

Proposed Changes to the Code of Ethical Conduct

Notes for proposed changes:

The name of this document has been changed from “Code of Ethical Conduct” to “Code of Ethics” to reflect *The Physiotherapists Act*. In addition, Paragraph two has been added to this Code.

Further revisions have been made to this document to simplify the wording based off the addition of paragraph two.

The proposed changes to this document are highlighted in yellow and will be discussed at the AGM.

CODE OF ETHICS

This code applies to registered physiotherapists¹ in Canada.

PURPOSE

This Code of Ethics (the “Code”) sets out the ethical principles governing the conduct of members of the physiotherapy profession in Manitoba. It is a moral anchor that assures clients², the public, and other health care providers that members of the profession strive for the highest standards of ethical conduct. The Code must reflect the societal ethics of the time, as well as the value systems and moral principles of the physiotherapy profession in Manitoba. The Code applies to members of the physiotherapy profession in all contexts of practice and through all stages of their careers. It must always be used in conjunction with relevant legislation.

The Legislature of Manitoba has granted to the profession the privilege of self-regulation for the purpose of protecting the public and promoting the public interest. This Code is a set of principles of professional conduct which establishes the requirements and expectations for physiotherapists in fulfilling duties to their clients, to the public, to the profession and to their colleagues. Because the Code addresses broad ethical obligations, the onus is on the individual physiotherapist to maintain a working knowledge of, and comply with the relevant legislation and the policies of the College, the workplace, and jurisdictions in which he/she practices. For the purpose of this Code, legislation and the policies of the college includes but is not limited to *The Physiotherapists Act*, Regulations, By-Laws, Practice Statements/Directions, Standards of Practice, Registration and Licensing as well as Governance Directions.

HOW TO USE THE CODE

The Code does not tell practitioners exactly how to act in every situation, rather it provides a benchmark against which to measure ethical decisions in every-day practice and in highly complex situations. In every situation, however, it is the duty of members of the profession to act in an ethically responsible manner, using the principles of the Code to guide ethical conduct. As ethical decision making is often an interdisciplinary issue, practitioners are encouraged to seek additional advice or consultation when ethical decisions are unclear. Members of the physiotherapy

¹ The terms physical therapy/physiotherapy and physical therapist/physiotherapist are considered synonymous and can be used interchangeably. For the purposes of this document the term physiotherapy will be used.

² Client refers to a patient, their substitute decision-maker, “family group, community or organization receiving professional services, products or information.” Adapted from National Physiotherapy Advisory Group. (2009). *Essential Competency Profile for Physiotherapists in Canada*. Available at: <http://www.physiotherapyeducation.ca/Resources/Essential%20Comp%20PT%20Profile%202009.pdf>. (This document is presently being updated).

profession should be able to articulate their rationale for all ethical decisions and should take responsibility for their decision-making and actions.

ETHICAL PRINCIPLES AND PROFESSIONAL VALUES

Ethical principles form the foundation of ethical conduct and provide guidance along the pathway to ethical decision-making. While there are several approaches to ethical principles, this Code uses the classical ethical principles described below as a basic guide to ethical conduct. Emphasis is on the pursuit of excellence in all professional activities, as well as the ability to act with integrity, accountability and good judgment in the best interests of the client, the public, the individual (self) and the profession.

- Respect for Autonomy states that people should be allowed to make decisions that apply to their lives and to have control over their lives as much as possible. Autonomy requires a physiotherapist to respect a client's freedom to decide for themselves and includes obtaining informed consent.
- Beneficence guides the practitioner to do what is good with respect to the welfare of the client. In physiotherapy practice, the physiotherapist should provide benefit to the client's health.
- Least Harm deals with situations in which none of the choices available are judged to be the best. In this case, a practitioner should choose to do the least harm possible and to do harm to the fewest people. For physiotherapists this may mean recommending an intervention that is the best of two alternatives even though both alternatives may have negative side effects.
- Justice requires that the actions chosen are objective and equitable to those involved. An ethical decision that relates to justice has a consistent logical basis that supports the decision. For physiotherapists, justice relates to treating people fairly and to allocating resources fairly between clients.

In addition to the ethical principles, there are several professional values that help to support ethical conduct in the profession - these are the values that underpin and motivate a member of the physiotherapy profession's efforts every day and inspire all of their actions. The key values include responsibility, excellence, trustworthiness, honesty, integrity, professionalism, citizenship, respect, dignity, communication, collaboration, advocacy, transparency, and wellbeing.

The ethical responsibilities below are described under three headings: those that apply to the client; those that apply to the public; and those that apply to the individual practitioner (self) and the profession. Ethical responsibilities are intended to serve as a guide to ethical conduct. They will not all apply all of the time nor in all situations, but they should serve as a reference to guide to sound ethical conduct and to help to prevent unethical behaviours and choices.

A. RESPONSIBILITIES TO THE CLIENT

Members of the physiotherapy profession have an ethical responsibility to:

1. Demonstrate sensitivity toward individual clients, respecting and taking into consideration their unique rights, needs, beliefs, values, culture, goals, and environmental context.
2. Act in a respectful manner and do not refuse care or treatment to any client on the prohibited grounds of discrimination as specified in the Canadian Human Rights Act³ as well as on the grounds of social or health status.
3. Work in partnership with clients to improve, support and/or sustain their health status and well-being.
4. Maintain professional boundaries that honour and respect the therapeutic relationship with clients.
5. Communicate openly, honestly and respectfully with clients at all times.
6. Respect the principles of informed consent including by explaining service options, risks, benefits, potential outcomes, possible consequences of refusing treatment or services, and by avoiding coercion.
7. Treat clients only when the diagnosis or continuation of the intervention warrants treatment and is not contraindicated.
8. Respect and support the autonomy of the client to participate in the management and decision-making relating their own health.
9. Provide an alternative treatment option through referral to another health care provider/physiotherapist if the therapeutic relationship is compromised or **if the treatment required is beyond the competence and/or expertise of the member.**
10. Respect the confidentiality, privacy, and security of client information in all forms of communication.
11. Use electronic communication and social media and other forms of digital technology professionally and respectfully, conforming to confidentiality guidelines.
12. Practice in a safe, competent, accountable and responsible manner during the provision of services.
13. Take all reasonable steps to prevent harm to clients. Should harm occur disclose it to the client and others as required.
14. Take responsibility for the client care delegated to students and other members of the health care team.

³ Canadian Human Rights Act (2012). Prohibited grounds of discrimination: For all purposes of this Act, the prohibited grounds of discrimination are race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability and conviction for an offence for which a pardon has been granted or in respect of which a record suspension has been ordered. Available at: <http://laws-lois.justice.gc.ca/eng/acts/h-6/page-1.html#h-1>

Proposed Changes to the Code of Ethical Conduct – AGM 2020

15. Practice collaboratively with colleagues, other health professionals and agencies for the benefit of clients.
16. Enhance their expertise through lifelong acquisition and refinement of knowledge, skills, abilities and professional behaviours.
17. Comply with the relevant legislation and the policies of the College.
18. Maintain the requisite integrity, professionalism and judgement required to provide service in accordance with relevant legislation and the policies of the College and to keep his/her knowledge and skills current throughout his/her career.

B. RESPONSIBILITIES TO THE PUBLIC

Members of the physiotherapy profession have an ethical responsibility to:

1. Conduct and present themselves with integrity and professionalism.
2. Respect diversity and provide care that is both culturally sensitive and appropriate.
3. Advocate within their capacity and context to address clients' needs and the broad determinants of health and to improve the standards of health care.
4. Work effectively within the health care system and manage resources responsibly.
5. Act transparently and with integrity in all professional and business practices including fees and billing; advertising of professional services; and real and/or perceived conflicts of interest.
6. Regularly assess the quality and impact of their services.
7. Be professionally and morally responsible for addressing incompetent, unsafe, illegal, or unethical practice of any health care provider and legally responsible for reporting conduct that puts the client at risk to the appropriate authority/ies.
8. Take responsibility for their own physical and mental health and refrain from practicing physiotherapy while their ability to provide appropriate and competent care is compromised.
9. Comply with the relevant legislation and the policies of the College and represent him/herself in a manner that contributes to the public's trust and confidence or competence in a way that is truthful and professional.
10. When entering into contracts with other parties related to the practice of physiotherapy, ensure that the terms or conditions under which he/she is practicing do not compromise his/her ability to deliver quality care.

C. RESPONSIBILITIES TO SELF AND THE PROFESSION

Members of the physiotherapy profession have an ethical responsibility to:

1. Commit to maintaining and enhancing the reputation and standing of the physiotherapy profession, and to inspiring public trust and confidence by treating everyone with dignity and respect in all interactions.
2. Commit to lifelong learning and excellence in practice.
3. Act honestly, transparently and with integrity in all professional and business practices to uphold the reputation of the profession.
4. Recognize the responsibility to share evidence-informed and clinical best practices in physiotherapy with each other and other health care professionals.
5. Contribute to the development of the profession through support of research, mentoring, and student supervision.
6. Refrain from harassment, abuse or discrimination of colleagues, employees, or students.
7. Attend to their own health and well-being.