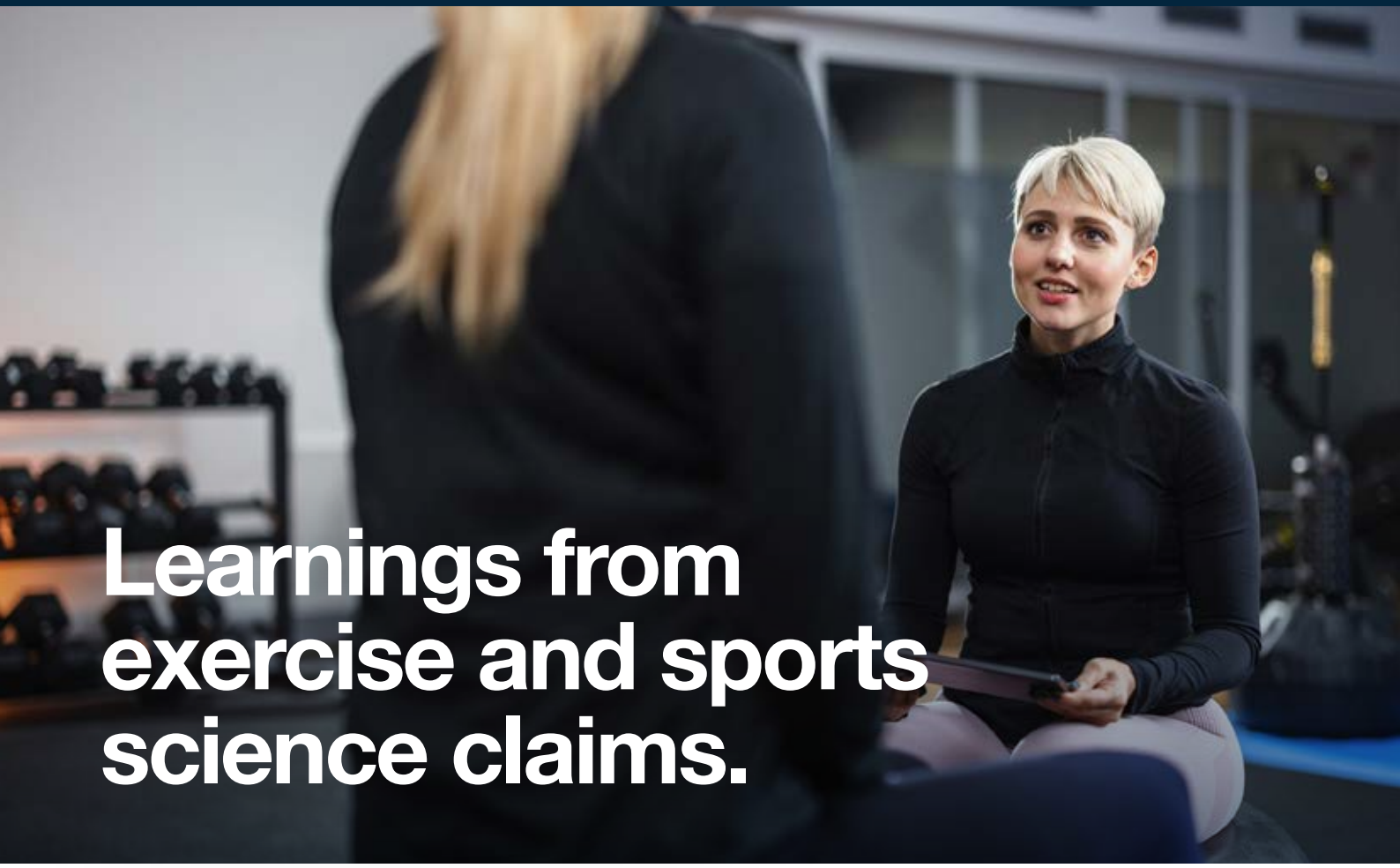


Learnings from exercise and sports science claims.

Through its relationship with Exercise & Sports Science Australia (ESSA), Guild Insurance has been insuring exercise and sports science professionals for many years, and managing claims made against them. This experience means we have a thorough understanding of what can go wrong when providing professional services and what clients commonly complain about. The following risk information and advice is based on Guild's learnings and will assist professionals to mitigate their practice risks.

Communication

Communication is often an underrated and overlooked professional skill. However, Guild's claims experience tells us it's a vital part of mitigating risks and meeting client expectations.

Breakdowns in communication can lead to clients not understanding the exercises they've been prescribed and not understanding the likely and realistic outcomes for them. Poor communication can lead to complaints from clients about how they've been spoken and listened to.

When communicating with clients, it's important to use language they'll likely understand, so avoid overly technical or clinical terms or acronyms. And don't rely only on verbal communication. Consider how other forms of communication, such as demonstrations, diagrams or models, might assist understanding.

Exercise prescription

Exercise prescription is at the heart of what you do. However, that doesn't mean you're going to always get it right.

It's important when making decisions about exercise prescription that you aren't falling into routines or habits. Each situation with each client is unique and the decisions made for that client need to be tailored for their unique situation.

It's also incredibly important to consider both the risks and benefits of any exercise. While exercise has the potential to offer a great deal in terms of health and performance, it can also cause injuries or an exacerbation of existing injuries. When prescribing exercise, always consider what could go wrong before it does.

Professional conduct

There's a standard of behaviour that's expected of exercise and sports science professionals. And it might come as a surprise to hear that clients don't just complain about clinical outcomes. They can, and do, also complain about the conduct of professionals they deal with.

ESSA registered professionals agree to be bound by the ESSA Code of Professional Conduct and Ethical Practice (the Code), and this document should be read in conjunction with other relevant ESSA standards, policies and guidelines. The Code establishes the minimum standards of professional behaviours and ethical practice expected and may be used to identify breaches of professional conduct.

The Code covers many important areas, such as scope of practice, conflicts of interest, privacy and confidentiality and professional boundaries. It's the responsibility of all ESSA members to make themselves aware of, and adhere to, the information contained in the Code.

Informed consent

Exercise and sports science professionals are expected to support their clients to give their informed consent for services provided. To do this, professionals must provide information to their clients, as consent without being informed is not enough.

Clients need to be informed of the services being proposed and other service options, the possible risks of these services as well as the expected benefits plus the fees for these services. It isn't appropriate to rely on clients reading an informed consent form to gain this information as this doesn't allow for questions to ensure understanding. There needs to be a conversation had between the professional and the client.

When a client is giving their informed consent, it must be given freely and without coercion. It shouldn't be assumed clients will consent; they can decline if they're not happy with what's been proposed. They can also withdraw their consent at any time. A record of what was discussed and consented to should be added to the client record.

Client records

Professionals are expected to keep detailed client records. These records should contain information about services provided and advice given to the client. What to record may vary according to each unique situation. However, it's important that what's recorded tells the full picture of what's taken place, with no reliance on memory.

To better understand the importance of detailed records, it helps to understand the reasons for these:

- They allow for continuity of the services provided. Without details about services being noted down, a professional would be relying on their memory to recall what's taken place in the past, how the client responded to those services and how they should be progressing. Unfortunately, we know our memories aren't always reliable and it's therefore vital that information is recorded to ensure the provision of appropriate services in future.
- They're evidence for funding investigations. Funding bodies, such as the NDIS or private health insurers, can conduct audits and investigations into how allocated funds are being used. Client records should provide evidence that the funds have been used appropriately and for the condition they've been allocated. If this information isn't evident in the record, funds may need to be paid back.
- They're evidence for investigations into errors or negligence. If there are allegations that services provided were inappropriate and caused harm to the client, such as an injury, the records will be used to explain what took place and why. Again, relying on the memory of the professional isn't sufficient. There needs to be detailed information about the service provided, recorded at the time they occurred.



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