



STATUTORY INSTRUMENTS.

S.I. No. 472 of 2014



SPEECH AND LANGUAGE THERAPISTS REGISTRATION BOARD
CODE OF PROFESSIONAL CONDUCT AND ETHICS BYE-LAW 2014

SPEECH AND LANGUAGE THERAPISTS REGISTRATION BOARD
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The Speech and Language Therapists Registration Board, in exercise of the powers conferred on it by section 31 of the Health and Social Care Professionals Act 2005 (as amended), with the approval of the Health and Social Care Professionals Council, hereby makes the following bye-law:

1. This bye-law may be cited as the Speech and Language Therapists Registration Board Code of Professional Conduct and Ethics Bye-law 2014.
2. The Speech and Language Therapists Registration Board hereby adopts the Code of Professional Conduct and Ethics (“the Code”) contained in the schedule to this bye-law.
3. The Code is hereby incorporated by reference into, and forms part of, this bye-law.
4. This bye-law comes into operation on 14 October 2014.

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 17th October, 2014.*

SCHEDULE

Speech and Language Therapists Registration Board

Code of Professional Conduct and Ethics

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Foreword

I am pleased to present the Code of Professional Conduct and Ethics for Speech and Language Therapists devised by the Speech and Language Therapists Registration Board (SLTRB) at CORU. The Code specifies the standards of ethics, conduct and performance expected of registered speech and language therapists.

Many of the standards of ethics, conduct and performance expected of speech and language therapists are common to many of the health and social care professions to be regulated by CORU. In the first instance, the Health and Social Care Professionals Council at CORU developed a framework code detailing these common standards. The SLTRB has now built on that framework code by including additional requirements which are particular to speech and language therapists.

Speech and language therapists respect the rights of individuals to be heard and to be listened to and to have information made accessible to them. Speech and language therapists, through their interventions and therapies, do everything practicable to create conditions for the individual to interact with others. This in turn brings benefits to individuals, their family and carers, and improves their quality of life.

The goal of the SLTRB is to protect the public by fostering high standards of professional conduct and professional education, training and competence among registered speech and language therapists. This Code outlines the standards of ethical behaviour and conduct that the public expects from registered speech and language therapists. The Code will be reviewed on an on-going basis to reflect an evolving profession and society.

It is important that all registered speech and language therapists read, understand and meet the standards set out in this Code. Failure to meet the standards could result in a complaint of professional misconduct being made about a registrant. Under the Health and Social Care Professionals Act 2005, professional misconduct is defined as any act, omission or pattern of conduct of the registrant which is a breach of the Code.

The SLTRB developed this Code to ensure that the standards, ethics, conduct and performance expected of registered speech and language therapists are set out in a clear and accessible manner. We expect that all speech and language therapists will comply with these standards and that the consistent application of these standards will benefit individuals. We look forward to working with speech and language therapists, their employers and service users in realising such benefits through developments in the statutory registration process.

Helen Shortt
Chairperson
Speech and Language Therapists Registration Board
October 2014

About the Code

As a registrant you must comply with this Code of Professional Conduct and Ethics. It is recognised that ethical decision-making presents challenges and it is suggested that the paradigm at Appendix A should be consulted. If there is a conflict between the Code of Professional Conduct and Ethics and a registrant's work environment, the registrant's obligation is to the Code.

Registrants must be aware that a breach or breaches of this Code could be held to be professional misconduct and could result in a disciplinary sanction being imposed following a fitness to practise inquiry.

In this document:

- 'you must' is used as an overriding principle or duty;
- 'you should' is used where the principle or duty may not apply in all cases or where there are factors outside your control affecting your ability to comply;
- the term "service users" includes service users, patients, clients and anyone else who uses your service.

Below is a summary of your responsibilities as a registrant grouped into three categories: conduct, performance and ethics.

Conduct

1. Act in the best interests of service users.
2. Respect the confidentiality of service users.
3. Maintain high standards of personal conduct.
4. Provide information about conduct and competence.

Performance

5. Address health issues related to your fitness to practise.
6. Obey laws and regulations.
7. Act within the limits of your knowledge, skills, competence and experience.
8. Keep your professional knowledge and skills up to date.
9. Maximise service users' communicative abilities.
10. Maximise health, welfare, protection and safety of service users with regard to feeding, eating, drinking and swallowing.

11. Get informed consent from service users.
12. Communicate with service users, carers and other professionals.
13. Assist and advise colleagues, recently qualified registrants and students.
14. Teach, supervise and assess students and other professionals.
15. Supervise tasks that you give to others.
16. Keep accurate records.
17. Address health and safety risks.
18. Report any concerns about risks to service users.

Ethics

19. Demonstrate ethical awareness.
20. Respect the rights and dignity of people.
21. Carry out your duties in a professional and ethical way.
22. Undertake research in an ethical manner.
23. Make sure that any advertising is truthful, accurate and lawful.

Conduct

You must always keep a high standard of conduct. Your duties are to:

1. Act in the best interests of service users

You are responsible for acting in the best interests of service users.

You must:

- a. treat service users as individuals;
- b. respect diversity, different cultures and values;
- c. respect and, where appropriate, speak out on behalf of service users;
- d. recognise and respect the role of carers;
- e. support the service user's right to take part in all aspects of the service provided and to make informed choices about the service they receive;
- f. do nothing that might put the health or safety of service users at risk;
- g. when working in a team, be responsible for:
 - your own professional conduct,
 - any service or professional advice you give,
 - your own failure to act,
 - any appropriate tasks you delegate, and
 - any tasks delegated to you;
- h. protect service users if you believe they are threatened by a colleague's conduct, performance or health. Service user safety must always come before personal and professional loyalties;
- i. talk to a suitable professional colleague if you become aware of any situation that puts a service user at risk.

You must not:

- a. direct those entitled to public services to private practice for reasons of personal or commercial benefit;
- b. accept inducements, payments, gifts or benefits that could be reasonably perceived as affecting your professional judgement.

2. Respect the confidentiality of service users

You must:

- a. treat information about service users as confidential and use it only for the purpose for which it was given;
- b. check that people who ask for information are entitled to it;
- c. always follow 'best practice', employer guidelines and data protection laws when handling confidential service user information. Stay up to date with best practice developments;
- d. be conscious of your need to use social media and social networking in a responsible way, in particular, to avoid any breach of your obligations in this Code such as confidentiality under clause 2 and use of records and information under clause 16.

You must not:

give personal or confidential service user information to anyone, except if the law or your professional practice obligations requires you to do so.

You must be aware confidentiality is not absolute. You must familiarise yourself with the circumstances in which a breach of confidentiality is appropriate and justifiable.

Disclosure of information to other relevant professionals:

- Information may need to be shared with other relevant professionals to provide safe and effective care. If disclosure of a service user's information is necessary as part of their care, you should take reasonable steps to ensure that you make such a disclosure to an appropriate person who understands that the information must be kept confidential.

3. Maintain high standards of personal conduct

You must:

- a. maintain high standards of honesty and integrity;
- b. work openly and co-operatively with colleagues;
- c. respect the roles and expertise of other health and social care professionals and work in partnership with them.

You must not:

- a. harm, abuse or neglect service users, carers or colleagues;
- b. exploit or discriminate against service users, carers or colleagues in any way;

- c. form inappropriate personal relationships with service users;
- d. condone discrimination by colleagues, carers or service users;
- e. put yourself or others at unnecessary risk;
- f. behave in a way that would call into question your suitability to work in your profession;
- g. engage in conduct that is likely to damage the public's confidence in you or in your profession.

4. Provide information about conduct and competence

You must:

- a. inform the Speech and Language Therapists Registration Board if you are convicted of a criminal offence (other than a 'fixed charge' driving offence under the Road Traffic Acts). You must also inform the Board if you are given an 'adult caution' by An Garda Síochána or a caution from the police in another country;
- b. inform the Speech and Language Therapists Registration Board if your employer or another body in this or other jurisdictions suspends you or places restrictions on your practice because of concerns about your conduct or competence. You must co-operate with any investigations or formal inquiry into your professional conduct;
- c. report, to the appropriate authority, any serious breaches of behaviour or malpractice by yourself or others in this or other jurisdictions. Malpractice includes negligence, incompetence, breach of contract, unprofessional behaviour, causing danger to health, safety or the environment, and covering up any of these issues.

You should:

inform your employer if, in your professional opinion, the practice of colleagues may be unsafe or have a negative effect on service user care.

Performance

You must always keep a high standard of performance. Your duties are to:

5. Address health issues related to your fitness to practise

You must:

- a. look after your physical, emotional and psychological health and avoid contact with service users if you are ill, emotionally distressed or on medication which may affect your judgement or performance;
- b. follow your employer's guidelines regarding personal health issues which could place service users or others at risk;
- c. limit your practice or stop practising if your performance or health could have a negative effect on service users.

6. Obey laws and regulations

You must:

- a. know and work within the laws and regulations governing your practice and keep up to date with any changes in legislation or regulation;
- b. obey the laws of the country in which you live and work in all your professional and personal practice.

7. Act within the limits of your knowledge, skills, competence and experience

You must:

- a. act within the limits of your knowledge, skills, competence and experience;
- b. practise only in areas in which you have relevant competence, education, training and experience. If a task is beyond your knowledge, skills or experience, you must refer the service user to a colleague who has the skills to help the service user;
- c. accept that a service user has the right to a second opinion from another practitioner. If asked, you must support the service user to promptly access a second opinion;
- d. make sure you understand the purpose of a referral from a service user or another health or social care professional. You must only accept the referral and provide assessment, intervention or treatment if it is in the service user's best interest. If this is not the case then the referral must be discussed with the referrer and clear reasoning given as to why the referral is inappropriate;

- e. be able to justify any decisions you make within your professional practice. You are always accountable for what you do, what you fail to do, and your behaviour;
- f. meet professional standards of practice and work in a lawful, safe and effective manner.

You should:

seek and engage in supervision in professional practice on an on-going and regular basis.

8. Keep your professional knowledge and skills up to date

You must:

- a. ensure that your knowledge, skills and performance are of a high quality, up to date and relevant to your practice;
- b. participate in continuing professional development (CPD) on an on-going basis by identifying your learning needs, making a personal learning plan, implementing the plan and reflecting on the learning you gained from the CPD activities;
- c. maintain clear and accurate records of your CPD and submit your records for audits of compliance when requested by the Speech and Language Therapists Registration Board;
- d. comply with the Speech and Language Therapists Registration Board's CPD requirements.

9. Maximise service users' communicative abilities

You must:

- a. seek to optimise service users' ability to communicate in all environments;
- b. aim to improve quality of life through facilitation of communication;
- c. undertake appropriate assessment, diagnostic and management approaches in line with evidence informed practice and within the limits of your knowledge, skills and experience;
- d. advocate for service users with communication impairments.

10. Maximise health, welfare, protection and safety of service users with regard to feeding, eating, drinking and swallowing

You must:

- a. seek to optimise service users' feeding, eating, drinking and swallowing in all environments;
- b. aim to improve quality of life through facilitation of feeding, eating, drinking and swallowing;
- c. undertake appropriate assessment, diagnosis and management of feeding, eating, drinking and swallowing in line with evidence informed practice and within the limits of your knowledge, skills and experience;
- d. advocate for service users with feeding, eating, drinking and swallowing disorders.

11. Get informed consent from service users

You must:

- a. explain to the service user the assessment, intervention or treatment along with any benefits, risks and alternatives in a way the service user can understand and give informed consent, taking into account the service user's capacity to understand the information;
- b. record the service user's decisions regarding any proposed assessment, intervention or treatment. These decisions should be shared with appropriate members of the health and social care team involved in the service user's care;
- c. make sure the service user gives consent to any treatment or procedure before it is carried out. If the service user cannot give informed consent, make sure that any actions taken are in the service user's best interests;
- d. make reasonable efforts to encourage the service user to go ahead with treatment or examination that you believe is in their best interest. However, you must respect the service user's right to refuse treatment or examination;
- e. follow your employer's procedures on consent and any guidance issued by appropriate authorities and legislation in this jurisdiction.

12. Communicate with service users, carers and other professionals

You must, when communicating with service users, carers and the families of service users, do so sensitively and effectively.

You should:

co-operate and share your knowledge and expertise with colleagues and students for the benefit of service users.

13. Assist and advise colleagues, recently qualified registrants and students

You should:

assist and advise colleagues, recently qualified registrants and students in your profession to develop the professional skills, values, courtesies, attitudes and behaviour they will need when dealing with service users, carers and staff.

14. Teach, supervise and assess students and other professionals

If you are involved, you must:

supervise, teach, train, appraise and assess students in your profession and do so fairly and respectfully using agreed criteria.

You should:

meet your professional obligation to supervise, teach, train and mentor other Speech and Language Therapists and other professionals in specified practice areas.

15. Supervise tasks that you give to others

You must:

- a. acknowledge that service users have the right to expect that the person providing assessment, intervention or treatment to them has the knowledge, skills and competence to do so;
- b. only delegate to a person who you believe to have the knowledge, skills and experience to carry out the task safely and effectively, unless they are supervised by an experienced practitioner;
- c. always continue to give adequate and appropriate supervision, if you delegate a task;
- d. understand that you are accountable for any task you delegate to another practitioner and responsible for any task you delegate to a student or others;
- e. understand that if a student or another practitioner is unwilling to carry out a task because they do not think they are capable of doing so safely and effectively, you must not force them to do so. If their refusal raises a disciplinary or training issue, you must deal with this separately. The service user must never be put at unnecessary risk.

16. Keep accurate records

You must:

- a. keep clear and accurate records in line with the policies and procedures set out in your workplace and the Freedom of Information Act 1997;
- b. make sure that all records are:
 - complete,
 - legible (if handwritten),
 - identifiable as being made by you,
 - dated and timed,
 - prepared as soon as practicable following assessment, intervention or treatment, and
 - clear and factual;
- c. if you supervise students, review each student's entries in the records and record that you have done so;
- d. protect information in records against loss, damage or access by anyone who is not allowed to access them;
- e. make sure that if records are updated, the information that was there before is not erased or made difficult to read;
- f. hold and use records according to relevant legislation.

Records are all information collected, processed and held in manual, electronic or any other format pertaining to the service user and service user care. Records include data (within the meaning of the Data Protection Acts 1988 and 2003), demographics, clinical data, images, recordings, unique identification, investigation, samples, correspondence and communications relating to the service user and their care.

17. Address health and safety risks

You must:

- a. follow risk assessment policies and procedures to assess potential risks in the workplace and your areas of practice;
- b. take any steps needed to minimise, reduce or eliminate the risks you identify;
- c. inform relevant colleagues and/or departments in your workplace about the outcomes and implications of risk assessments;

d. read and understand your institution's or department's safety statement.

18. Report any concerns about risks to service users

You must:

inform the proper authorities about any concerns you may have about risks to service user safety and quality of care.

You should:

if a service user is harmed in the course of their care, speak openly and honestly to them as soon as possible about what happened, their condition and their on-going care plan.

Ethics

You must always keep a high standard of ethics. Your duties are to:

19. Demonstrate ethical awareness

You must:

make sure you read and understand this Code of Professional Conduct and Ethics.

You must not:

enter into any agreement or contract or accept any gift that might cause you to breach this Code.

You should:

be aware of the wider need to use limited resources as efficiently and responsibly as is practicable. You have a duty to assist in the efficient and effective use of resources and to give advice on their appropriate allocation, whilst balancing your duty of care to the individual. Take particular care when ethical issues arise. (Please see Appendix A for a suggested procedure for ethical decision-making).

20. Respect the rights and dignity of people

You must:

always show, through your practice and conduct, respect for the rights and dignity of all individuals. In particular you must not discriminate against a person on the basis of:

- gender,
- family status,
- civil status,
- age,
- disability,
- sexual orientation,
- religion,
- ethnicity, or
- membership of the Traveller Community

as identified under the Equal Status Act as updated from time to time.

21. Carry out your duties in a professional and ethical way

You must:

- a. carry out your duties and responsibilities in a professional and ethical way to protect the public;

- b. always behave with integrity and honesty;
- c. recognise that if there is a conflict of interest between the service user and the safeguarding of children or other vulnerable people, safeguarding should take precedence.

22. Undertake research in an ethical manner

You must:

- a. follow your employer's procedures on research and any guidance issued by appropriate authorities;
- b. submit research proposals to the relevant research ethics committees and get ethical approval before starting the research;
- c. obtain informed consent from service users in line with the procedures laid down by the ethics committee;
- d. treat all information gathered during the research confidentially and make sure that participants cannot be identified through their data;
- e. protect and destroy data in line with relevant legislation;
- f. make sure you do not distort or misuse clinical or research findings;
- g. make sure that a service user's refusal to take part in research does not influence the delivery of service to that service user in any way;
- h. follow accepted guidelines in scientific journals concerning intellectual property, copyright and acknowledging the work of others.

You should:

- a. take part in research or support the research of others where possible;
- b. disseminate or circulate the research findings widely to further the evidence base of the profession and to improve service user examination and treatment.

23. Make sure that any advertising is truthful, accurate and lawful

You should:

- a. make sure that any advertising is truthful, accurate and lawful;
- b. avoid activities that may be construed as providing you with financial incentives or creating any conflict of interest;
- c. provide full and accurate fee information to the service user or potential service user, in advance of agreeing to provide your service(s).

Appendix A

Suggested procedure for ethical decision-making

1. Identify the problem and gather as much information as you can. Ask yourself if it is an ethical, professional, clinical or legal problem.
2. Review the Code of Professional Conduct and Ethics and identify the relevant parts. Check other professional guidelines such as those of the Health Service Executive or government departments as well as any relevant legislation. Discuss the issue with the ethics committee in your place of work or region for advice.
3. Discuss the issue with professional colleagues.
4. Consider asking your professional body for advice.
5. Evaluate the rights, responsibilities and welfare of everyone affected. Remember that your first obligation is to the service user.
6. Keep notes at each stage of the process.
7. Consider different solutions and decisions.
8. Evaluate and document the potential consequences of each option.
9. Choose the best solution or decision based on your professional judgement.
10. Put the solution or decision into practice, informing all the people affected.
11. Remember that you are responsible, as an autonomous practitioner, for the consequences of the solution or decision that you choose.

As well as the guidelines above there are websites which have examples of ethical frameworks that may be applied to assist in decision making. These can be found at:

<http://bma.org.uk/practical-support-at-work/ethics/medical-students-ethics-tool-kit/approaching-an-ethical-dilemma>

http://www.ukcen.net/uploads/docs/education__resources/ethox__app.pdf

http://www.ukcen.net/uploads/docs/education__resources/Ethox__Structure__Flowchart.pdf

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Standards in Public Office Act 2001



GIVEN under the seal of the Speech and Language Therapists
Registration Board,
14 October 2014.

HELEN SHORTT,
Chairperson, Speech and Language Therapists Registration
Board.

and

FINTAN REDDY,
Member, Speech and Language Therapists Registration
Board.

EXPLANATORY NOTE

(This note is not part of the bye-law and does not purport to be a legal interpretation).

This bye-law adopts the Code of Professional Conduct and Ethics agreed by the Speech and Language Therapists Registration Board.

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ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
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