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## EMDRAA CODE OF CONDUCT

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### 1. PURPOSE

EMDRAA aims to be the leading Australian authority on best-practice EMDR therapy in support of mental health practitioners. EMDRAA's principal purpose is to maintain, support and promote EMDR treatment, practice, research, and education.

This Code of Conduct (the **Code**) guides the EMDR Association of Australia (**EMDRAA** or the **Association**) in bringing its mission and values to life. It is a statement of the standard of professional and social behaviour expected of our members. This includes board and committee members, members, employees, volunteers, and stakeholders as we interact with each other and others in EMDRAA. The Code also informs service providers and external individuals serving on an EMDRAA body in any capacity of the culture that underpins our day-to-day work.

The Code should be read with the EMDRAA Constitution, Organisational Mission and Values, and other policies and procedures.

For registered mental health practitioners, the Code complements compliance with the expected standards of professional performance and conduct set down by statutory registration and standards authorities in the jurisdiction where the practitioner practices.

The Code supplements the information in individual Employment Agreements and overall expectations in line with the Constitution's requirements for EMDRAA employees, board, and committee members.

### 2. DEFINITIONS

In this Code of Conduct:

EMDRAA			
Original Version	March 2022	Approval Date	October 2024
Version #	3	Review Date	October 2026

- 2.1. Code** means the set of responsibilities, proper practices and behaviour expected of all individuals associated with EMDRAA.
- 2.2. Constitution** means the Constitution of EMDR Association of Australia Limited.
- 2.3. Board of Directors** means the board of Directors for the time being of EMDRAA.
- 2.4. Committee Members** means members of EMDRAA organised Committees.
- 2.5. Members** refers to individuals whose names are entered in the Register, including full members, associate members, independent directors, board members, volunteers, employees, and other classes of members as set in clause 3.3 in the Constitution.
- 2.6. Employee** means an individual specifically hired per an employment agreement and paid to undertake work on behalf of EMDRAA.
- 2.7. Stakeholder** means an individual or group that has an interest in and could be affected by any activity or decision of EMDRAA. This includes all Members and suppliers of goods and services on behalf of EMDRAA, other related professional bodies of EMDRAA, and relevant government agencies dealing with EMDRAA.
- 2.8. Fiduciary** means a person who holds a legal and ethical responsibility for managing money or assets for the benefit of EMDRAA and its stakeholders.
- 2.9. Integrity for this Code**, means an adherence to moral and ethical principles, soundness of moral character with respect to the truth and honesty in all situations.
- 2.10. Bullying** for the purposes of the Code, means the repeated use of words or actions against someone else to cause them distress. As detailed in the EMDRAA Safe and Respectful Association Policy, section 6.1.
- 2.11. Discrimination** for the purposes of the Code, means the unjust or

EMDRAA			
Original Version	March 2022	Approval Date	October 2024
Version #	3	Review Date	October 2026

prejudicial treatment of various categories of people, especially based on race, age, sex, disability or religion. As detailed in the EMDRAA Safe and Respectful Association Policy, section 6.

**2.12. Harassment**, for the purposes of the Code, means behaviour towards a person that causes mental or emotional suffering, including unwanted contact without a reasonable purpose, insults, threats, or offensive language. As detailed in the EMDRAA Safe and Respectful Association Policy, section 6.

**2.13. Safe and Respectful Association Policy** means EMDRAA's zero-tolerance policy on unacceptable behaviour for Association Members.

### 3. GUILDING PRINCIPLES

This Code is guided by EMDRAA's values, which include:

- Respect for the dignity of all persons and peoples
- Competent caring for the well-being of persons; and
- Integrity.

EMDRAA is committed to conducting all its operations in a manner that:

- protects the health and safety of all Members
- recognises, values, and rewards the individual contribution of each person; and
- is honest, lawful, and moral.

All Members are expected to act with the utmost integrity and objectivity, always striving to enhance EMDRAA's awareness, performance, and reputation.

### 4. APPLICABILITY

The Code applies to all stakeholders.

It is expected that all Members know and follow the Code.

While the Code is written explicitly for Members, we expect that any member of our extended workforce, such as any individual serving on an EMDRAA body,

EMDRAA			
Original Version	March 2022	Approval Date	October 2024
Version #	3	Review Date	October 2026

representing EMDRAA in other forums or assigned to perform work or services for EMDRAA to follow the Code in their work for us.

Failure of a Member or other service provider to follow this Code may result in a disciplinary action under Section 5 of the Constitution (see Appendix C) or cessation of their employment contract.

## 5. ACCOUNTABILITIES

### 5.1. The Board is responsible for the following:

- 5.1.1. setting the tone of legal, ethical, and moral conduct to ensure that EMDRAA is considered reputable by the industry, both in mental health and commerce, and other outside entities; and
- 5.1.2. ensuring that all Members and external parties representing EMDRAA know of the Code.

### 5.2. Members are responsible for the following:

- 5.2.1. undertaking their duties and behaving in a manner that is consistent with the provisions of this Code
- 5.2.2. reporting a belief of inappropriate conduct to EMDRAA as per the Complaints Policy for further investigation
- 5.2.3. reporting any departure from the Code by themselves or others to EMDRAA as per the Complaints Policy
- 5.2.4. the effective implementation, promotion, and support of the Code in their areas of responsibility; and
- 5.2.5. ensuring employees and volunteers under their control understand and follow the provisions outlined in the Code.

## 6. CODE OF CONDUCT

### 6.1. General Principles

All Members are entitled to expect the highest professional standards when interacting with each other. Compliance with this Code and EMDRAA's other policies will contribute to good corporate governance.

EMDRAA			
Original Version	March 2022	Approval Date	October 2024
Version #	3	Review Date	October 2026

**6.2. Discharge of Duties**

All Members are expected to:

- 6.2.1. act honestly, in good faith and the best interests of the Association
- 6.2.2. discharge their duties at the highest level of honesty and integrity, in good faith and having regard to the position and the objectives of the Association
- 6.2.3. be aware of their duty of care and use diligence in fulfilling the functions of their position and exercising the powers attached to their employment, whether paid or voluntary
- 6.2.4. not engage in conduct that is likely to discredit the Association.

**6.3. Personal and Professional Behaviour when carrying out your Duties**

All Members should:

- 6.3.1. always act honestly and with integrity.
- 6.3.2. conduct your work to a high standard and in accordance with respective professional bodies, where appropriate
- 6.3.3. always operate within the law
- 6.3.4. follow the policies of the Association
- 6.3.5. act in an appropriate business-like manner when representing the Association in public forums, consistent with the objectives of EMDRAA; and
- 6.3.6. ensure compliance with the Constitution of EMDRAA.

**6.4. Compliance with Laws**

All Members must comply with the rule and spirit of all laws and regulations under which EMDRAA operates and with the principles of this Code. In addition, they must abide by the ethical and technical requirements of any relevant regulatory or statutory body. Violations of such laws may have serious consequences for EMDRAA and any

EMDRAA			
Original Version	March 2022	Approval Date	October 2024
Version #	3	Review Date	October 2026

individuals concerned. Therefore, any known breach must immediately be reported to the EMDRAA Chief Executive Officer (CEO) as per the EMDRAA Complaints Policy.

Certain duties may require Members and Employees to provide a current Police Check.

### **6.5. Confidentiality**

While performing their duties, Members may gain information about EMDRAA or one or more of its Stakeholders. This information is confidential and remains the property of EMDRAA and must be treated as such.

Improper advantage through unprofessional sharing of such confidential information must not take place. Such inappropriate sharing of confidential information can be to the detriment of Stakeholders. This excludes the sharing of confidential information, where due process is being followed, and information needs to be investigated, discussed, and acted upon by the appropriate board or committee members in their ordinary course of business.

### **6.6. Conflicts of Interest**

There may be times when a Member's personal interests conflict with those of EMDRAA or any one of its stakeholders. In these circumstances, appropriate action should be taken to remove or manage such conflicts of interest.

Potential conflict of interest arises when it is likely that a Director or Member is influenced by a personal interest or perceived to be influenced by such an interest when performing their duties. Conflicts of interest that lead to biased decision-making may constitute corrupt conduct.

Members must disclose any actual or perceived conflicts of interest relevant to their EMDRAA membership by completing the relevant sections of the EMDRAA Conflict of Interest form and registering them with the CEO. The CEO manages the Conflict-of-Interest Register and is overseen by the Board.

EMDRAA			
Original Version	March 2022	Approval Date	October 2024
Version #	3	Review Date	October 2026

If Members are uncertain whether a conflict of interest exists, they should discuss it with their reporting line superiors, a Board member, the Committee Chair or the CEO to resolve any conflicts.

### **6.7. Dual Relationships**

Members must remain aware of the problems that may result from dual or multiple relationships, for example, supervising trainees to whom they are related, teaching students with whom they already have a familial relationship, providing psychological therapy to a friend, or entering a business relationship(s) with a client. Members should be aware of their responsibilities in managing and disclosing dual relationships.

### **6.8. Use of the EMDRAA Resources**

EMDRAA assets are critical to its efficient and successful operation. In this context, assets include all cash holdings, office equipment, computer systems, money, data, trademarks, and other intellectual properties.

These assets are available to Members as required to conduct EMDRAA business, and any other use must be duly authorised before such use.

### **6.9. Equal Opportunity**

EMDRAA is an equal opportunity employer for paid and voluntary positions, and discrimination or harassment of any kind will not be tolerated.

Sections 2.10 – 2.13 and 7.2 provide additional information on the types of discrimination that will not be tolerated and available resources.

### **6.10. Competition for Funds and Funding Support**

EMDRAA competes fairly in the markets in which it operates. It relies heavily on its stakeholders' continuing support, and care must be taken not to deliberately or unintentionally mislead them under any circumstances.

### **6.11. Environment, Health and Safety**

The environment in which EMDRAA operates, alongside its Members' and representatives' health and safety, is a crucial concern for EMDRAA. The impact of environmental, health and safety issues must be

EMDRAA			
Original Version	March 2022	Approval Date	October 2024
Version #	3	Review Date	October 2026

considered when making key decisions. These decisions must maintain EMDRAA's responsibility to its members and the environment and always comply with local laws.

All Members are responsible for acting according to occupational health and safety legislation, regulations, and policies applicable to activities.

### **6.12. EMDRAA Online**

EMDRAA currently utilises the following social media platforms:

- LinkedIn
- Facebook
- Instagram
- YouTube, and
- Vimeo.

EMDRAA social media posts are intended to raise awareness of the effectiveness of EMDR therapy for the wider community. They provide links to notable research findings and relevant media material and, with approval, spotlight members. Posts primarily take the form of educational videos about EMDR but can also include advertising upcoming EMDRAA events and promoting the benefits of EMDRAA membership.

Social media postings will primarily be the responsibility of the Marketing and Events Coordinator staff member.

The Board reserves the right to withdraw social media postings, or comments made on these posts, deemed inconsistent with the Association's objective, as set out in the Constitution.

The EMDRAA website's Social Media Policy outlines further information about EMDRAA's use of social media.

### **6.13. EMDRAA Member Forums, Webinars and Meetings**

EMDRAA Members are reminded that compliance with this Code extends to their participation in all online activity related to EMDRAA.

EMDRAA			
Original Version	March 2022	Approval Date	October 2024
Version #	3	Review Date	October 2026



This includes, but is not limited to, Member Forums, online Member meetings, training, and webinars.

Members who choose to engage in online activity should do so following best practice community participation rules as follows:

- 6.13.1. Respect Patient Privacy - do not post any patient personal health information. Do not include details about a client that would make their identity identifiable, even if you don't state their name directly in the post.
- 6.13.2. Be Kind – any defamatory, abusive, discriminatory, intimidating, offensive, threatening, or illegal materials are strictly prohibited.
- 6.13.3. Keep Discussion Focused on EMDR; messages must add to the body of knowledge about EMDR. Irrelevant, off-topic or inappropriate posts may be rejected or removed.

## 7. UNACCEPTABLE BEHAVIOUR

### 7.1. General Principles.

EMDRAA believes everyone should be treated with dignity and respect. Bullying, intimidation, harassment, or discrimination of any kind is not acceptable.

EMDRAA has a zero-tolerance approach concerning unacceptable behaviour and expects that all Members refrain from:

- 7.1.1. actions that undermine, belittle, or humiliate others. This includes verbal and non-verbal threats, excluding or ignoring communications, or engaging in persistent attempts to demoralise
- 7.1.2. claiming to represent EMDRAA without the proper authority to do so
- 7.1.3. bullying or harassment of any kind

EMDRAA			
Original Version	March 2022	Approval Date	October 2024
Version #	3	Review Date	October 2026

7.1.4. improper use of social media or other means of communication contrary to the Association's or its Members' interests.

## **7.2. The Safe and Respectful Association**

This Safe and Respectful Association policy sits alongside the Code to form a suite of guidance materials on the standards of conduct expected of Members. It reinforces the highest standard of professional and social behaviours outlined in this Code. It expands further by clearly detailing unacceptable behaviours for which the Association has a zero-tolerance approach.

## **7.3. Official Misconduct.**

Official misconduct for the purposes of this document includes:

- 7.3.1. failure to comply with the Constitution of EMDRAA
- 7.3.2. refusal to support the purposes of EMDRAA
- 7.3.3. engaging in conduct prejudicial to EMDRAA
- 7.3.4. unauthorised use of confidential information
- 7.3.5. bribery and blackmail
- 7.3.6. fraud, and
- 7.3.7. theft.

EMDRAA will not tolerate corrupt conduct. Any report of corrupt conduct will be duly investigated and actioned under the EMDRAA Complaints Policy.

Where corrupt conduct places EMDRAA at risk, EMDRAA reserves the right to refer such matters to the appropriate legal and regulatory authorities.

## **8. OUR STAKEHOLDERS**

**8.1.** The Board affirms that EMDRAA's primary Stakeholders are its Members. Other legitimate stakeholders include government suppliers and the broader community, including individuals receiving or about to

EMDRAA			
Original Version	March 2022	Approval Date	October 2024
Version #	3	Review Date	October 2026

receive EMDR treatment.

## 8.2. Our Responsibilities to Our Stakeholders

EMDRAA strives for full, fair, and accurate disclosure of scientific, financial, and other information in a timely manner.

## 9. BOARD DIRECTORS AND COMMITTEE MEMBERS RESPONSIBILITIES

The following applies specifically to Directors and members of organised committees. It aims to ensure that Directors and Committee Members clearly understand the Association's expectations of their conduct.

### 9.1. Fiduciary Duties

All Directors have a fiduciary relationship with others and on behalf of EMRAA's Stakeholders, particularly the Members. A Director occupies a unique position of trust, which makes it unlawful for Directors to use their position to gain an advantage for themselves improperly.

Each Director is expected to exercise skills commensurate with their knowledge and experience to increase the value of EMDRAA for Stakeholders.

### 9.2. Obligations of Directors and Committee Members

Each Director and Committee Member must endeavour to ensure that EMDRAA is appropriately managed to protect and enhance the interests of all Stakeholders. To meet this obligation, each Director and Committee member should:

- 9.2.1. at all times, exercise due care in their duties
- 9.2.2. be diligent, attend board or committee meetings, complete pre-reading requirements and make themselves knowledgeable about the business of EMDRAA or the business of any relevant sub-committee and the physical and social environment in which it operates
- 9.2.3. ensure that Stakeholders are adequately informed
- 9.2.4. avoid or fully disclose conflicts of interest and
- 9.2.5. be impartial in their judgements and actions.

EMDRAA			
Original Version	March 2022	Approval Date	October 2024
Version #	3	Review Date	October 2026

### 9.3. Directors and Committee Members' Conflicts of Interest

A Director must always act in the best interests of EMDRAA. Where the interests of Associates, the personal interest of a Director or a Director's family may conflict with those of EMDRAA, then the Director must immediately disclose such conflict and either:

- 9.3.1. eliminate the conflict
- 9.3.2. abstain from participation in any discussion or decision-making process about the subject matter of the conflict; or
- 9.3.3. in exceptional circumstances, they may need to consider resignation as a Director of the Association.

Directors must always be alert to the potential conflict of interest between their executive roles and their fiduciary duties as Directors.

Section 8.15 of the EMDRAA Constitution outlines a Director's specific responsibilities when managing a conflict of interest, as per the Corporations Act 2001 (Cth).

### 9.4. Reporting Matters of Concern

EMDRAA views apparent breaches of this Code as serious misconduct.

Should an individual become aware of a member believed to have breached this Code, the matter must be reported immediately to the EMDRAA CEO, who will follow the Complaints Policy to resolution.

## 10. ASSOCIATED DOCUMENTS

- Constitution
- Safe and Respectful Association Policy
- Complaints Policy
- Complaints form

EMDRAA			
Original Version	March 2022	Approval Date	October 2024
Version #	3	Review Date	October 2026