



Ag Rialáil Gairmithe Sláinte  
agus Cúraim Shóisialaigh

Regulating Health +  
Social Care Professionals

# Public Consultation Report

Bye-Law on a Code of Professional Conduct and  
Ethics for Dietitians

July 2014



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## Introduction

### **About the Dietitians Registration Board**

The Dietitians Registration Board has statutory responsibility for the registration of members of the profession; approval and monitoring of education and training programmes; establishing the code of professional conduct and ethics and standards of performance to which dietitians must adhere and recognition of qualifications gained outside the State.

### **About CORU**

CORU is responsible for regulating health and social care professions. It comprises the Health and Social Care Professionals Council and the registration boards established under the Health and Social Care Professionals Act 2005 (as amended).

CORU's role is to protect the public by promoting high standards of professional conduct, professional education, training and competence amongst the designated professions.

The designated professions under the Act are social workers, clinical biochemists, dietitians, medical scientists, occupational therapists, orthoptists, physiotherapists, podiatrists, psychologists, radiographers, social care workers and speech and language therapists.

## The Public Consultation Process

### **Background**

The Dietitians Registration Board has prepared a draft Bye-Law on a Code of Professional Conduct and Ethics for Dietitians.

When finalised, the Code will specify the standards of conduct, performance and ethics expected of registered dietitians, and it is intended to reflect the needs of service users.



## **Publicising the Consultation Process**

A public consultation on the draft Bye-Law was held between 2 May 2014 and 6 June 2014.

A number of channels were used to publicise the consultation process and invite the submission of observations. These included:

- An advertisement was placed in the Irish Times on 2 May 2014 (See appendix one for a copy of the advertisement).
- A press release was placed on [www.coru.ie](http://www.coru.ie) (See appendix two for a copy of the press release).
- An online survey was developed. An email with a link was also sent to a targeted list of over 700 stakeholders, including the Professional Bodies, Trade Unions, educators and other interested parties who have previously corresponded with CORU (see appendix 3 for a copy of the survey).
- Information on the consultation along with a link to the online feedback form was hosted on the CORU website.

People were invited to participate in the consultation process in a number of ways:

- They could ring CORU to request a copy of the draft Bye-Law, and to offer feedback
- They could visit CORU's office to view the draft Bye-Law, and give their feedback in person.
- They could visit [www.coru.ie](http://www.coru.ie) and choose to complete an online feedback form, to print a copy of the form and post it, or email it to CORU.
- They could email submissions to [consultation@coru.ie](mailto:consultation@coru.ie)



## Overview of responses to consultation

There were 6 responses to the online survey:

Respondents were asked to identify if they were offering feedback on their own behalf or on behalf of an institution or organisation.

Individual	4
Organisation	2
Institution	0

Submissions were received on behalf of the following institutions and organisations:

- **SEDI – Freelance Dietitians of Ireland**
- **Irish Society of Chartered Physiotherapists**



## Issues emerging from the consultation process

The report highlights the key issues that emerged from the consultation process. They include:

- 1.1. Speaking out on behalf of service users
- 1.2. Referrals to private practice
- 1.3. Product promotion, payments which could affect personal judgement and incentives which could affect intervention and treatment
- 1.4. Social Media
- 1.5. Replacement cover
- 1.6. Self-employed dietitians
- 1.7. Onward referral
- 1.8. Informed consent
- 1.9. 22 – Make sure that any advertising is truthful, accurate and lawful
- 1.10. Drafting amendments
- 1.11. Confidentiality
- 1.12. Artificial feeding
- 1.13. Issue of “safety”

### 1.1. Speaking out on behalf of service users

1 –

**You must:**

- c. respect and, where appropriate, speak out on behalf of service users and carers;**

One respondent suggested that this be broken into 2 parts – requirements in respect of service users and in respect of carers, as had been done in the SLTRB draft code

#### **Decision:**

The DRB considered the SLTRB wording which is –

You must:

- c. respect and, where appropriate, speak out on behalf of service users;
- d. recognise and respect the role of carers;

The decision of the DRB was that the wording requires no amendment.



## 1.2 Referrals to private practice

1 –

**You must not:**

- a. for reasons of personal or commercial benefit, direct public service users to private practice;**

Two respondents asked whether the wording should be amended to say that you should not direct public service users to your own or others private practice.

Another respondent asked whether there would be circumstances in which it would be ok to refer a public patient to your own private practice.

One respondent asked whether the wording was sufficiently clear to permit a dietitian to refer a service user to a specialist service where this service was not available in the public system and there was no personal or commercial benefit.

**Decision:**

DRB decided not to amend the wording of this section as it is sufficiently clear.

## 1.3 Product promotion, payments which could affect personal judgment and incentives which could affect intervention and treatment

1 –

**You must not:**

- b. misrepresent yourself or any product you promote;**  
**c. accept inducements, payment, gifts or benefits that could reasonably be perceived as affecting your professional judgement**

3 –

**You must not:**

- g. be influenced by financial or other incentives in decisions relating to intervention and treatment. At all times, you must use your scientific knowledge, clinical skills and experience in an accurate and professionally responsible way;**

4 respondents proposed deleting 1c above saying that it was adequately covered in the ethics section under paragraph 19 and saying that it was not specifically covered by the radiographers or social workers codes.



2 respondents included a suggestion of amending paragraph b to include the word “deliberately” before misrepresent i.e. you must not deliberately misrepresent.

Another respondent suggested that additional wording be included as per the OTRB draft Code as follows

“only advertise, promote or recommend a product or service that is based on your objective clinical reasoning of the service user’s needs.

**Decision:**

The DRB is satisfied that the wording included in the Code is sufficiently clear to enable dietitians to use their professional judgment to meet their obligations to service users.

**1.4 Social Media**

2 -

**Registrants must be conscious of their need to use social media and social networking in a responsible way, in particular, to avoid any breach of their obligations in this Code such as confidentiality under clause 2 and use of records and information under clause 15.**

2 respondents suggest that the social media provision should be included instead in section 1 and make reference to online dietetic services which should meet the same requirements for provision of service. A further suggestion was to include a requirement that all written material be balanced and unbiased.

**Decision:**

The DRB agreed that specific reference should be made to social media and that clause 2 of the Code is the appropriate place to retain the social media provision.

The DRB decided to amend the definition of “service users” on page 5 of the Code as follows (insertion underlined):

The term “service users” includes service users, patients, clients and anyone else who uses your service, whether in person or through another service delivery method including the provision of online dietetic advice



### 1.5. Replacement cover

Some respondents suggested that the Code make it a requirement to ensure that any replacement cover is provided by a registered dietitian.

#### Decision:

The DRB agreed that the Code does not extend to employers and applies to registered dietitians only. The DRB decided not to amend the code to make provision for replacement cover.

### 1.6. Self-employed dietitians

Some respondents asked whether the Code needs to be amended to recognise the position of self-employed dietitians. Examples were given in relation to record keeping, supervision, health and safety. A suggestion was made that “as appropriate” or reference to “relevant legislation” should be included to take account of self-employed dietitians.

#### Decision:

The DRB agreed that the requirements in relation to record keeping, supervision, health and safety are applicable to registered dietitians working in any context. The DRB further agreed that it is a matter for self-employed dietitians to ensure that they access supports in these areas where necessary. The DRB decided that it is not necessary to amend these provisions.

### 1.7. Onward referral

7 -

**You must:**

**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 that service user;**

3 respondents suggested that an alternative to referring the service user to a colleague may be to liaise with an appropriately qualified colleague or to up-skill in the area.



**Decision:**

The DRB agreed that it may not always be possible to refer a service user and that in some circumstances it may be more appropriate to seek expert advice from a suitably qualified colleague. This is due to the limited numbers of dietitians with expertise in particular specialities. The DRB decided to amend the wording as follows (insertion underlined):

7-

You must:

- 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 either get expert advice from a suitably qualified colleague or refer the service user to a colleague who has the skills to help the service user, as appropriate;

## **1.8 Informed Consent**

A number of respondents suggested adding additional detail to the informed consent provision at clause 9

**Decision:**

The DRB decided not to amend this section.

## **1.9 22 - Make sure that any advertising is truthful, accurate and lawful**

One respondent suggested deleting this provision as it is adequately covered under section 18 – performing duties in a professional and ethical way.

**Decision:**

The DRB agreed that the section is appropriate and clear, the wording having already been reviewed by the Competition Authority and the National Consumer Agency. The DRB decided not to amend or delete this provision.



### 1.10 Drafting amendments

A respondent suggested that the reference to “patient” in clause 2 (end page 8) be changed to service user.

Another typo was pointed out in section 13 – paragraph g should be paragraph d. (in fact it should be 13 e)

#### Decision:

The DRB agreed to make both amendments.

### 1.11 Confidentiality

#### **3 Respect the Confidentiality and Privacy of Service Users and their Families**

There was a suggestion that additional wording be inserted in section 3 “respect the confidentiality and privacy of service users and their families” as follows:

“You must not - Make disparaging remarks about or criticise (either directly or by implication) professional colleagues or their methods without just cause;”

#### Decision:

The DRB agreed that this point was adequately covered in the current provisions of section 3 and accordingly made no amendment.

### 1.12 Artificial feeding

6-

**c. You Must: be aware of legal implications of commencing, withholding or withdrawing artificial feeding;**

3 people recommended the removal of this section as it is sufficiently covered under 6.a and it is only one element of a dietitian’s practice.



**Decision:**

The DRB agreed that it is not the sole responsibility of the dietitian to make the final decision and the wording is therefore adequate and should not be removed.

**1.13 Issue of “Safety”**

The DRB identified an issue with the use of the terminology “unsafe” in section 4. The DRB agreed to amend section 4 as follows (amendments underlined):

4-

You must:

- c. report any serious breaches of behaviour or malpractice by yourself or others. Malpractice includes negligence, incompetence, breach of contract, unprofessional behaviour, unsafe practice, 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.



## Acknowledgments

CORU would like to extend our appreciation and thanks to all those that participated in the consultation process. The report from the consultation process was reviewed by the Dietitians Registration Board.

## Conclusion

The Dietitians Registration Board considered all submissions in detail. The Board made amendments to the Bye-Law as detailed in the decisions above.



## Appendix 1: Press release

May, 2014

Background:

The Dietitians Registration Board is responsible for protecting the public by fostering high standards of professional conduct, education, training and professional competence among Dietitians.

The Board is currently putting in place the foundations for the regulation of the profession and wants to hear the views of both the Public and the Profession on the:

- [Dietitians Registration Board Application for Registration Bye-Law 2014](#)
- [Dietitians Registration Board Approved Qualifications Bye-Law 2014](#)
- [Dietitians Registration Board Code of Professional Conduct and Ethics Bye-Law 2014](#)

Bye-Laws for you to view:

The relevant bye-Laws are listed below for you to read in advance of submitting your views:

- To read the text of the Dietitians Registration Board Application for Registration Bye-Law 2014 [Click Here](#)
- To read the text of the Dietitians Registration Board Approved Qualifications Bye-Law 2014 [Click Here](#)
- To read the Dietitians Registration Board Code of Professional Conduct and Ethics Bye-Law 2014 [Click Here](#)

How to submit your views:

The Preferred Option is to use the online consultation feedback forms below. You can comment on each of the bye-laws by selecting the relevant link below. Follow the instructions and when you have completed your response on the selected bye-law just hit submit. It is not necessary to comment on all bye-laws.

- Dietitians Registration Board Application for Registration Bye-Law 2014  
[Click Here](#)
- Dietitians Registration Board Approved Qualifications Bye-Law 2014  
[Click Here](#)
- Dietitians Registration Board Code of Professional Conduct and Ethics Bye-Law 2014



- [Click Here](#)

If you do not wish to submit your views online you can forward them directly by email to [consultation@coru.ie](mailto:consultation@coru.ie) or in writing to: The Dietitians Registration Board Public Consultation, CORU, 13-15 The Mall, Beacon Court, Bracken Road, Sandyford, Dublin 18.

A report outlining the consultation process will be published on [www.coru.ie](http://www.coru.ie) following consideration of all submissions.

Closing date for receiving your views:

The closing date for receiving your views on the Dietitians Registration Board 3 Bye-Laws is 12.00 noon on Friday 6 June 2014. Submissions received after this time will not be considered.



## Appendix 2: Copy of Advertisement



Ag Rialáil Gairmithe Sláinte  
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Regulating Health +  
Social Care Professionals

### Public Consultation

**The Dietitians Registration Board,  
The Occupational Therapists  
Registration Board and  
The Speech & Language Therapists  
Registration Board**

Seek the views of members of the public, the relevant professions and other interested parties on the following consultations:

- **Approved Qualifications Bye-Law**
- **Application for Registration Bye-Law**
- **Code of Professional Conduct and Ethics Bye-Law**

Information on the consultation process and procedure including the text of the bye-laws can be found at [www.coru.ie](http://www.coru.ie).

**The closing date for submitting comments is 5.00pm on Friday, 6 June 2014.**

A decorative graphic at the bottom of the advertisement consisting of overlapping, semi-transparent shapes in shades of blue and black, creating a modern, abstract design.



## Appendix 3: Copy of Online Feedback Form

### **Dietitians Registration Board: Public Consultation on Code of Professional Conduct and Ethics**

Thank you for taking the time to participate in CORU's consultation process on a bye-law on Code of Professional Conduct and Ethics for Dietitians. We are currently developing a system of statutory registration for health and social care professionals. The purpose of this regulation is to protect the public.

The Code of Professional Conduct and Ethics for Dietitians has been drafted using the framework code developed by the Health and Social Care Professionals Council at CORU. The Dietitians Registration Board, consisting of both lay members and representatives of the profession, have carefully and thoughtfully adapted the framework with additional assistance from experts. The Code specifies the standards of conduct, performance and ethics expected of registered dietitians and it is intended to reflect the needs of patients and the standards they can expect when interacting with the practice of dietetics. Failure to meet the standards specified in the Code could result in a complaint of professional misconduct being made about the registrant.

If you have any queries about the consultation process or completing the survey, please contact CORU on 01 2933160 or email [consultation@coru.ie](mailto:consultation@coru.ie). The closing date for receipt of submissions is 5:00pm on Friday, 06/06/2014. Any submissions received after that time will not be considered. A report on the consultation process will be published on [www.coru.ie](http://www.coru.ie). We want to hear the views of the public and the profession and by participating in this consultation process you are helping to shape how occupational therapists are regulated.

Yours faithfully,  
Ginny Hanrahan  
Registrar



**Q1 Contact Details:**

You do not need to provide this information but please do if you would like us to provide you with details on the outcome of this consultation process.

First Name: \_\_\_\_\_  
Surname: \_\_\_\_\_  
Email: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_

**Q2 Are you contributing to this survey in (please tick one)**

a personal capacity? \_\_\_\_\_  
on behalf of an organisation? \_\_\_\_\_

If on behalf of an organisation, please specify the name of the organisation): \_\_\_\_\_

**Question 3.**

Please indicate if you would like your name and/or organisation to be kept confidential and excluded from the consultation report.

- Include in consultation report
- Exclude from consultation report

It would be helpful if you could explain if you regard the information you have provided as confidential.



**Question 4:**

Please provide any comments you have on the draft Bye-Law on Code of Professional Conduct and Ethics for Dietitians?

**Question 5:**

Is there anything you believe should be added to this bye-law?

Is there anything you believe should be removed from this bye-law?

**(please tick as many as apply)**

- Advertisement in a newspaper  \_\_\_\_\_
- On [www.coru.ie](http://www.coru.ie)  \_\_\_\_\_
- By email  \_\_\_\_\_
- Other (please specify)  \_\_\_\_\_

Thank you for participating in this consultation process. Your views will be taken into consideration.



If you have any queries please contact CORU on 01 2933160 or email [consultation@coru.ie](mailto:consultation@coru.ie)



## **Appendix 4: Draft Bye-Law on a Code of Professional Conduct and Ethics for Dietitians**

[http://www.coru.ie/uploads/documents/DRB\\_code\\_for\\_public\\_consultation.pdf](http://www.coru.ie/uploads/documents/DRB_code_for_public_consultation.pdf)