



## **PROFESSIONAL PRACTICE IN THE FITNESS INDUSTRY: A CODE OF ETHICAL CONDUCT FOR AUSTRALIAN REGISTERED EXERCISE PROFESSIONALS**



*Fitness Australia is the peak fitness industry association in Australia. Fitness Australia wants to see more Australians more active, more often. Australian Registered Exercise Professionals (AusREPs) support this objective. Fitness Australia expects AusREPs to establish and maintain a high standard of ethical and professional conduct. This Code of Ethical Conduct establishes these standards.*

### **1 About this Code**

#### **1.1 Purpose of the Code**

The Code is a mandatory list of professional expectations of AusREPs. It is not exhaustive, and should be read together with prevailing legal obligations. The purpose of the Code is to promote good professional practice.

Failure to comply with the Code may result in Fitness Australia applying sanctions to an AusREP, including, but not limited to, suspension or revocation of an AusREP's registration with Fitness Australia (see the Fitness Australia Complaints and Disciplinary Procedure), and which may lead to the cessation of the AusREP's membership with Fitness Australia (see the Fitness Australia Constitution).

#### **1.2 Use of the Code**

This Code:

- Supports individual AusREPs in their commitment to excellent client care and to fulfil their professional roles.
- Provides a framework to guide professional judgement and behaviour.
- Sets out standards and guidelines that represent best practice for exercise professional conduct.
- Operates in parallel with other Fitness Australia policies and guidelines.

#### **1.3 The Code and the law**

This Code is not a substitute for the provisions of legislation and case law. AusREPs must comply with all laws that apply to them, inform themselves of relevant legal requirements, and stay up-to-date with these requirements. These requirements include, but are not limited to:

- Anti-discrimination law
- Child safety protection
- Consumer law
- Criminal law
- Intellectual property law
- Privacy law
- Workplace health and safety law

The Code should be read together with the professional standards, policies and guidelines issued by Fitness Australia. These can be viewed on Fitness Australia's website: <https://fitness.org.au/policies-guidelines>

If a provision in this Code conflicts or is inconsistent with a provision in any other Fitness Australia policy or guideline, the provision in this Code will take precedence to the extent necessary to resolve the conflict or inconsistency.

#### **1.4 Administration of the Code**

The Board of Directors of Fitness Australia (Board) is responsible for overseeing and administering the Code and considering any complaints made against an AusREP including a complaint that an AusREP has failed to comply with the Code or is otherwise:

- (a) engaged in unsatisfactory professional conduct;
- (b) engaged in professional misconduct;
- (c) not a suitable person to hold registration as an AusREP with Fitness Australia; or
- (d) brings Fitness Australia into disrepute

The Board may delegate its powers under this Code to a committee of the Board with delegated authority to investigate and make decisions about any complaints made against AusREPs. This include decisions regarding the suspension or termination of an AusREP's registration with Fitness Australia or any other sanction to be applied to an AusREP.

The Board or any committee of the Board with delegated authority will consider complaints in accordance with the Fitness Australia AusREP Complaints & Disciplinary Procedure which will be developed and approved by the Board.

AusREPs must abide by:

1. Standards set by the Australian Fitness Industry Standards Council
2. Decisions made by the Board or any committee of the Board with delegated authority.

## **2 Good professional practice**

Good professional practice by exercise professionals means providing a high quality, safe fitness service for clients.

AusREPs are required to:

- 2.1** Understand and work within the limits of their competence, Scope of Practice for Australian Registered Exercise Professionals<sup>[3]</sup>, and other Fitness Australia standards, policies and guidelines.

- 2.2** Maintain and extend the knowledge and skills required to provide safe fitness services through continued professional education consistent with current evidence base.
- 2.3** Assess their clients' needs and undertake appropriate pre-exercise screening<sup>[4]</sup> processes.
- 2.4** Carefully evaluate and consider the results of a client's pre-exercise screening and the client's objectives when developing, delivering or recommending a suitable exercise program or fitness service.
- 2.5** Refer a client to another professional when the client requests or needs fitness services that are outside an AusREP's scope of practice<sup>[3]</sup> or current competence.
- 2.6** Maintain complete records of services provided to clients, including records of pre-exercise screening, client progress, and referrals.

## **3 Working with clients**

Relationships between AusREPs and clients should be collaborative, and based on respect, openness, trust and good communication. AusREPs are required to:

- 3.1** Be courteous, respectful, compassionate and honest with clients.
- 3.2** Respect their clients' privacy and right to confidentiality.
- 3.3** Ensure that clients consent to the release and exchange of health information with third parties where this is necessary.
- 3.4** Use client information carefully when developing exercise programs.
- 3.5** Conduct themselves within appropriate professional boundaries.
- 3.6** Prioritise each client's health, well-being and safety taking into account their individual circumstances and exercise objectives.

### **3.7 Working with children and young people**

Providing fitness services for children and young people brings additional responsibilities for exercise professionals. Fitness businesses and AusREPs are required to:

- 3.7.1** Comply with child protection (or equivalent) legislation in their jurisdiction.
- 3.7.2** Ensure they consider a young person's capacity for decision-making and consent.
- 3.7.3** Ensure that, when communicating with a child or young person, they:
  - are aware of age-related development and physical exercise needs;

- encourage questions and answer these questions to the best of their ability;
- provide information in a way that a child or young person can understand; and
- recognise the role of parents or guardians.

#### **4. Culturally safe and inclusive practice**

Professional practice in the fitness industry involves acknowledgement of cultural diversity of clients. AusREPs are required to:

- 4.1** Have respect for, and show sensitivity towards, the cultural needs of the community, including Aboriginal and Torres Strait Islander Australians and those from culturally and linguistically diverse backgrounds.
- 4.2** Acknowledge the social, economic, cultural and behavioural factors influencing health behaviour and health outcomes, both at individual and community levels.
- 4.3** Have appropriate referral systems in place to improve client engagement and health outcomes.

#### **5. Publication and public statements**

An AusREP making any public statements should be aware that such statements may reflect upon Fitness Australia and the fitness industry. A public statement, for the purposes of this Code, means a statement reported in the media, including social media. AusREPs must:

- 5.1** Avoid making public comments or statements that bring, or are likely to bring, Fitness Australia or the fitness industry into disrepute.
- 5.2** Only make public comments or statements within their Scope of Practice and where they have adequate knowledge, and provide information supported by evidence-based research.
- 5.3** Obtain prior written authority, when stating or implying that their personal statements are made on behalf of Fitness Australia or any of its officers or employees.

#### **6. Mentoring, supervising and assessing**

Mentoring and supervising current and emerging exercise professionals is important to ensure the highest standards of professional practice are achieved. AusREPs are required to:

- 6.1** Treat any exercise professional or student they are mentoring or supervising with respect and patience.

- 6.2** Offer honest, objective and constructive feedback on the performance of colleagues or students.
- 6.3** Obtain client consent for student participation, and respect a client's right to choose not to consent.
- 6.4** Clearly explain to the student and the client the scope of the student's participation.
- 6.5** Draw on appropriate evidence from research and good practice to inform their decisions, advice and practice.

#### **7. Complaints and investigations**

Exercise professionals have responsibilities and rights relating to any legitimate investigation of their practice or that of a colleague. In meeting these responsibilities, it is advisable to seek legal advice and advice from your professional indemnity insurer. AusREPs are required to:

- 7.1** Cooperate with any legitimate inquiry into the fitness services provided for a client or clients.
- 7.2** Disclose information relevant to an investigation into their own or a colleague's conduct, performance or health to any regulator or delegate entitled to the information.
- 7.3** Assist the coroner when an inquest or inquiry is held into a client's death in accordance with legal obligations.

#### **8. Reporting obligations**

An AusREP must:

- 8.1** Report to Fitness Australia any criminal convictions associated with young and/or vulnerable persons or in connection with their fitness services.
- 8.2** Report to Fitness Australia if they are the subject of any criminal, summary or civil complaint in connection with their fitness services. To maintain the integrity and standing of its profession, Fitness Australia may suspend an individual's registration and/or accreditation status when the individual is being investigated for professional misconduct and/or criminal activity.
- 8.3** Notify Fitness Australia if their professional indemnity insurance is cancelled or not renewed for any reason.



## 9. Glossary of terms

Australian Registered Exercise Professional (AusREP): is a person registered with Fitness Australia who supplies fitness services to the public, including group exercise leaders and instructors; gym instructors and personal trainers;

Board: the board of directors of Fitness Australia;

Code: is this Code of Ethical Conduct, as amended from time to time; Client: means an individual to whom an AusREP provides goods or services;

Fitness business: a business that delivers fitness services to the public, or provides a range of products, services and/or intellectual property (whether as franchisor, by way of licence or otherwise) to multiple businesses that deliver fitness services to the public under the same or substantially similar trading name and/or trade mark or service mark;

Fitness Industry: the industry of supplying fitness services, made up of a range of stakeholders that include (but are not limited to) consumers, exercise professionals and fitness businesses;

Fitness service – includes pre-exercise evaluation, exercise consultations, use of exercise equipment, professional exercise services or programs whether it be in a group setting or individualised, supervised or unsupervised, provided by a supplier in any form or manner (including online), excluding fitness services supplied by the following:

- (a) a person registered under the relevant laws in the state or territory in the medical profession;
- (b) a person registered under the relevant laws in the state or territory in the physiotherapy profession;
- (c) a sporting club or organisation, for the playing of, or training for, a sport;
- (d) an educational institution for exclusive use by staff or students;
- (e) a person for the performance of, or training for, martial arts;
- (f) where no other fitness service is supplied – a facility for the use of a spa, bath, sauna bath, swimming pool or similar facility;
- (g) a fitness facility is provided for the sole purpose of medical rehabilitation; or
- (h) where no other fitness service is supplied – a facility for the hire of a court or other facility for the playing of sport;

Laws – statute, ordinance, code or other law (including regulations) and other statutory instruments under it and consolidations, amendments, re-enactments or replacements of any of them in the relevant state or territory;

Pre-exercise screening – a questionnaire/system<sup>[4]</sup> that identifies those who may have medical conditions or symptoms associated with diseases which may indicate a consumer's elevated risk of an adverse event during physical activity/exercise that is recognised and used by Fitness Australia or another recognised peak body in the Fitness Industry.

Unsatisfactory professional conduct - the knowledge, skill or judgment possessed by the AusREP is below the standard reasonably expected of an AusREP of an equivalent level of training or experience.

## 10. References

1. Fitness Australia (2020) *Complaints Handling & Disciplinary Procedure* retrieved from <https://fitness.org.au/complaints-and-disciplinary-procedure>
2. Fitness Australia (2019) *Constitution* retrieved from <https://fitness.org.au/FAL-constitution>
3. Fitness Australia (2019) *Position Statement: Scope of Practice for Registered Exercise Professionals*, retrieved from <https://fitness.org.au/scope-of-practice>
4. Exercise & Sports Science Australia, Fitness Australia and Sports Medicine Australia (2019) *Adult Pre-Exercise Screening System*, retrieved from <https://fitness.org.au/apss>

## 11. Review

The Code of Ethical Conduct for Australian Registered Exercise Professionals will be reviewed periodically, no later than April 2022.