

# ASSOCIATION OF REMEDIAL MASSEURS INC

## COMPLAINTS PROTOCOL

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### 1. INTRODUCTION

The Association expects Practitioners to comply with both the letter and the spirit of the Codes of Ethics and Practice.

Complaints concerning alleged breaches of the Codes by Practitioners should be reported in accordance with the Complaints Resolution Procedure.

### 2. OBJECTIVE

To maintain the integrity of the Association.

To provide clients/patients with the highest standard of service and protection. To ensure Practitioners behave in a professional and ethical manner.

### 3. DEFINITIONS

Association	means the Association of Remedial Masseurs Inc.
Practitioner	means an individual practising modalities as recognised by ARM, who is registered and a financial member of the Association.
Client/Patient	means a person and/or carer attending a practice conducted by a Practitioner for the purpose of a massage.
Committee	means the officers elected to the positions of President, Vice President, Treasurer, Secretary and five (5) members at the Annual General Meeting of the Association.
Complaints	means the officer appointed by the Committee of the Officer Association.
Codes	means the Code of Ethics and Code of Practice of the Association.
Competency	means the skills identified as being necessary in the practice of modalities as recognised by ARM from time to time.

Duty of Care means the Practitioner is competent to assist the client/patient optimum health within the restrictions of their condition.

Determination means the resolution of a complaint.

Special Meeting means the convening of a special meeting of the Committee of the Association to impartially consider evidence concerning a complaint against a Practitioner. -

#### **4. DUTY OF CARE**

The Practitioner will:

- act with honesty, integrity and responsibility at all times;
- treat the client/patient with the utmost respect and care;
- competently assist the client/patient to optimum health within the restrictions of their condition;
- never knowingly undertake any action or treatment that would adversely affect the health of the client/patient;
- uphold the Codes of the Association.

#### **5. PROFESSIONAL CONDUCT**

At all times the Practitioner will:

5.1 maintain a high standard of professional competency

5.2 conduct themselves in a professional manner so as to comply with accepted codes of behaviour and decency

5.3 use only the skills in which they are competently trained and certified

5.4 develop their professional knowledge and skills

5.5 ensure they are medically, physically and psychologically fit to practise the discipline

5.6 maintain a high standard of personal and practice hygiene

5.7 not enter into an inappropriate intimate or sexual relationship with the client/patient under their care

5.8 take a complete case history and ensure the client/patient/carer understands and consents to all aspects of their treatment prior to commencement of that treatment (informed consent)

5.9 maintain strict confidentiality of all client/patient documentation unless

- obliged by law to release the records
- written consent has been provided and only to the extent of the agreed disclosure

5.10 grant the client/patient the right to view their documentation in the presence of a health practitioner according to the Freedom of Information Act of the State Government

5.11 concede that the client/patient/carer has the ultimate right to accept or refuse any treatment

5.12 ensure the client/patient/carer is aware of any inherent risks and/or side effects involved in the treatment prior to commencement of that treatment

5.13 ensure the personal comfort of the client/patient by providing sufficient towels and/or gowns

5.14 ensure the personal privacy of the client/patient when they are undressing or dressing

5.15 refuse to treat the client/patient if, in their professional opinion, the procedure requested is inappropriate for their condition

5.16 provide treatment to a minor (under the age of 16 years) with:

- 5.16.1 the parent/guardian present during the treatment or
- 5.16.2 the written consent of the parent/guardian

5.17 refer a client/patient when their condition requires treatment beyond their qualifications

5.18 never criticise a Practitioner or health practitioner in the presence of the client/patient

5.19 represent their practice in a honest, accurate and truthful manner 5.20 not use any products without appropriate training

5.21 display the fees charged in their practice and/or bring them to the attention of the client/patient/carer prior to the commencement of any treatment plus disclose any conditions attached to the fees

5.22 display the Code of Ethics in their practice (or a copy of the Code if practising at more than one location) so as to be clearly visible to all clients/patients

5.23 ensure that the practice and furnishings will be kept in a good state of repair, be comfortably warm, well ventilated and appropriately lit

5.24 when making a public statement, ensure they make it clear that they are voicing a personal opinion

5.25 hold Public Liability and Professional Indemnity insurance plus a First Aid Certificate as required.

## **6. COMPLAINTS RESOLUTION PROCEDURE**

6.1 On receipt of a verbal complaint, the Association will enter details in the Complaints Book

6.2 The Association will check that the Practitioner named in the complaint is a registered and financial member of the Association

6.3 A Complaint File will be opened and given a number

6.4 Providing the complaint issues fall within the jurisdiction of the Association, the Complainant will be sent a letter together with a Complaint Form and Release Form

6.5 If the complaint issues fall outside the jurisdiction of the Association, the Complainant will be advised to seek guidance through the State Department of Health

6.6 When a duly signed and completed Complaint Form and Release Form are received from the Complainant, copies of the complaint will be sent to the Complaints Officer and the Practitioner named

6.7 On receipt of a response from the Practitioner named, a copy will be sent to the Complaints Officer

6.8 The Complaints Officer will:

- attempt to resolve the complaint to the satisfaction of both parties
- prepare a report for a meeting of the Committee

6.9 The Committee will convene a meeting to formulate a Determination

6.10 The Complainant and the Practitioner will be notified, in writing, of the Determination of the Committee

6.11 If the Complainant and/or the Practitioner do not accept the Determination of the Committee, a Special Meeting will be convened

6.12 A letter containing the date, time and venue of the Special Meeting will be sent to the Complainant and the Practitioner

6.13 Attendees at the Special Meeting will be the Committee, the Complainant and the Practitioner

An independent Practitioner in the discipline of the Practitioner may be called as an expert witness

Expert medical and/or legal opinion may be obtained

6.14 The Special Meeting is not bound by the Rules of Evidence and will be electronically recorded

The majority decision of the Committee is binding

6.15 The Determination of the Committee will be the final settlement of the Complaint

6.16 The Complainant and the Practitioner will be advised, in writing, of the final Determination of the Committee

## **7. COMPLAINT DETERMINATION**

The Determination may include but not be limited to:

7.1 no action required (trivial)

7.2 a written "caution" to the Practitioner

7.3 suspended membership for a specific period of time

7.4 expulsions from the Association where the Practitioner has persistently refused or neglected to comply with the Codes or has acted in a prejudicial manner

## **8. COMPLAINT FINALISATION**

The File will be closed when:

8.1 all parties have been advised of the Determination of the Committee

8.2 any disciplinary action has been finalised