



Code of Professional Conduct and Ethical Practice

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Preface

Exercise & Sports Science Australia (ESSA) is the peak professional body in Australia for the exercise and sports science professions, all of which are self-regulating. The ESSA Code of Professional Conduct and Ethical Practice has four main purposes —

1. to unify the practices of ESSA Exercise and Sports Science Professionals
(Accredited Exercise Scientists, Accredited Exercise Physiologists, Accredited Sports Scientists and Accredited High Performance Managers)
2. to provide guidelines for professional conduct by ESSA Exercise and Sports Science professionals
3. to formalise a set of guidelines that inform the Australian public of the professional standards of ESSA Exercise and Sports Science Professionals
4. to lead to best practice of Exercise and Sports Science Professionals.

Individuals who accept membership and/or accreditation with ESSA agree to be bound by the ESSA Code of Professional Conduct and Ethical Practice.

Introduction

This ESSA Code of Professional Conduct and Ethical Practice (this Code) seeks to support exercise and sports science professional conduct to deliver appropriate and effective services within an ethical framework.ⁱ Exercise and sports science professionals have a professional responsibility to be familiar with this Code and apply the guidance it contains.

Professional conduct means the way an individual behaves while acting in a professional capacity. It is generally accepted that, when performing their duties and conducting their affairs, exercise and sports science professionals will uphold exemplary standards of conduct, commonly taken to mean standards that are generally higher than those expected of lay people or the general public.ⁱⁱ

ESSA exercise and sports science professionals are expected to conduct themselves in a way that respects public expectations and the 'good standing' of the professions. This includes conducting themselves in a way that shows respect for:

- the law
- legislation and regulation
- decisions of other relevant bodies
- their professional responsibilities
- their duty of care to Clients
- the principles of non-discriminatory and culturally responsive practice
- best practice principles.

This Code is ESSA's standard for professional and ethical conduct. It should be considered in conjunction with the relevant Scope(s) of Practice. When ESSA receives complaints, it will use this Code to assess the complaints against the conduct expected of exercise and sports science professionals and to inform any disciplinary actions under By-law 4: Complaints and Disciplinary Procedures.

In addition to this Code and the law, individuals practising as exercise and sports science professionals may also be bound by other legislation and codes of conduct such, as the National Code of Conduct for Health Care Workers and/or the World Anti-Doping Code, as well as workplace codes and policies. While ESSA limits its assessment processes to this

Code, it will refer on complaints and share information, as necessary, with other regulatory and investigative bodies as permitted by law. If there is any conflict between this Code and the law, the law takes precedence.

The focus of this Code is on best practice and professional conduct. It is not intended as a mechanism to address disputes between professional colleagues, e.g. in relation to termination of business relationships and disputes over Clients. ESSA does not deal with issues arising from commercial or contractual obligations; independent legal advice should be obtained for these types of matters.

The Code comprises a series of principles that apply to ESSA exercise and sports science professionals' interactions with the public, clients, supervisors, students, employees, research participants, colleagues and other professionals.

Each section of the Code comprises an initial statement of the general principle followed by specific requirements that define its application.

Definitions

Anti-doping	<i>means that each athlete is strictly liable for the substances found in his or her bodily specimen, and that an anti-doping rule violation occurs whenever a prohibited substance (or its metabolites or markers) is found in a bodily specimen, whether or not the athlete intentionally or unintentionally used a prohibited substance or was negligent or otherwise at fault.ⁱⁱⁱ</i>
ASADA	<i>means the Australian Sports Anti-doping Authority.</i>
Best	<i>means, see best practice</i>
Best practice	<i>means a procedure that has been shown by research and experience to produce optimal results and that is established or proposed as a standard suitable for widespread adoption.^{iv}</i>
Board	<i>means the Board of Directors of Exercise & Sports Science Australia.</i>
By-Law	<i>means a subordinate law adopted by the Company to regulate the rights and duties of its officers and exercise and sports science professionals. In the absence of statute law to the contrary, under common law, the power to make by-laws resides in the constituent body of exercise and sports science professionals.</i>
Chief Executive Officer	<i>means the Chief Executive Officer of Exercise & Sports Science Australia.</i>
Client	<i>means a direct recipient of exercise and sports science services. Clients may be individuals, couples, families, groups of people, teams, organisations, communities, facilitators, sponsors or those commissioning or paying for the professional service.</i>
Code	<i>means the ESSA Code of Professional Conduct and Ethical Practice as amended from time to time.</i>
Company	<i>means Exercise & Sports Science Australia.</i>

Competence *means having sufficient physical capacity, mental capacity, knowledge, technical skill and communication skills, including adequate command of the English language, to practise as an exercise and sports science professional.^v*

Confidentiality *means the protection of personal information in line with privacy legislation requirements.*

Constitution *means the Constitution of Exercise & Sports Science Australia that prescribes the nature, functions, rules and limits of the Company.*

Continuing Professional Development

means a program of mandatory Continuing Professional Development required to be undertaken each year, as determined from time to time by the Board.

Duty *means a moral or legal obligation, a responsibility.*

DVA *means Department of Veterans' Affairs.*

ESSA *means Exercise & Sports Science Australia.*

Exploit *means make full use of and derive benefit from.*

Exercise and sports science professional

means an ESSA-accredited exercise and sports science professional and/or a member of ESSA.

Informed consent *means the provision of full and proper disclosure of the involved procedures, benefits, risks and safeguards, including but not limited to whether alternative treatment, procedures or assessments are available.*

Match-fixing *means the manipulation of an outcome or contingency by competitors, teams, sports agents, support staff, referees and officials and venue staff. Such conduct includes:*

- *the deliberate fixing of the result of a contest, or of an occurrence within the contest, or of a points spread*
- *deliberate underperformance*

- *withdrawal (tanking)*
- *an official's deliberate misapplication of the rules of the contest*
- *interference with the play or playing surfaces by venue staff*
- *abuse of insider information to support a bet placed by any of the above or placed by a gambler who has recruited such people to manipulate an outcome or contingency.^{vi}*

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

Mentor *means an accredited person with a minimum of 3 years but preferably 5 years full time equivalent professional practice in the exercise and sports science industry.*

Misconduct *means one or more incidents of conduct that, in and of itself or when combined, amounts to conduct that is substantially below the standard reasonably expected of an exercise and sports science professional of an equivalent level of training and/or experience; or conduct, whether occurring in connection with the practice of exercise and sports science or not, is inconsistent with conduct expected of an exercise and sports science professional.^{vii}*

National Code of Conduct for Health Care Workers

means the National Code of Conduct for Health Care Workers as implemented in each state and territory of Australia.

Oblige/obliged/obligation

means legally or morally bound to do something.

Personal information

means information or an opinion, whether true or not, and whether recorded in a material form or not, about an identified individual, or an individual who is reasonably identifiable.^{viii}

Population health *means the study of health and disease in defined populations.^{ix}*

Practice	<i>means any role, whether remunerated or not, in which an individual uses their skills and knowledge as a practitioner of 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.</i>
Practitioner	<i>means an exercise and sports science professional.</i>
Prescribe	<i>means specific plans of exercise-related activities that are designed for a specific Client aimed at achieving a specific outcome.</i>
Profession	<i>means an occupation that requires specialised tertiary training, knowledge and skills, and which intrinsically carries with it implied obligations to community, society and individuals, and which includes a set of standards and ethics by which these duties will be discharged.</i>
(the) Professions	<i>means the exercise and sports science professions represented by ESSA.</i>
Professional Standards	<i>means one or more of the ESSA Exercise Science Standards and Accredited Exercise Physiologist, Accredited Sports Scientist and Accredited High Performance Manager Professional Standards.</i>
Proper	<i>means of the required or correct type or form; suitable or appropriate.</i>
Reasonable	<i>means 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 particular service in similar circumstances.</i>
Regulatory body	<i>means any organisation and/or government body with which exercise and sports science professionals may engage. Examples include: Australian Sports Anti-Doping Authority, Medicare Australia, Department of Veterans' Affairs (DVA), Workers Compensation Authorities, health insurance agencies and Health Ombudsman/Health Care Complaints Commissions.</i>

Regulatory body authorised to investigate complaints

means ESSA and/or a state, national or international judicial system or health care industry or sports industry regulatory body with legislated complaint investigation and sanctioning powers.

Research

means any scientific study (usually in the form of an experiment, survey, or evaluation, which may be qualitative, quantitative or mixed-method in nature) and the empirical data collected in the pursuit of scientific study rather than for quality improvement.

Risk

means exposure to danger or harm.

Safe

means not likely to cause or lead to harm or injury; not involving danger or risk.

Scope of Practice

means the full spectrum of roles, functions, responsibilities, activities and decision-making capacities that individuals within that profession are educated, competent and authorised to perform.^x

Service

means any professional service provided by an exercise and sports science professional that is accepted to be within the scope of practice for the individual's current accreditations — for example, exercise science, exercise physiology and sports science.

Sport controlling body

means a sport regulatory body established to govern a sport or sports at a national or international level. Examples include: Australian Football League (AFL), International Olympic Committee (IOC), Australian Sports Commission (ASC) and Australian Sports Anti-Doping Authority (ASADA).

Working with Children check

means the states' and territories' prevention and monitoring systems of people working with children and young people.

World Anti-Doping Code

means the core document that harmonises anti-doping policies, rules and regulations within sport organisations and among public authorities around the world.^{xi}

Principles

1. Professional conduct

Exercise and sports science professionals demonstrate professional integrity when they uphold the standards of best practice. These include evidence-based practice and principles such as: beneficence (produce good), non-maleficence (do no harm), fairness, justice and respect for autonomy.

Exercise and sports science professionals may work in a variety of settings and with a diverse range of Clients, including but not limited to apparently healthy people, high-performance athletes, elite and professional athletes and people with acute and chronic medical conditions. Exercise and sports science professionals have a duty to make Client care their first concern, and to build a relationship based on honesty, reciprocity and trust.

1.1 An exercise and sports science professional must always:

- 1.1.1 act in the best interests of the individual Client
- 1.1.2 deliver services competently, diligently and ethically
- 1.1.3 comply with this Code of Professional Conduct and Ethical Practice
- 1.1.4 comply with other relevant legislation such as the National Code of Conduct for Health Care Workers and the World Anti-Doping Code.

1.2 An exercise and sports science professional must not:

- 1.2.1 engage in conduct which is contrary to this Code
- 1.2.2 engage in disreputable conduct, whether in practice or not, that reflects adversely on their own ability to practise as an exercise and sports science professional
- 1.2.3 engage in activities that could jeopardise the professional standing of that exercise and sports science profession(s). For example over-servicing in rebatable schemes including Medicare and DVA.
- 1.2.4 engage in the delivery of services with individuals who are not registered or accredited with the relevant professional body.

2. Compliance with law

2.1 Exercise and sports science professionals shall make themselves aware of any laws, legislation, regulations and other professional policies relevant to their practice settings. These legislation areas include:

- anti-discrimination
- consumer protection
- criminal law
- business practices
- workplace and employment
- workplace health and safety
- privacy protection
- copyright and intellectual property
- integrity of sport (including doping and match-fixing)
- child safety protection
- research ethics.

Professional and personal liability is not reduced by lack of awareness.

3. Decisions of the Board and the ESSA Accreditation Council

The Board is charged with the responsibility for overseeing the administration and control of professional standards of exercise and sports science professionals in Australia.

3.1 An exercise and sports science professional must abide by:

3.1.1 standards set by the Professional Standards Advisory Council

3.1.2 rulings and decisions made by the Board and/or the ESSA Accreditation Council concerning ethical behaviour and standards of professional conduct.

3.2 To maintain the integrity and standing of its professions, ESSA may suspend an individual's membership and/or accreditation status when the individual is being investigated for professional misconduct and/or criminal activity. The circumstances for suspension are set out in ESSA By-law 4: Complaints and Disciplinary Procedures, Clause 3. Scope and Limitations and Clause 17. Failure to Engage.

4. Best practice

An exercise and sports science professional shall maintain high professional standards of Client service and professional relations. An exercise and sports science professional will

make themselves aware of their duty of care, their moral and legal obligations to ensure the safety and wellbeing of Clients when providing services to them. These include respecting the ESSA Code of Professional Conduct and Ethical Practice, the professional boundaries set by other regulatory bodies for providing services, and their responsibility for maintaining the integrity of sport — for example, with respect to anti-doping and match-fixing.

Exercise and sports science professionals need to be proactive in avoiding situations that would compromise their integrity, or produce a professional and personal conflict of interest — for example, working outside the scope of their accredited practice.

4.1 An exercise and sports science professional shall:

- 4.1.1 deliver services based upon the best scientific information and professional practice currently available
- 4.1.2 be involved in maintaining or furthering their knowledge, skills and competencies through meeting the ESSA's professional development requirements, including continuing professional development, currency of practice and return to practice requirements
- 4.1.3 maintain appropriate relations among all professionals in the health and sports environment
- 4.1.4 respect the collaborative nature of delivering comprehensive health/medical and sports science and respect the opinions, perspectives and expertise of other health care professionals and athlete management
- 4.1.5 in the delivery of services, provide Clients with the appropriate level and frequency of treatments
- 4.1.6 deliver services in accordance with the rules, regulations and guidelines of any relevant regulatory body
- 4.1.7 conduct financial, commercial and contractual dealings in accordance with legal and regulatory requirements, respecting the principle of good faith.

5. Professional responsibility

An exercise and sports science professional is expected to maintain professional objectivity and integrity and to apply professional knowledge and skills to all services they deliver and undertake.

5.1 An exercise and sports science professional shall:

- 5.1.1 regard the health and welfare of the individual Client to be of primary importance, taking precedence over self-interest and/or the interests of any other person
- 5.1.2 take all reasonable steps to prevent harm occurring to the Client resulting from their conduct and the delivery of their services
- 5.1.3 provide services only for the period during which those services are necessary to the Client
- 5.1.4 take reasonable steps to ensure that their services and products are used appropriately and responsibly
- 5.1.5 provide services in compliance with the requirements of relevant regulatory bodies — for example, those governing health, sport and business operations
- 5.1.6 provide services in compliance with relevant state and national legislation and regulations, in particular those protecting vulnerable populations, such as working with children checks and disability legislation
- 5.1.7 self-declare to interested parties any real, apparent or potential conflict of interest that may arise in the course of their work, and take reasonable steps to avoid and manage any conflict of interest that does arise
- 5.1.8 upon becoming aware of misconduct by a professional colleague, take reasonable steps to remedy the situation
- 5.1.9 where professionally obliged, upon becoming aware of an impediment to a professional colleague's ability to practise safely in their profession, refer their concerns to the relevant regulatory authority for investigation
- 5.1.10 co-operate with duly constituted committees of the Board, particularly those charged with investigating complaints against an exercise and sports science professional. Co-operation means responding to any inquiries promptly, accurately and completely; providing information and documentation as requested, and in all other respects adhering fully to any procedures established by the Board for such investigations.

6. Professional and Client relations

An exercise and sports science professional shall not take immoral or unfair advantage of their professional relationships with Clients.

6.1 An exercise and sports science professional:

- 6.1.1 has a responsibility to obtain informed consent from their Clients with respect to all aspects of interventions and assessments, including procedures, benefits, risks and safeguards

- 6.1.2 must ensure they do not exploit relationships with Clients for their own emotional, sexual or financial gain
- 6.1.3 has a responsibility to behave in a way that maintains the integrity of sport — for example, having regard to anti-doping and match-fixing; and does not put at risk the integrity status of their athletes.

7. Competency and accountability

An exercise and sports science professional must recognise the boundaries of their own competence. This means providing only those services that are defined in their scopes of practice and which they are qualified to deliver by virtue of their training and experience. They should refer matters outside their areas of competence and scope of practice to appropriately qualified persons.

7.1 An exercise and sports science professional must:

- 7.1.1 work within the limits of their education, training, supervised experience and professional experience
- 7.1.2 provide only those services to their Clients for which they are trained and qualified based on established knowledge of the profession of exercise and sports science
- 7.1.3 where appropriate, refer the Client to another appropriately qualified healthcare or medical professional
- 7.1.4 maintain appropriate levels of professional competence by seeking professional supervision or consultation as required.

8. Working within the health care system

Exercise and sports science professionals have a responsibility to respect and contribute to the effectiveness and efficiency of the Australian health care system. Participation in the health care system is broader than the practice of the profession of Accredited Exercise Physiologist. It includes the National Code of Conduct for Health Care Workers and population health measures.

8.1 An exercise and sports science professional must:

- 8.1.1 ensure that the services they provide are necessary and likely to benefit the Client
- 8.1.2 uphold the Client's right to access the necessary level of health care and, whenever possible, help them to do so

- 8.1.3 support the transparent and equitable allocation of health care resources
- 8.1.4 understand that their use of resources for one Client can affect the access of other patients to health care resources.

9. Professional relations with other health care professionals

A good relationship — that is, where there is mutual respect and clear communication between exercise and sports science professionals and other health and medical professionals — enhances Client care.

- 9.1 Good practice involves an exercise and sports science professional:
 - 9.1.1 communicating clearly, effectively, respectfully and promptly with medical practitioners and other health care professionals caring for the Client
 - 9.1.2 acknowledging and respecting the contribution of all health care professionals involved in the care of the Client.

10. Description of services

An exercise and sports science professional must provide clear and accurate information about their professional qualifications and descriptions of services they are qualified to offer, to help the public make informed and appropriate choices of the quality, type and expected duration of services provided to them.

- 10.1 An exercise and sports science professional must not:
 - 10.1.1 falsely describe their own professional qualifications
 - 10.1.2 falsely describe the services or products they provide
 - 10.1.3 falsely describe the benefits of any services or products they provide.

11. Client care

Clients must not be subjected to undue risk before, during or following testing procedures, exercises or treatments prescribed by an exercise and sports science professional.

- 11.1 An exercise and sports science professional shall:
 - 11.1.1 ensure that the Client is made aware, through the process of obtaining informed consent, of the aims, benefits, procedures, risks and safeguards of the exercise and intervention; and of their right to withdraw from the intervention at any time without penalty. This includes the [taking any photographic images^{xii}](#) for the

- provision of services, and strictly observing privacy regulations governing their storage, use and retention as part of the Client's record
- 11.1.2 provide services in a culturally safe, sensitive and inclusive manner
 - 11.1.3 provide services that consider any special needs of the Client related to age (children and elderly), mental, physical or cultural needs. This includes having in place appropriate clearance checks for working with vulnerable populations such as children.
 - 11.1.4 provide instruction and education that minimises the risk of injury, illness or side effects from exercise and maximises the benefits of their interaction with the Client
 - 11.1.5 ensure interventions are appropriate to the Client's needs, interests and capabilities
 - 11.1.6 ensure that, in the case of injury, timely treatment and appropriate care are made available to the Client.

12. Client assessments

An exercise and sports science professional has the prime responsibility for conducting Client assessments, including interviews, observations, standardised tests, questionnaires and psycho-physiological measures, and shall ensure that these are used and interpreted only by competent persons.

- 12.1 An exercise and sports science professional shall:
 - 12.1.1 adequately protect the physical security of assessment instruments, the data they generate and the reports based on them
 - 12.1.2 avoid using procedures that are obsolete or of dubious scientific status
 - 12.1.3 guard against any misuse or bias in selection, administration, scoring and interpretation of assessment procedures
 - 12.1.4 be prepared to justify, in terms of current scientific literature, their use and interpretation of any assessment procedure
 - 12.1.5 accept responsibility for ensuring adequate supervision of assessment procedures administered, scored or interpreted by others under their direction unless such persons are themselves properly trained in their use
 - 12.1.6 not release uninterpreted data from assessments to persons who are not specifically trained in the use and interpretation of the procedures concerned
 - 12.1.7 in reporting assessment findings to Clients, research participants or other professionals, endeavour to provide appropriate explanations of the findings and

their interpretations. Any reservations concerning the validity or reliability of an assessment procedure should be made explicit in the report

12.1.8 strive to prevent misuse of assessment findings and outdated assessment results

12.1.9 abide by such guidelines as may be adopted from time to time by the Board as the standard of training required for accreditation of a testing centre.

13. Confidentiality

The relationship between an exercise and sports science professional and Client should be based upon confidentiality and trust. Consequently, an exercise and sports science professional must obtain prior informed and written consent from the Client before disclosing their Client information to any third party, except as required by law or for a secondary purpose directly related to the provision of the service that would reasonably be expected^{xiii}, such as seeking the advice of a supervisor in determining appropriate exercise intervention.

13.1 An exercise and sports science professional may disclose a Client's confidential information without their consent only in the following circumstances:

13.1.1 *emergency*: where it is impossible or impracticable to seek consent to disclosure in time to prevent imminent harm or injury to the Client or some other person. In this event, it is expected that as soon as possible, the exercise and sports science professional would report to the Client or their guardian any information disclosed to a third party

13.1.2 *public and Client safety*: where nondisclosure may immediately endanger the health or wellbeing of a Client or any other person, but the Client denies permission to disclose. In such instances, the exercise and sports science professional should exercise professional judgment and, if necessary, seek consultation with the Chief Executive Officer of ESSA or senior colleagues of their organisation, in deciding whether to disclose the Client's information

13.1.3 *law*: where legislation and Courts of Law may compel disclosure of information given by a Client, or where a regulatory body such as workers compensation schemes or a private health insurer requires reporting of the information — for example, for quality purposes as outlined in the relevant terms and conditions. An exercise and sports science professional should inform the Client in advance of such limitations of confidentiality

13.1.4 *incapacity*: where the Client is judged incapable of giving consent to disclosure. In these circumstances, prior consent must be sought from the Client's legal guardian.

- 13.2 In disclosing any confidential information, the exercise and sports science professional must provide only that information that meets the lawful obligation or to which the Client has provided prior consent.
- 13.3 Where an exercise and sports science professional provides Client information to a third party, they must inform the third party of the need to protect Client confidentiality.
- 13.4 In addition to requiring prior informed and written consent, the use of personal details in training, case studies, testimonials, publications or presentations (either verbal, visual or written) must be used only in a way that does not directly or through implication reveal the personal details of any other Clients.

14. Record keeping

The maintenance of complete and accurate records is essential to the proper and professional conduct of an exercise and sports science professional.

- 14.1 An exercise and sports science professional shall:
- 14.1.1 make and keep complete and accurate Client records including: medical records, interventions administered and the dates when they were administered. Images taken for the purpose of providing the service
 - 14.1.2 keep Client records secured at all times
 - 14.1.3 not disclose Client records to any persons without the consent of the Client, except for any lawful requests made by:
 - 14.1.3.1 regulatory bodies, e.g. Medicare, DVA, private health insurers
 - 14.1.3.2 investigating authorities, e.g. ASADA, Health Care Ombudsman, Complaints Commissioner
 - 14.1.3.3 any other party entitled to access the records.
 - 14.1.4 keep Client records for a minimum of seven years after the last Client contact, unless legal or other organisational requirements, e.g. DVA, specify otherwise
 - 14.1.5 make provision for protecting Client confidentiality in the disposal of Client records.

15. Information to be lawfully provided

From time to time an exercise and sports science professional may be required, under legislation, to provide advice and information to assist in an investigation or action.

- 15.1 When an exercise and sports science professional is lawfully required to provide any Client information to a third party, they should do so in a co-operative and transparent way in accordance with their responsibilities as outlined in this Code.
- 15.2 Where any doubt exists as to the existence or extent of any such responsibility, an exercise and sports science professional should seek guidance from the Chief Executive Officer or their own legal counsel.

16. Delegation of professional tasks

An exercise and sports science professional carries the primary responsibility for the care of Clients who engage them to provide services.

- 16.1 An exercise and sports science professional who, in the provision of services, delegates tasks to an assistant, employee, junior colleague or supervisee shall:
- 16.1.1 ensure that the delegate is competent to undertake the tasks assigned to them
 - 16.1.2 ensure that the delegate is aware of this Code
 - 16.1.3 properly and personally supervise the delegate to ensure that they perform the specific tasks in a competent manner
 - 16.1.4 ensure that the delegate's conduct does not place the Client at risk of harm in receiving the service
 - 16.1.5 appropriately record the services that have been provided by the delegate.

17. Supervision and training

An exercise and sports science professional shall ensure that their supervision and training of students and/or junior colleagues meets general scientific standards of competency (knowledge and practice) and is sensitive to the interests, welfare and dignity of the trainee.

- 17.1 An exercise and sports science professional who supervises the work of students or junior colleagues:
- 17.1.1 has a responsibility to promote awareness of and adherence to the provisions of this Code
 - 17.1.2 shall endeavour to attain the skills, attitudes and practice of an effective teacher and mentor
 - 17.1.3 shall maintain proper and accurate records of all the training and development of students/colleagues under their supervision who are engaged in practical training and, upon request by ESSA, provide copies of these records

- 17.1.4 must provide support, assessment and feedback for any student/colleague engaged in practical training
- 17.1.5 must not permit the student/colleague to engage in any work or activity beyond their level of competence
- 17.1.6 must not unfairly exploit or use the student/colleague in the conduct of services
- 17.1.7 must not permit the student/colleague to take advantage of, or infringe upon the rules of payment set by regulatory bodies by engaging in work or activities where the student/colleague does not have approval to bill for payment for these services
- 17.1.8 must at all times comply with the obligations pursuant to any placement agreements.

18. Research ethical considerations

An exercise and sports science professional involved in the design, organisation, conduct and/or reporting of health research involving humans has particular responsibilities and accountabilities under the [National Statement on Ethical Conduct in Human Research](#).^{xiv}

- 18.1 These responsibilities and accountabilities are set in place to ensure the welfare and wellbeing of research participants; they include:
 - 18.1.1 respecting and protecting the participants
 - 18.1.2 acting with honesty and integrity
 - 18.1.3 ensuring that any protocol for human research has been approved by a human research ethics committee in accordance with the *National Statement on Ethical Conduct in Human Research*
 - 18.1.4 disclosing to the human research ethics committee the sources and amounts of funding for research
 - 18.1.5 disclosing to the human research ethics committee any potential or actual conflicts of interest
 - 18.1.6 ensuring that Client participation in research is voluntary and based on an adequate understanding of the purpose, methods, demands, potential benefits, risks and safeguards of the research as established by following the informed consent process
 - 18.1.7 ensuring that any dependent relationship between the exercise and sports science professional and their Client is taken into account in the recruitment of Clients as research participants

- 18.1.8 seeking advice when research involves children or adults who are not able to give informed consent, to ensure that there are appropriate safeguards in place. This includes ensuring that a person empowered to make decisions on the Client's behalf has given informed consent, or that there is other lawful authority to proceed
- 18.1.9 adhering to the approved research protocol
- 18.1.10 monitoring the progress of the research and promptly reporting adverse events or unexpected outcomes in line with the *National Statement*
- 18.1.11 respecting the entitlement of research participants to withdraw from research at any time and without giving reasons
- 18.1.12 adhering to guidelines for confidentiality and privacy
- 18.1.13 adhering to guidelines regarding publication of findings, authorship and peer review
- 18.1.14 reporting possible fraud or misconduct in research, as required under the *Australian Code for the Responsible Conduct of Research*.^{xv}

19. Publication and public statements

An exercise and sports science professional making any public statements should be aware that such statements may reflect upon ESSA and its professions. A public statement, for the purposes of this Code, means a statement likely to be reported in the media.

19.1 An exercise and sports science professional must:

- 19.1.1 not make public comments or statements that will or may bring ESSA and/or its professions into disrepute
- 19.1.2 ensure that any public comments or statements they make are accurate, objectively report data or information and are made in a manner that encourages responsible public discussion
- 19.1.3 make public comment only on areas where they have adequate knowledge and provide information based only on evidence-based research findings
- 19.1.4 not, without obtaining prior written authority, state or imply that their personal statements are made on behalf of another exercise and sports science professional, ESSA, Board, or any other organisation.

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- ⁱ Physiotherapy Board of Australia (2014) Code of Conduct for registered health practitioners. Accessed 5 January 2017 from <http://www.physiotherapyboard.gov.au/Codes-Guidelines.aspx>
- ⁱⁱ Nursing and Midwifery Board of Australia (2008). Code of Professional Conduct for Nurses in Australia. Accessed 5 January 2017 from <http://www.nursingmidwiferyboard.gov.au/Codes-Guidelines-Statements/Professional-standards.aspx>
- ⁱⁱⁱ World Anti-Doping Authority. Strict liability in anti-doping. Accessed 2 June 2017 from <https://www.wada-ama.org/en/questions-answers/strict-liability-in-anti-doping>
- ^{iv} Merriam-Webster Dictionary accessed 8 August 2017 from <https://www.merriam-webster.com/dictionary/best%20practice>
- ^v Health Practitioner Regulation National Law (NSW) – Sect 130. Accessed 31 May 2017 from <http://www.legislation.nsw.gov.au/#/view/act/2009/86a/part8/div1/sec139>
- ^{vi} Australian Government (2011). National policy on match-fixing in sport. Accessed 2 June 2017 from [http://www.health.gov.au/internet/main/publishing.nsf/Content/F6DB8637F05C9643CA257C310021CCE9/\\$File/National%20Policy%20on%20Match-Fixing%20in%20Sport%20\(FINAL\).pdf](http://www.health.gov.au/internet/main/publishing.nsf/Content/F6DB8637F05C9643CA257C310021CCE9/$File/National%20Policy%20on%20Match-Fixing%20in%20Sport%20(FINAL).pdf)
- ^{viii} Privacy Act (1988) Accessed 5 June 2017 from <https://www.oaic.gov.au/privacy-law/privacy-act/>
- ^{ix} Australian Institute of Health and Welfare. Frequently asked questions. Accessed 2 June 2017 from <http://www.aihw.gov.au/population-health-faq/>
- ^x Queensland Health (2016) Full Scope of Practice. Accessed 27 January 2017 from <https://www.health.qld.gov.au/ahwac/html/full-scope.asp>
- ^{xi} World Anti-Doping Agency. The World Anti-Doping Code. Accessed 5 June 2017 from <https://www.wada-ama.org/en/what-we-do/the-code>
- ^{xii} Office of the Australian Information Commissioner (OAIC) What should a health provider consider before taking a photo of a patient on a mobile phone? Accessed 2 June 2017 from <https://www.oaic.gov.au/agencies-and-organisations/faqs-for-agencies-orgs/health-service-providers/what-should-health-service-providers-consider-before-taking-a-photo-of-a-patient-on-a-mobile-phone>
- ^{xiii} Schedule 1 of the *Privacy Amendment (Enhancing Privacy Protection) Act 2012*, which amends the *Privacy Act 1988*. Australian Privacy Principles. Accessed 10 April 2017 from <https://www.oaic.gov.au/individuals/privacy-fact-sheets/general/privacy-fact-sheet-17-australian-privacy-principles>
- ^{xiv} National Statement on Ethical Conduct in Human Research (NHMRC 2007); <http://www.nhmrc.gov.au/guidelines/publications/e72>)
- ^{xv} Australian Code for the Responsible Conduct of Research (NHMRC 2007); <http://www.nhmrc.gov.au/guidelines/publications/r39>)