of all ESSA members and accredited professionals.

ESSA members and accredited professionals must abide by ESSA's standards and policies, and decisions made by the ESSA Board, its Councils and other Board delegated authorities.

This Code should be read in conjunction with other relevant ESSA standards, policies, and guidelines.

ESSA members and accredited professionals are responsible for reading, understanding, and applying the principles in the Code across the breadth of their professional interactions. This commitment is renewed by declaration at annual membership and/or accreditation renewal.

This version of the Code considers other jurisdictional codes of conduct and legislation that may apply to ESSA members and accredited professionals in their practice, such as the National Code of Conduct for Health Care Workers.

1.1 Who the Code applies to

The Code applies to both ESSA members and accredited professionals. It also serves as a guide for assessing individuals seeking accreditation or membership with ESSA, particularly if they have declared an ethical or criminal history. Additionally, the Code remains applicable to former members or accredited professionals if an issue is reported that occurred during their period of membership or accreditation.

1.2 What the Code is

The Code is ESSA's standard for professional behaviour and conduct and is a broad framework to ensure legal, ethical, and quality practice. The Code informs and protects ESSA members and accredited professionals and those who use their services.

The purpose of the Code is to provide guidelines:

- for ESSA members and accredited professionals on the provision of high quality and safe professional practice.



- to inform members of the public about the standard of practice they can expect from ESSA members and accredited professionals.
- to identify breaches of professional conduct that could be considered by the Integrity Council as professional misconduct and/or unprofessional conduct.

ESSA members and accredited professionals, members of the public and others who reasonably believe an ESSA professional has breached this Code should report the matter directly to ESSA.

1.3 What the Code is not

The Code does not cover every law or guideline relevant to ESSA members and accredited professionals, nor does it provide specific advice for all professions or situations within ESSA. It does not address issues such as contract disputes, business conflicts, or interpersonal disputes between colleagues. Some matters, such as industrial disputes, human resources complaints, or certain issues related to compensable schemes, may breach the Code but fall outside ESSA's authority to investigate. However, for complaints involving compensable schemes, ESSA can pursue a case after the scheme has issued its outcome or with their awareness of a concurrent review being conducted.

1.4 Breaches of the Code

Failure to abide by ESSA's standards and policies, including ESSA membership and accreditation requirements such as mandatory declarations and Continuing Professional Development, is considered a breach of the Code.

ESSA members and accredited professionals who fail to comply with the Code and/or fail to engage with integrity processes will be subject to penalties. Penalties will depend upon the nature and extent of the breach and will be determined based upon the Ethics and Disciplinary Policy and procedures. Lack of awareness or misunderstanding of the Code is not considered a defence in disciplinary proceedings for reported or suspected breaches of the Code.



2.0 Professional responsibilities

ESSA members and accredited professionals have a responsibility to conduct themselves professionally in all aspects of their practice. ESSA members and accredited professionals must practice in a way that is consistent with jurisdictional codes of conduct and legislation that may apply to their professional services.

2.1 Professional behaviour

ESSA members and accredited professionals are expected to maintain a high standard of professional behaviour and ethical practice in all aspects of practice. This includes not only adhering to ethical guidelines and legal obligations but also respecting professional boundaries with clients to ensure a safe and professional relationship. ESSA members and accredited professionals must:

- 2.1.1 not exploit, neglect, or abuse clients, their families, or carers financially, sexually, physically, emotionally, socially, spiritually or in any other unprofessional manner.
- 2.1.2 not engage in criminal activity,
- 2.1.3 practice with honesty, integrity, and transparency.
- 2.1.4 recognise and redress power dynamics and biases, discrimination or problematic power imbalances that may cause harm.

2.2 Sexual misconduct & personal relationships

ESSA members and accredited professionals are expected to maintain appropriate professional boundaries when working with clients and must not engage in sexual misconduct. ESSA members and accredited professionals must:

- 2.2.1 ensure all interactions with clients, and clients' families and carers, are professional, including verbal and written communication and physical interactions.
- 2.2.2 be aware of and carefully consider the appropriateness of providing services to people with whom they have a close personal relationship.
- 2.2.3 not engage in inappropriate sexual behaviour with clients, or clients' families or carers.
- 2.2.4 not engage in, or seek to develop, an inappropriate close personal, physical or emotional relationship with a client.
- 2.2.5 ensure a reasonable period of time has elapsed since the conclusion of the professional relationship before engaging in a sexual and/or close personal relationship with a former client.

2.3 Conflicts of interest

ESSA members and accredited professionals must take appropriate action to avoid, declare and mitigate any conflicts of interest. ESSA members and accredited professionals must:

- 2.3.1 recognise any potential, perceived or actual conflict of interest and declare these to clients, colleagues and other stakeholders where appropriate.
- 2.3.2 take appropriate action to resolve any potential, perceived or actual conflicts of interest.



- 2.3.3 not accept or offer financial inducements in referral or promotional arrangements with healthcare providers, or other service or product providers, and provide advice and services based on the best available evidence, prioritising the client's best interests over personal gain.

2.4 Health

The health and wellbeing of ESSA members and accredited professionals are important to their ability to provide safe and effective services. ESSA members and accredited professionals must:

- 2.4.1 take care of their own health and wellbeing and seek and enact advice from health professionals where appropriate.
- 2.4.2 not practice in a manner that puts the health and/or wellbeing of the client at risk, including physically and emotionally.
- 2.4.3 not practice when service delivery and professional behaviours are likely to be compromised or significantly impaired by factors such as by alcohol, drugs, illness, or personal difficulties.

2.5 Legal

ESSA members and accredited professionals must respect and comply with all relevant jurisdictional codes of conduct, legislation, and standards that apply to their practice. ESSA members and accredited professionals must:

- 2.5.1 ensure they are aware of and comply with current service requirements set by regulatory bodies and in law.
- 2.5.2 ensure they comply with general legal requirements including privacy, advertising, consumer, anti-discrimination, and employment law.
- 2.5.3 communicate these requirements appropriately to clients, colleagues, and practitioners.
- 2.5.4 abide by relevant mandatory reporting laws and consider voluntarily reporting concerns relating to suspected abuse or neglect of members of at-risk groups, including child, domestic or elder abuse.

2.6 Scope of practice & competency

ESSA members and accredited professionals must only provide services that they are competent and appropriately qualified to perform. ESSA members and accredited professionals must:

- 2.6.1 not make false or misleading claims about their qualifications, ESSA accreditation status, competencies, or scope of practice or use of a false identity in any professional context.
- 2.6.2 not provide any services outside of their experience or training or that they are not qualified to provide.
- 2.6.3 recognise the limitations of their scope of practice and competency and refer to other professionals where appropriate.
- 2.6.4 communicate their scope of practice accurately and appropriately to clients, including where they hold multiple qualifications and/or competencies.
- 2.6.5 hold appropriate professional indemnity insurance that covers the scope of all activities undertaken, whether in a paid or voluntary capacity.
- 2.6.6 engage in continuing professional development (CPD) in accordance with the ESSA CPD Standards for accredited professionals.
- 2.6.7 seek permission from ESSA to use the ESSA logo.



2.7 Professional services

ESSA members and accredited professionals are responsible and accountable for their own practice and must represent their services truthfully and accurately. Practising within the guidelines or under the instruction of employers, organisations or professional groups does not absolve the ESSA professional of responsibility for their behaviours or actions.

Services should only be provided where there is a reasonable expectation that a client will benefit from them. ESSA members and accredited professionals must:

- 2.7.1 deliver services in a way that places a primary priority on the health, safety, and outcomes of clients or service users.
- 2.7.2 deliver services in a way that maintains ESSA standards and policies.
- 2.7.3 not make false or misleading claims about services, products, or outcomes of services, including directly to potential or actual clients or services users, or in any promotional materials.
- 2.7.4 not provide indiscriminate or unnecessary services.
- 2.7.5 consider the suitability of service delivery modes for clients such as individuals or groups, in-person or telepractice.
- 2.7.6 promote and adhere to appropriate business practices to ensure professional integrity and compliance with relevant regulations.

2.8 Safety and adverse events

ESSA members and accredited professionals are expected to deliver safe, quality and evidence-based services, and take appropriate steps to minimise the risk of harm to clients. ESSA members and accredited professionals must:

- 2.8.1 screen or assess client suitability for services across the life of service delivery.
- 2.8.2 recommend or design approaches based on evidence and comprehensively assessed needs, with consideration to client or service user goals and capacity.
- 2.8.3 evaluate, prepare, and maintain the physical environment in which services are provided to ensure safety.
- 2.8.4 adopt standard and contemporary hygiene and infection control measures.
- 2.8.5 appropriately maintain equipment used in services.
- 2.8.6 have appropriate procedures in place to prevent and respond to adverse events.
- 2.8.7 cooperate openly, fully, and transparently with any review or investigation of an adverse event.
- 2.8.8 take appropriate and timely action in response to an adverse event, including implementing appropriate emergency procedures, and undertaking appropriate incident review processes.
- 2.8.9 document adverse events and disclose these where appropriate or necessary, including where required by law.
- 2.8.10 abide by workplace health and safety requirements and laws.

2.9 Privacy and confidentiality

ESSA members and accredited professionals have legal and ethical obligations to protect the privacy and confidentiality of the personal information of clients. ESSA members and accredited professionals must:



- 2.9.1 explain clearly and accurately how client information will be collected, used, and stored and obtain informed consent to these processes before proceeding with the service.
- 2.9.2 ensure information is only disclosed where the client consents or requests access, except where required under law or where there is a serious and/or immediate threat to the safety, health or wellbeing of the client or the public.
- 2.9.3 abide by legal and ethical requirements to facilitating clients' and service users access to records and information pertaining to themselves.
- 2.9.4 keep accurate, clear, respectful, timely, up-to-date records documenting services.
- 2.9.5 store records securely and for the appropriate period of time required by the law or relevant authority.
- 2.9.6 ensure the use of technologies or artificial intelligence (AI) is consistent with legal requirements, occurs only with client consent, respects and upholds privacy rights, data protection and data sovereignty, and ensures the security of data.
- 2.9.7 maintain transparency and responsibly disclose when AI significantly impacts individuals.

2.10 Research

ESSA members and accredited professionals are expected to ensure the safety and wellbeing of research participants, including private practice clients, where any data is collected, stored, or used for research purposes. ESSA members and accredited professionals involved in research must:

- 2.10.1 ensure research is conducted in a way that complies with ethical standards and the law, such as the National Statement on Ethical Conduct in Human Research.
- 2.10.2 communicate about research accurately and appropriately to research participants to ensure they understand their rights, such as the right to withdraw at any time, data collection, storage, and use, and can provide informed consent.
- 2.10.3 ensure protocols, funding, conflicts of interest, and outcomes are communicated appropriately to colleagues and other professionals.
- 2.10.4 explain to private practice clients how their information may be collected, used, or stored for research purposes, and obtain informed consent.
- 2.10.5 ensure data is stored in line with privacy and confidentiality requirements, and where used, is appropriately de-identified in line with approved research protocols.
- 2.10.6 not engage in dishonest or misleading actions relating to the conduct or outcomes of research.

3.0 Working with clients and the community

3.1 Working in partnership

ESSA members and accredited professionals have a responsibility to make the safety and wellbeing of their clients and service users a priority. ESSA members and accredited professionals are expected to ensure services are accessible and delivered in partnership with clients, service users and organisations. When providing services, ESSA members and accredited professionals must:



- 3.1.1 respect and uphold the human rights of clients including freedom, autonomy, and choice.
- 3.1.2 take reasonable steps to advocate for the best interests and wishes of the client and service users, including access to services.
- 3.1.3 include client and service users in the decision-making process, where possible.
- 3.1.4 work collaboratively with organisations to enhance service delivery, where possible.

3.2 Informed consent

ESSA members and accredited professionals have a responsibility to obtain ongoing informed consent from their clients to receive services. ESSA members and accredited professionals must:

- 3.2.1 explain clearly and accurately the proposed services, fees, risks, benefits, potential outcomes, and other service options before initiating services.
- 3.2.2 consider the client's capacity for decision-making and consent, and where capacity is impaired or limited, seek consent from a substitute decision-maker.
- 3.2.3 ensure consent is freely given.
- 3.2.4 ensure consent is recorded appropriately and accurately.
- 3.2.5 respect the client's right to limit or withdraw consent at any time.
- 3.2.6 respect and uphold a potential or actual client's decision to decline consent to any service or activity.

3.3 Communication

To support quality services, ESSA members and accredited professionals are expected to communicate information transparently, honestly and in a way the clients, families, carers, colleagues, and other key stakeholders can understand. ESSA members and accredited professionals must:

- 3.3.1 communicate information in an easily understandable, accurate and timely manner.
- 3.3.2 engage appropriately with families, carers colleagues and other key stakeholders in the interests of the client, ensuring consent has been obtained from the client to do this.
- 3.3.3 take necessary steps to uphold clients' right to accessible communication options, including use of interpreting, translation or adaptive or alternative communication practices where required.
- 3.3.4 explain clearly to the client their rights and responsibilities, including the right to lodge a complaint.
- 3.3.5 make information about how to make a complaint easily accessible, including about external complaint options.
- 3.3.6 manage complaints in a professional, sensitive, and timely manner, and ensure clients or their families and carers do not experience negative repercussions because of making a complaint.
- 3.3.7 welcome and appropriately act upon feedback, whether positive or negative.



3.4 Children

ESSA members and accredited professionals have a responsibility to meet relevant legislation and additional requirements when working with children. ESSA members and accredited professionals must:

- 3.4.1 comply with child protection legislation such as Working with Children Checks and equivalents.
- 3.4.2 recognise the role of parents or guardians.
- 3.4.3 recognise and implement developmentally appropriate approaches to involving children in decision-making and assent processes as much as possible.

4.0 Working with colleagues

ESSA members and accredited professionals have a responsibility to be respectful, professional, and collaborative in all interactions with other practitioners, colleagues, employers, employees, volunteers, students, and other key stakeholders in their profession and ESSA.

4.1 Other practitioners

ESSA members and accredited professionals are expected to work collaboratively, respectfully, and professionally with other professionals to ensure quality outcomes for clients. ESSA members and accredited professionals must:

- 4.1.1 practice promoting person-centred care.
- 4.1.2 respect the contributions of, and work collaboratively with, others involved in providing services to the client.
- 4.1.3 engage with other professionals in a timely and professional manner, ensuring consent from clients.

4.2 Mentoring, supervision & delegation

ESSA members and accredited professionals will demonstrate respect, patience, and leadership when mentoring, supervising, or teaching students, colleagues, or carers. ESSA members and accredited professionals must:

- 4.2.1 take responsibility for those under their supervision.
- 4.2.2 take reasonable steps to assess risk and ensure those under their supervision practice within their level of competence, scope of practice, the Code and any regulatory body rules and laws.
- 4.2.3 consider the competency and capabilities of a person and only delegate appropriate tasks to them.
- 4.2.4 communicate effectively and be honest and fair in feedback.
- 4.2.5 obtain client and/or substitute decision maker's consent for the participation of students, colleagues, or carers in service provision.

4.3 Professional colleagues & stakeholders

ESSA members and accredited professionals are expected to be respectful and professional when engaging with professional colleagues and stakeholders, including fellow professionals, employers, employees, staff, students, volunteers, carers, and representatives of ESSA. ESSA members and accredited professionals must:



- 4.3.1 engage in respectful discussions with colleagues in professional forums, including social media.
- 4.3.2 respect colleagues and their rights.
- 4.3.3 treat colleagues with honesty, fairness, respect, and good faith.
- 4.3.4 not abuse, bully, harass, defame, or discriminate against colleagues.
- 4.3.5 not use any form of communication to defame or undermine the professional reputation or practice of individuals and organisations.
- 4.3.6 use appropriate channels to raise genuine concerns about the practices of colleagues.
- 4.3.7 critically assess employer directives to ensure compliance with best practices and work with employers on these standards.
- 4.3.8 seek to resolve conflicts through appropriate channels.

4.4 Professional reputation

ESSA members and accredited professionals are expected to uphold the reputation of and build on trust and confidence in the ESSA professions. ESSA members and accredited professionals must:

- 4.4.1 comply with the policies and standards of ESSA, providing feedback to ESSA where appropriate.
- 4.4.2 avoid behaviour that would bring ESSA or its professions into disrepute.
- 4.4.3 consider the impact on the ESSA professions and the community when expressing thoughts and opinions in public or professional forums.
- 4.4.4 clearly distinguish personal views from professional ones, and not represent personal or professional views as that of others or their profession, including ESSA.
- 4.4.5 only represent ESSA with appropriate authorisation.
- 4.4.6 commit to ongoing development of their own professional knowledge and skills.
- 4.4.7 consider their role in educating the community on the roles of ESSA members and accredited professionals



5.0 Diversity

ESSA members and accredited professionals are expected to appropriately engage with people in an inclusive and respectful environment for all clients, recognising the importance of cultural safety and responsiveness in delivering effective services. ESSA professionals must actively engage in practices that respects the diverse cultural backgrounds of those with whom they engage.

5.1 Cultural safety and responsiveness

ESSA members and accredited professionals must:

- 5.1.1 provide care that is holistic, free of bias and racism, challenges beliefs based upon assumption and bias, and is culturally safe and respectful for Aboriginal and Torres Strait Islander peoples.
- 5.1.2 acknowledge the significance of family, community, partnership, and collaboration in the decision-making processes of Aboriginal and Torres Strait Islander peoples.

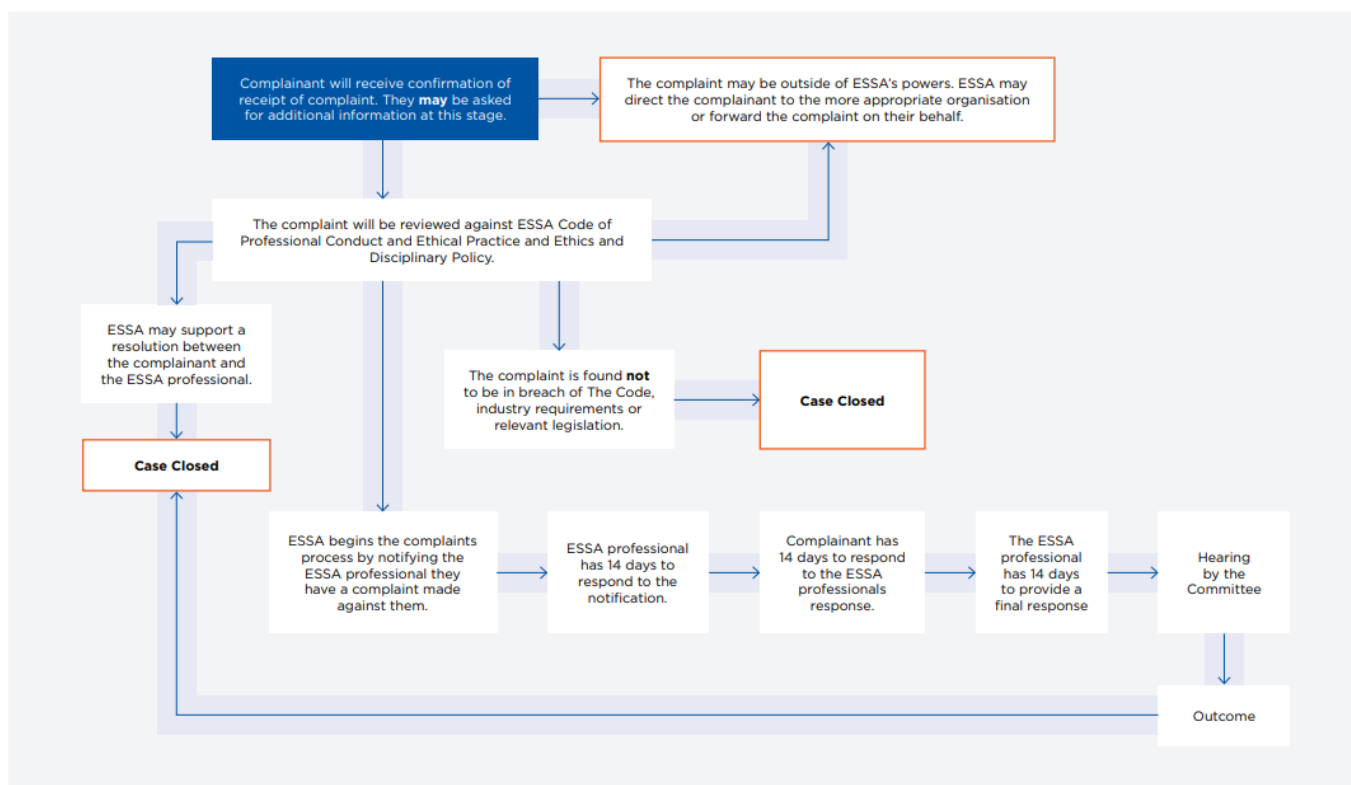
5.2 Diversity affirming practice

ESSA members and accredited professionals must:

- 5.2.1 respect the values and beliefs of clients.
- 5.2.2 not discriminate based on age, gender identity, sexuality, ethnicity, religion, race, cultural identity, health or socioeconomic status, disability, or other grounds included in anti-discrimination and equal opportunity legislation.
- 5.2.3 recognise where services need to be adapted to meet the needs of diverse clients and communities.



6.0 ESSA Complaints Procedure



7.0 Glossary

Accredited professional – means and includes all individuals who hold an accreditation from ESSA.

Assent - involves seeking a child's affirmative agreement to participate in an activity, such as a research study or medical treatment, in a manner appropriate to their age and understanding.

Board – the Board of Directors of Exercise & Sports Science Australia

Client – any person (such as a consumer or patient) who has used or potentially may use a service provided by an ESSA professional, including individuals, groups of people and organisations where the ESSA professional uses their exercise and sports science professional knowledge and skills in providing that service.

Code – the ESSA Code of Professional Conduct and Ethical Practice as amended from time to time.

Comply/compliance – adhere to a direction or request.

Conflict of Interest – a situation in which someone in a position of trust has competing professional or personal interests (potential, perceived or actual). Such competing interests could make it difficult for an individual to fulfil their duties impartially, and potentially could improperly influence the performance of their duties and responsibilities.

ESSA – Exercise & Sports Science Australia.

Integrity - the manifestation of the ethics and values that promote confidence in exercise and sport science, including positive conduct by its members and community, where clients and service users benefit from these services, confident in the knowledge that they are part of a safe, fair, and inclusive environment

Informed consent – a process of communication between the practitioner and client about all aspects of the service including risks and benefits of participating, other options, potential outcomes, fees and how the service will be conducted. This communication results in the client's voluntary agreement to participate in a service, care, or intervention. Consent is an ongoing process and can be written, verbal or a combination of both methods.

Jurisdictional Codes of Conduct and other legislation — the National Code of Conduct for Health Care Workers as it applies in each Australian state or territory; the World Anti-Doping Code; and/or National Policy On Match-fixing; the Privacy Act 1988 (Cwlth), and any other relevant legislation and/or regulation.

Member — a financial member of Exercise & Sports Science Australia whether admitted as a student member, full member, fellow, associate member, academic member, or honorary member.

Practice – any role, whether remunerated or not, in which the individual uses their skills and knowledge as a practitioner in their profession. Practice includes the direct provision of services to clients, and the use of professional knowledge and/or skill in a direct clinical or non-clinical way. This includes non-direct relationships with clients such as working in management, administration, education, research, advisory, regulatory or policy development roles; and any other roles that impact on safe, effective delivery of exercise and sports science services.



Reasonable — a fair, proper and due degree of care and ability as might be expected from an ordinarily prudent person with the same knowledge and experience engaging in the service in similar circumstances.²

Regulatory body — any organisation and/or government body with which exercise and sports science professionals may engage. Examples include the Australian Sports Anti-Doping Authority, Medicare Australia, Department of Veterans' Affairs (DVA), National Disability Insurance Agency, Workers Compensation Authorities, health insurance agencies, Health Ombudsman, and Complaints Commissions.

Profession — means an occupation that requires specialised training, knowledge, and skills, and which intrinsically carries with it implied obligations to community, society, and individuals; each profession has a set of standards and ethics to regulate the professional practitioner's duties and activities.

Professional colleagues - Professionals you collaborate with in any field. This definition includes ESSA staff.

Professional misconduct - unprofessional conduct that amounts to conduct that is substantially below the standard reasonably expected of an ESSA professional of an equivalent level of training or experience.

Scope of practice – the full spectrum of roles, functions, responsibilities, activities, and decision-making capacity that individuals within that profession are educated, competent and authorised to perform.

Sexual misconduct - any unwelcome behaviour of a sexual nature including but not limited to sexual harassment, an act of indecency, making or distributing sexually explicit photos or videos without consent, and any other non-consensual sexual conduct if a reasonable person would consider that conduct to be an invasion of their privacy, indecent or otherwise unacceptable conduct.

Unprofessional conduct – professional conduct that is of a lesser standard than that which might reasonably be expected of an ESSA professional by the public or professional peers.

