



**NTOI LTD**

**CODE OF PRACTICE (2018)**

Muccurragh

Glengariff

Co. Cork

Ireland

The Code of Professional Practice (The Code) sets out the quality of care of clients that is expected of Nutritional Therapists of Ireland (NTOI Ltd.) members.

In relation to complaints, The Code presents the benchmark of conduct and practice against which members are held to account.

The standards set out in this document apply to all members of NTOI Ltd. The Code is intended to govern the practice of Nutritional Therapy in Ireland. All members of NTOI Ltd. are personally accountable for their professional activity and must be able to explain and justify each and all of their decisions. In particular should a member make a decision to go against any part of The Code, they must be able to explain and justify this action to the Board of Directors.

All members must act safely and lawfully at all times. It is a member's responsibility to ensure that they are up to date with all relevant legislation governing them.

## **1. THE ROLE OF NTOI Ltd.**

NTOI Ltd. is a professional body governing the conduct of all Nutritional Therapists who are members of the association.

The missions of the organisation are:

- 1.** To assist its members in achieving the highest standards of integrity, knowledge, competence and professional practice of Nutritional Therapy in order to protect both the practitioner's and their clients' interests and that of the profession.
- 2.** To ensure the highest standards and most current skills in practicing evidence based Nutritional Therapy.
- 3.** To ensure that the role and importance of nutrition and Nutritional Therapy is properly understood, and that Nutritional Therapy is firmly established as a publicly recognised profession.

## **2. MEMBERSHIP OF NTOI Ltd:**

The member must hold a Nutritional Therapy qualification from an approved NTOI Ltd. training body or college, (a list of same are available from our website, [www.ntoi.ie](http://www.ntoi.ie)) or meet the minimum requirement of a 3 year Diploma in Nutrition in addition to at least 200 hours of clinical supervision.

Membership of NTOI Ltd. must be regarded as an assurance; to clients, the medical profession, other healthcare professionals and the general public, of the member's competence and integrity.

Members may be involved with other organisations whose ethical standards differ from NTOI Ltd. however any breaches of The Code in this regard may result in the Disciplinary Procedure being invoked (see section 19.)

## **3. NUTRITIONAL THERAPY DEFINITION**

Nutritional Therapy involves the dietary intervention and the judicious use of dietary supplements for the maintenance of optimum health and prevention of disease.

Nutritional Therapy is the application of nutrition and health science to enable individuals to optimise their health potential. It is client centred and a systems based biology approach that focuses on finding the root cause of ill health.

Nutritional Therapy may help alleviate a wide range of conditions and support recovery from ill health using food and where appropriate supplements.

**Nutritional Therapy is not intended for the diagnosis, treatment or cure of disease**

#### **4. THE ROLE OF THE NUTRITIONAL THERAPIST**

Nutritional Therapists recognise that each person is an individual with unique dietary and nutritional requirements. These requirements depend on a number of factors, ranging from genetic predisposition, to lifestyle and environment.

Nutritional Therapy is a personalised systems driven approach to optimal health. Nutritional Therapists work with clients to assess nutritional status and functional capacity in order to manage chronic health problems as well as advise on disease prevention.

The Nutritional Therapist will take a comprehensive client history, and may use approved laboratory based testing and other types of clinical assessments to formulate a personalised Nutritional Therapy programme.

In addition to the above, the activities of a Nutritional Therapist may include:

- Liaison with and/or appropriate referral to other health care professionals.
- Education of the public, media and other health care professionals on the importance of nutrition for human health through presentations, the provision of literature, use of media such as radio and TV.
- Undertaking postgraduate research, Masters degrees and PhD's to further develop the field of Nutritional Therapy.
- Performing clinical audits and disseminating finding through appropriate reports and publications.
- Contributing to academic journals through writing articles, reports and case studies.
- Teaching Nutritional Therapy in primary, secondary and tertiary educational establishments.
- Training health food traders and other groups in the industry.
- Updating professional knowledge through continuing professional development (CPD)

## **5. CONTRACT WITH CLIENT**

When a member sees a client, he/she enters into a therapeutic relationship where the terms must be clearly understood and accepted by both sides. It is the member's duty to ensure, to the best of their ability, during and after the consultation, that the client understands what the member and the modality of Nutritional Therapy can and cannot offer.

It is the duty of the member to take reasonable care, when using their professional knowledge and skills, in advising clients. The member must also take every reasonable step to ensure that anyone assisting them at their place of work is competent to carry out the duties delegated and that they are properly trained and supervised where necessary.

It is advised that you use the '**Terms of Engagement**' drafted by the NTOI Ltd. (see Appendix C), to define, at the outset, the relationship between you the practitioner and your client. This document should be discussed and explained to the client before signing. This document is drafted with the intention of ensuring mutual protection throughout the therapeutic encounter. It is also strongly advised that fees/rates are agreed at this point and that same is put in writing.

A member should ensure that they provide the service as represented to the client and in line with the '**Terms of Engagement**'. Failure to do so may result in liability for breach of contract and/or Disciplinary Procedures with the Board of Directors of NTOI Ltd.

Members should not make a statement about themselves or of Nutritional Therapy in general, unless they know positively that such a statement is true and verifiable. If a statement is made that is not true or is not verifiable this may give rise to disciplinary action.

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## **6. LEGAL ISSUES**

Members of the NTOI Ltd. must act within the law at all times, and must familiarise themselves with all of their legal obligations and ensure that they are updated in this regard. Every effort will be made by NTOI Ltd. to keep members updated with regard to any changes in the legislation and The Code; however the onus is on the members to keep themselves updated and to read and understand The Code and /or any changes that may occur.

Should any legal issues arise between members, or should legal proceedings be brought against or by any member in relation to their work as a Nutritional Therapist, NTOI Ltd **must be notified immediately.**

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## **7. MINORS**

Members must not advise or examine clients who are under eighteen years of age, without the written consent of their parent or guardian, or without their parent or guardian being present.

Should a member be concerned about the welfare, health or safety of a minor, the HSE/Social Services need to be notified immediately. Members are advised to familiarise themselves with their obligations under Children First – National Guidance for Protection and Welfare of Children (2017)

(<https://www.dcy.gov.ie/documents/publications/20171002ChildrenFirst2017.pdf>)

Should a parent or guardian fail to provide medical assistance for a minor, this is an offence under the legislation and if a member becomes aware of such behaviour they have an obligation to contact the HSE/Social Services.

Members must ensure that they are not seen to be behaving in such a manner that would be perceived under the legislation as bullying / threatening / frightening a minor.

It is recommended (but not mandatory) that each member who works a lot with minors, obtains Garda vetting.

The following people may have parental responsibility:

- The child's parents.
- The child's mother, or unmarried father if named on the birth certificate or obtained a court order for guardianship.
- The child's legally appointed guardian.
- The person in whose favour the court has made a residence order concerning the child.
- A local authority named in a care order for a child.
- A local authority or authorised person who holds an emergency protection order for the child.

Members also have an obligation to safeguard the welfare of adults with mental disabilities. Any concern in relation to their welfare needs to be reported to the HSE/Social worker immediately.

NTOI Ltd. should be notified of any cases where the Members have had to contact the HSE/Social Worker.

## **8. PRACTITIONER CONDUCT**

- a) Consultation & Advice:** Prior to consultation members must take care to fully explain the procedure, including issues such as questionnaires, length of consultations, number of consultations, laboratory tests, and fees.
- b) Maintain respect for client's dignity, individuality & privacy:** Members must be polite, respectful and considerate to the clients. Members must at all times conduct themselves in an honourable and courteous manner and with due diligence to their relations with their clients, the public and other members of NTOI Ltd.
- c) Maintain a professional standard at all times:** Members shall conduct themselves at all times in a manner that does not bring NTOI Ltd into disrepute. If a member is unsure of any aspect of The Code, the Board of Directors should be contacted.
- d) Maintain respect for client's right to be involved in decisions concerning his/her treatment & healthcare:** Members must share with clients the information they want or need, to make decisions about their health and wellbeing, and related care options.

The information normally shared with the client would include:

- An assessment of their health status
- The options for food plans, supplements, lifestyle recommendations
- The purpose of any assessment and advanced laboratory testing
- The likely outcomes with or without adhering to the recommendations
- Any reasons for referring the client to another healthcare professional

**e) Communication:** To be in effective communication with clients members should:

- Listen to client's concerns
- Ask for and respect client's views
- Encourage them to ask questions
- Answer any questions as fully and honestly as possible



- Check that the client has understood everything
- Ask if they want more information before making a decision
- Honouring the client if they wish to change their mind at any time

**f) Advising clients about medication:**

It is never permissible to instruct, advise or persuade any client to make any changes to their prescribed medications, unless the member **is both a Primary Healthcare Provider and an Nutritional Therapist.**

**At all times the guiding principle must be that choices around medications are a matter for the client in consultation with his/her doctor.** As a Nutritional Therapist, the role is limited to helping with what is within the scope of the profession and adherence to The Code.

**g) Supplying or recommending supplements:**

It is not permissible for members to either supply directly or to recommend the use of supplements known to be currently banned by the HPRA either entirely or for non-medical practitioner use in Ireland. As this is a continuously changing situation, NTOI Ltd .will circulate a short list annually.

**h) Trust, confidence & conflict of interests:** Members must justify public trust and confidence by being honest and trustworthy.

**Members must never promise to cure.** Advice must be that any protocol given may enhance the body's natural means of resistance to disease and enhance its innate capacity to heal.

Members must not advise a client that exceeds their scope of practice and competence. Members must avoid conflict of interest situations by not asking for, accepting any inducement, gift or hospitality which may affect or be seen to affect the way member advise or refer clients.

Members must not abuse their position of trust i.e. use undue influence to gain financial benefit from a client, or use professional visits to a client's home, or knowledge gained in professional confidence, to pursue a personal relationship either with the client or a family member.

Members must avoid undermining public confidence through arguments between themselves and members of other healthcare professionals concerning a particular client. This includes solicitation of clients from other healthcare professionals.

**i) Standard of practice & care:** Members must provide a high standard of practice and care this includes commitment to continuing professional development (CPD) in order to keep up to date with the latest developments in Nutritional Therapy.

Members who currently practices must do a minimum of thirty hours CPD per annum. Current CPD guidelines includes 20 CPD hours from registered events and 10 CPD hours from self study. Non practicing members are required to do 15 CPD hours per annum. 10 CPD hours from registered events and 5 CPD hours from self study. **All CPD hours undertaken must be logged annually on CPD form inside membership site.**

Members may be required to provide evidence of CPD hours if requested by the Board of Directors and/or CPD committee. Failure to adhere to CPD requirement may trigger disciplinary action.

**j) Cooperation with colleagues within and outside the profession:**

Members should at all times conduct themselves in an honourable and courteous manner in relation to other practitioners. Any comments members make about a fellow practitioner or other healthcare professional must be honest, accurate and respectful.

The term 'healthcare practitioner' includes those people who are either Nutritional Therapists or those practising in other fields of alternative, complementary or orthodox medicine.

If a member believes a colleague's conduct or other healthcare professional performance poses a threat to clients, they have a number of responsibilities in the interests of those clients. Where it appears that a member has behaved in an unethical manner, the correct forum for complaints is to the Board of Directors (See Section 19.)

Members should not communicate any critical views of any other healthcare practitioners competence or behaviour to any third party or to the public. Such behaviour may be regarded as defamatory and may undermine the public's opinion of the profession.

Any member of NTOI Ltd. is asked to avoid undermining public confidence in the profession by not engaging in disparaging arguments with members of other healthcare professionals, especially on social media, in public forums or any other public spaces.

It is unethical for members to encourage clients to leave other practitioners to transfer to their own practice. Where a client is referred to another member for advice due to holiday, illness or for any other reason, members should encourage them to return to their original practitioner. **In all events the decision whether or not to return to the original practitioner must rest solely with the client**, and any attempt made to persuade them to remain with, or return to the referred member, is considered unethical and is regarded as soliciting.

Members must ensure that where a client consultation is delegated (whether the member is present or not) it is delegated to a qualified and competent practitioner who adheres to The Code.

**I) Non discriminatory behaviour:** Members must ensure they avoid any unfair prejudice. They must not allow their views on a client's lifestyle, age, size, culture, religion, sex, race, sexual orientation or social economic status affect an appropriate assessment or care.

It is discriminatory to refuse to provide a service based on age, disability, political beliefs, race, size/weight, ethnicity, religion, sex and sexuality.

**m) Refusal to continue to consult with a client:** Although members are free to decide which individuals they accept as clients, members must be able to justify any decision to refuse to continue consult with a client.

Justification for refusing to continue a client's care may be acceptable in any instance where the member feels to continue to consult with the client would be unethical or inappropriate

**n) Sexual boundaries:** Personal relationships of a romantic or sexual nature with a client are unethical and treated as serious professional misconduct.

## **9. CLIENT CONFIDENTIALITY**

Members and their staff have an implicit duty to keep all information including names, attendances, records and views formed about clients entirely confidential. Clients have the right to expect you to observe confidentiality at all times; with certain exceptions (see Exceptions to Confidentiality below). This duty survives the death of a client.

No disclosure may be made to any third party, including any member of the client's own family, without the client's written or verbal consent unless such information is required under due process of law, whether that be by statutory instrument, or by order of any court of competent jurisdiction.

No third party, including assistants and members of the client's family may be present during the course of a consultation without the client's express consent.

Members must ensure that the confidential information for which they are responsible is at all times secure against loss, theft and improper disclosure. Therefore any records that you keep must be physically secured and/or as protected computer data.

Members may release confidential information regarding a client, to a person appointed by that client, with their explicit permission to do so. It may not always be necessary to disclose all the information you hold on a client. When seeking a client's consent to disclose information about them, you must make sure they understand the extent of what you will be disclosing, the reasons for doing so and the likely consequences.

Provided that you do not otherwise breach The Code, you may refer to the details of any client's health status and the advice you gave providing that the data is made fully anonymous e.g. in a teaching situation.

## **10. CLIENT CONSENT**

Ability to give consent is based on a person's capacity to understand. If someone is suffering from mental incapacity they may not be capable of giving consent to therapy. If a member is concerned about a client's capacity they will need to obtain written clearance from the client's GP regarding same.

## **11. EXCEPTIONS TO CONFIDENTIALITY**

Members may only disclose confidential information about their client without their consent if compelled to do so by order of a court of law, or other legal authority, or if to do so would be in the public interest. The latter may be necessary when it is deemed that the member's duty to society overrides the duty to the client. This situation may arise when a client puts themselves or others, at serious risk for example, through possible infection, violence, or serious criminal act.

Members may at times and in the interests of their client's health, need to share confidential information with the client's medical advisor, legal guardian or close relative. In exceptional circumstances they may do so without consent, for example if the client is incapable of giving consent or unreasonably refuses to do so, or if it is undesirable on medical or other grounds to seek consent.

In all circumstance where there is any doubt in a member's mind guidance from NTOI Ltd. must be sought out.

A court may order members to disclose information without the consent of the client. If this happens members should only release specific information ordered. It may be appropriate to obtain legal advice in this regard.

An inspector of taxes may wish to see you financial records, to protect client confidentiality financial information should be kept separate from clinical notes.

## **12. DATA PROTECTION**

In addition to the above, members must abide by the requirements of data protection legislation. Members must acquaint themselves with the General Data Protection Regulation (GDPR) which comes into effect on 25<sup>th</sup> May 2018. This Act sets out the requirements for handling personal data and sensitive personal data.

Personal data includes data that identify living individuals. Sensitive personal data is information about racial or ethnic origin, political opinions, religious beliefs or other beliefs of a similar nature, membership of a trade union, physical or mental health or condition, sexual life and the commission, or alleged commission, of any offence and any related proceedings.

GDPR applies to all forms of media including papers and images. It applies to confidential client information but is far wider in its scope. It covers the holding, obtaining, recording, using and disclosure of information.

### **13. MAINTAINING CLIENT & FINANCIAL RECORDS**

**a) Keep client records which are legible, attributable and representative of your interaction with your client:** Members may be required to use their notes to demonstrate to NTOI Ltd. Board of Directors that the advice they gave to a client was competently and reasonably given. Accordingly, members must keep accurate, easily understandable, and contemporaneous, signed (initialled entries if records are computerised) and dated case notes.

These notes should always be made in ink or typed up and contain record of the following as a minimum:

- Client's personal details, i.e. name and address and dates of attendance in a suitable client register
- All problems and symptoms reported by the client
- Relevant medical and family history
- The practitioner's clinical findings
- The details and date of any advice, dietary plan, supplement recommendations or other advice given
- All decisions made
- Records of consent and/consent forms
- Any investigative testing you provided or arranged and results of same
- Protocol outcome
- If / when a student/observer was present

**b) Clients access to personal health records:** General Data Protection Regulation (GDPR) 2018 sets out the right of access that individuals have to personal records that are held about them. This includes the time limits for responding to requests for access. Members should refer to General Data Protection Regulation (GDPR) 2018 for full details.

**c) Ownership and storage of records:** Self employed members are the owner of clients records, if employed by a company the records belong to the company. Members must keep client records for a period of at least seven years form the date of the client's last visit of if a minor for a period of three years after they have reached the age of eighteen.

The purpose of this requirement is to protect members against any claims that may be made against them. Should members close down their practice they will need to arrange for the safe storage of the records.

#### **14.HEALTH AND SAFTEY**

**a) Risk and risk assessment:** Members must comply with Health and Safety and Fire legislation in their work environment. An annual practice self audit needs to be carried out in the workplace. Where the business is run from home, members should ensure that they are entitled to do this under the Lease/ title of the property.

Members must comply with any relevant business and insurance requirements.

**b) Members' health:** Members must ensure that their own physical and mental health does not affect clients and/or put them at risk.

#### **15. PROFESSIONAL INDEMNITY INSURANCE:**

Members are personally liable to clients for any breach of duty or harm to them. It is mandatory for all NTOI Ltd. members to ensure that they have Professional Indemnity Insurance in place to cover any such litigation. **Failure to comply with this will result in disciplinary action.**

The insurance must cover all therapies practiced. It is advisable to have insurance to cover legal costs for the defence of any such action. Members must also have insurance for any accidents which may happen on the premises.



Insurers must be informed of any changes in the work place, additional employees etc. Should any incident occur that may result in a claim members **should contact their insurers immediately**. Accident report forms should be completed immediately when any such incidents occur. It is also recommended that NTOI Ltd. is informed should such event occur.

## **16. FINANCIAL AND COMMERCIAL ACTIVITIES**

**a) Business names and Partnerships:** In all cases where a trading name is used other than that of the legal owner(s) ,whether a company, or an individual, or a group of individuals, the member must abide by the provisions set down by The Company Registration Office (CRO).

**b) Sale and recommendation of products and services:** As a Member of NTOI Ltd. their main income as a Nutritional Therapist should derive from consultative, advisory, educational and promotional aspects of Nutritional Therapy.

Members may also suggest and supply supplements and / or testing to the client which in their professional judgment will benefit them. If they receive any compensation or commission for doing so **it is strongly suggested that they disclose this.**

Members must comply with the law relating to the sale and prescription of nutritional supplements. It is permissible to make claims, in support of nutritional supplements, in a book or other literature **that is not involved in the direct selling or advertising of nutritional supplements.**

Members are prohibited by law from prescribing or administering any prescription medical product.

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If members are considering own-labelling of nutritional supplements they must comply with all the relevant legislation, which includes such issues as packaging, permitted additives, labelling, weights and measures. This is a complex area and they are advised to seek expert advice.

**d) Disclosure:** Members should declare to clients and potential clients, any financial or other benefit they receive for introducing him or her to other professionals or commercial organisations.

Members must disclose whether they are a shareholder, director, owner, employee in, or consultant to, or have any other similar interest in, companies or associations that supply products and services.

Disclosure should be preferably in writing, as a notice clearly displayed in the consulting room, on statements in leaflets describing the practice, on invoice/receipt forms, or on practice stationery as appropriate. If not possible verbal disclosure is also acceptable.

## **17. TITLE & REPRESENTATIONS**

If members are a member of any other professional organisation, they may use any relevant title or qualification, provided that the title or those qualifications are not in any way used to mislead the public.

I.e. it is not permitted to falsely use the title 'doctor' or 'dietitian' directly or indirectly in such a way as to imply that you are a registered medical practitioner or state registered dietitian. Examples **of direct use** would be publicly using the title or simply referring to oneself as a doctor or dietitian. An example **of indirect use** would be to allow a third party to refer to you as a 'doctor' or 'dietitian' without correcting that person.

## **18. ADVERTISING, MARKETING COMMUNICATION, PR & MEDIA**

The purpose of codifying policies in the area of marketing and communications are several, most notably protecting each individual member, protecting the corporate integrity and brand of NTOI Ltd. as an organisation and serving to build a broader positive public perception of the profession of Nutritional Therapy

**a) General guidelines:** Policies set out hereunder apply to ALL public facing marketing & communications material; thus most significantly (but not exclusively):

- Practitioner websites
- Practice brochures
- Adverts for clinic and/or events, teachings, talks etc.
- Protocols and advice given to individuals *in clinic*, whether verbally, in hardcopy, by E-mail, or via any recorded medium.
- All other similar communications material representing the work of an NTOI Ltd. member and accessible to any member(s) of the public.

All advertising done by members or by someone else on their behalf must follow the law and guidance for advertising permissible in Ireland. The interests of the client remain paramount at all times in matters concerning advertising.

If members practise in a residential or multi-disciplinary clinic or are considering so doing, they must ensure that their part in any publicity or advertising is in keeping with The Code.

Members are responsible for ensuring that any advertisements appear in locations that are appropriate to professional practice, for example libraries and GP surgeries.

Members may advertise in bona fide directories issued, for example, by newspapers, commercial enterprises, libraries and health associations.

Members may distribute essential practice information such as name, qualifications, addresses, telephone numbers, hours of business, as well as information about Nutritional Therapy, to medical practitioners, dispensing chemists, libraries, information centres, Citizens' Information Bureaux, health food stores, health clubs and leisure centres and similar.

Where fees are quoted in an advertisement, there should be clarity on what they include.

Members must meet the requirements of the local planning authority when using a practice name plate.

**b) Literature:** Members may circulate literature intended to educate and inform the public about the work of a Nutritional Therapist and the scope of services. Such literature must be presented in a strictly professional style and format. Members may also make relevant literature available to members of the public if an interest is shown. For example, leaflets may be left in a practice reception area with permission, or posted at the request of an individual, or made available on request at conferences, seminars and other similar events.

Members may publish books, pamphlets and articles of an informative nature about nutrition and other relevant subjects. Such publications must be of scientific or educational value. If there is any doubt about the suitability of any publication, directory or any proposed wording, members should contact the Board of Directors of NTOI Ltd.

**c) Websites & Social Media:** All guidelines as outlined in The Code apply to all communication that is public facing online.

**d) Advertising of other professional qualifications & modalities**

It is not permissible for members to indicate that they offer or provide any other therapeutic modalities other than NT **except in those cases where a particular member holds dual qualifications** (in for example, acupuncture, nursing, medicine, science etc.).

Members interested in or practicing other healing arts that do not involve **at least a year's study in an accredited college** are required to make no mention of these interests on the same websites, brochures etc. that explain the member's Nutritional Therapy offering.

**For dual qualified members only.** Such members are asked to give primacy in their communications to their NT skillset rather than the other element of their work, certainly if 1) the nutritional element is at least as significant in their day to day work; and/or 2) if the other training involved a shorter course of study.

Where the other training was the longer one, e.g. medicine for example, we trust the member to give suitable weight to the Nutritional Therapy element of their training as appropriate based on their particular practice.

NTOI Ltd. reserves the right to request a member to remove content deemed harmful to the brand and/or profession in specific instances.

**e) Policy relating to advertising and diseases:** Advertising that makes any form of claims to treat, cure or any other unattainable claims is not permitted by NTOI Ltd. as this may lead to legal claims of misrepresentation being brought against the member.

Members cannot prescribe a remedy or advice to such, or to make any claim to treat cancer.

**e) Media publicity:** Members must ensure that participation in any form of publicity, be it in the press, on television or radio, or in public meetings or similar, is educational in content.

Members must also be aware that when asked for comment by a newspaper (especially a national newspaper) or an edited television or radio programme, members may have little or no control over the final published or broadcast format, and may need to seek expert advice, and also may notify NTOI Ltd. and the Board of Directors, first to avoid unintended outcomes

Members must also ensure that their own publicity does not in any way damage their public image, the profession or the interests of NTOI Ltd.

**Please refer to Appendix A & B for further PR and Media Guidelines**

## **19. DISCIPLINARY & COMPLAINTS PROCEDURE**

**a) Investigation by NTOI Ltd:** Any complaint received about a member's fitness to practise will be passed to the Board of Directors for consideration.

The complainant will be asked to make their complaint direct to the Board of Directors. Any allegations of professional misconduct or otherwise made against a member will be examined by the Directors in accordance with the procedures below.

The Directors will act impartially and make recommendations based solely on the facts and circumstances of each individual case. Complaints about a member must be made briefly in writing to the Directors. The Directors will then forward a copy of the NTOI Ltd complaints form to the complainant, where the complainant will subsequently list the relevant details of their complaint.

The formal complaints procedure will only be initiated by the Directors on receipt of the completed and signed complaints form from the complainant. The complainant's initial letter and completed complaints form will be acknowledged directly by the Directors and also copied to the member concerned.

The Directors will invite the member to respond, within 16 days, giving a detailed written explanation of his or her position along with any supporting documentation. On receipt of the written submissions from the member, the Directors will consider the complaint and the response from the practitioner, in full. The Directors may request the attendance of either party to provide further information. The member in question whom the complaint has been made against is invited to bring a person for support with them, should an in person meeting be required. The member should advise his or her insurance company that a formal complaint has been made.

Should the Directors consider that a member should be disciplined in any way, they will inform them in writing, providing them with the option of an appeal within 16 days.

After allowing 16 days for appeal by a member, followed by any reconsideration of the case by the Directors, the member and the complainant will be informed, in writing, of the committee's decision.

**A complaint against a member can only be upheld if the member is clearly shown to be in breach of The Code.** In such a case the Directors will then inform both parties of the decision. It is then for the complainant, if still aggrieved, to seek redress through a civil action.

Members should inform NTOI Ltd whenever they are subject to complaint or investigation regarding their nutritional practice and also when subject to legal or police action. If a member requires advice on a professional or ethical matter he or she may consult NTOI Ltd, through the administrator, who will refer them to the appropriate person or Directors for advice.

In cases of allegations against a member, where NTOI Ltd. is satisfied that the allegations are unjustified, NTOI Ltd. will offer all necessary moral and professional support to the member in any legal proceedings.

Any member who breaches the provisions of The Code shall be liable to the disciplinary procedures of NTOI Ltd. including warning and/or expulsion.

**All complaints should be communicated to [info@ntoi.ie](mailto:info@ntoi.ie)**

**Complaints form given when requested.**

**b) Investigation by other professional bodies:** If members are subject to any investigation or adverse decision by another professional body, whether in healthcare or otherwise, they must notify NTOI Ltd. and give full details as soon as reasonably practical.

**c) Criminal convictions:** If members are convicted of a serious criminal offence they must notify NTOI Ltd. and give full details as soon as reasonably practical and within 28 days of the conviction at the latest. NTOI Ltd. will require a certificate of conviction obtainable from the convicting court.

**d) Non adherence to The Code which does not directly involve fitness to practice:** In cases where a member is found not adhering to The Code in regards CPD requirements, indemnity insurance and marketing guidelines the Board of Director have the rights to issue a warning with a grace period given for the member to rectify the issue. Failure to comply after grace period will trigger exclusion from NTOI Ltd.