



## Approved Program Provider Terms & Conditions

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By applying for and maintaining Approved Program status with HCANZA, program providers agree to adhere to the following terms and conditions:

### General Requirements:

1. **Compliance with the Code of Conduct:** Program providers must act in accordance with the HCANZA Approved Program Provider Code of Conduct from the date of application and throughout the duration of their Approved Program status.
2. **Honesty and Integrity:** Program providers must conduct all dealings with HCANZA and its members with honesty and truthfulness, including during the approval application assessment process.
3. **Singular Program Approval Framework:** Program providers must abide by HCANZA's policy of operating under a Singular Program Approval framework. Approval cannot be extended to other programs that have modules or elements in common with another HCANZA approved program.
4. **Integrity of Approved Programs:** Program providers must maintain the integrity of their Program as it was when approved and notify HCANZA of changes to program for approval by the Program Approval Subcommittee.
5. **Compliance with Guidelines:** Program content must comply with HCANZA's Health & Wellness Coach Scope of Practice and recognized Government Guidelines for the relevant country/countries.
6. **Third Party Content:** Program Providers must acknowledge and recognise all third-party original content, materials or resources that are embedded in their programs. Where the materials are not freely available in the public domain (government guidelines), such use must be with the express permission of the third party.
7. **Respect for Diversity:** Program providers must actively demonstrate respect for fellow members of HCANZA, acknowledging diverse areas of expertise, cultural backgrounds and beliefs. Adherence to all legal requirements will be reflected in program content and honesty and transparency are required in representations of what opportunities exist for students and graduates in the Health and Wellness Coaching profession.
8. **Professional Behaviour:** Program providers must refrain from interpersonal and/or organisational public behaviour that would bring the profession of Health & Wellness Coaching into disrepute.
9. **Non-Partisan Representation:** Program providers must refrain from representing HCANZA on public policy, social, and health issues from a partisan political perspective, regardless of privately held views. Program Providers cannot represent themselves as speaking with authority of HCANZA unless they are given express permission to do so.
10. **Privacy Maintenance:** Program providers must maintain the privacy of students and graduates of the organization, including individual contact details unless express permission has been given to share that information.

11. **Disclosure of Conflicts of Interest:** Program providers must honestly disclose any conflicts of interest that may impact their organization and the approval of the programs submitted for assessment. Conflicts of interest may be potential, actual, or perceived.
12. **Fees & Charges:** All fees and charges are levied in advance of service with respect to any approval, review or update of programs and the annual program fee for approved programs. All application fees for HCANZA Program Approval, review or updates do NOT guarantee approval or renewal of approved status, and all fees paid are non-refundable. HCANZA retains the right to increase fees without prior notice.

### Program Operation:

1. **Instruction and Assessment Requirements:** HCANZA Approved Programs must include and maintain a minimum number of synchronous and asynchronous instruction hours related to both core coaching competencies and health-related content. Additionally, programs must include a minimum number of Faculty-led practical skills development hours and a robust assessment process for both synchronous and asynchronous learning.
2. **Certificate Provision:** Approved Program providers are required to provide a certificate to graduates immediately on conclusion of program requirements. The certificate will include the date of completion, practical skills assessment date, and the HCANZA Approved Provider logo to graduating students.
3. **Complaints Management Policy and Procedures.** Each organisation must maintain a robust complaints management policy and procedure that manages complaints from students or prospective students, graduates, health care professionals, or members of the public. This policy must be transparently and openly available on the organization's website, student portals and included in every student's information package.
4. **Resolution of Conflicts:** Conflicts between coaching students and HCANZA Approved Programs will be the responsibility of the HCANZA Approved Program directly involved to resolve in the first instance.
5. **HCANZA Complaints Mechanism about Approved Programs:** Should any person escalate a complaint to HCANZA it will then be dealt with according to the published HCANZA Complaints Management Policy and Procedures for Approved Program Providers
6. **Handling of Vexatious Complaints:** In respect to vexatious complaints, Program providers may contact HCANZA to seek support to manage any perceived reputation risks to themselves or the health coaching profession.
7. **Professional Insurances:** Program providers must maintain all Professional Insurances required for the running of their business. This includes ensuring professional indemnity policies are in place for professional trainers, contracted training staff or volunteer trainers resourcing any part of the approved program.

### Faculty Standards and Conduct:

1. **Qualification Standards:** Faculty members of an Approved Program must meet the qualification standards outlined in the Program Approval Process.
2. **Teaching Restrictions:** Faculty members are unable to teach while enrolled as a student in a HCANZA-Approved Program (CE programs excluded).
3. **Adherence to HCANZA Coach Code of Conduct:** All Faculty members must uphold and comply with the HCANZA Code of Conduct, Scope of Practice requirements and conduct student training and mentoring in accordance with these codes.
4. **Adherence to the HCANZA Program Provider Code of Conduct:** All faculty must comply with the Approved Program Provider Code of Conduct and these terms and conditions.
5. **Designation of Duties:** Faculty members may not designate teaching, supervision, coaching, assessing, or mentoring duties to others who are not listed in these roles within an Approved Program.

6. **Violation of Code of Conduct:** If any Faculty member violates the HCANZA Code of Conduct, the Approved Program Provider is responsible for taking immediate action to rectify the situation.

#### Use of HCANZA Logo, Marketing Assets and Websites:

Program providers may use the HCANZA logo and marketing collateral in accordance with HCANZA guidelines, on a per-approved program basis, and only once a program has an Approved Program status.

1. The use of the logo is **singularly attached to the specific program that is approved** and must not be placed on the website in such a way that it would imply all programs on the website are approved by HCANZA.
2. If all programs on the website are in fact approved by HCANZA there is a different logo approved that will be made available to those organisations.
3. Every component of any program must be approved. Where a program has components of an HCANZA approved program within a larger program that has not been approved, the use of the logo or marketing claims that imply the entire program is approved is strictly prohibited. An application must be submitted for the entire program to be approved.
4. Where an organisation has a program that is a composite of several programs that have all been individually approved that program must still be assessed to ensure the integrity of all aspects of the combined program has been maintained. This would be considered a Program Review.
5. HCANZA has the right to withdraw approval status where the above requirements are not met within at any time within the 3-year approval period.
6. The general terms of use of the logo are outlined in guidelines within organisations account folders.
7. **Health-Related Claims:** Program providers must not make unsubstantiated health-related claims as to health outcomes in relation to an Approved Program in any marketing or program content.
8. In Australia & New Zealand the marketing of health claims is heavily regulated, and programs and program providers must meet all regulatory requirements relevant to their jurisdiction. It is a requirement for program approval that these government standards are identified, adhered to, and maintained.
9. **Transparent Enrolment Options:** Program providers must accurately and transparently present all relevant enrolment options to students for consideration, including recognition of prior learning, gap training, core competency training, health-related training, business training, and/or continuing professional development training. The availability of such opportunities must be transparently stated on public websites and part of the marketing team's disclosures.
10. **Recognition of Prior Learning or Gap Training:** There must be a clear and transparent explanation of the eligibility criteria taken into consideration when assessing prospective students for RPL or gap training.

#### Continuous Disclosure Responsibility of Programs:

##### Maintenance of legal organisational standing:

In circumstances where the program provider anticipates any of the following may occur, you have a positive responsibility to disclose this to HCANZA Board of Directors as these will affect your ability to represent yourself to prospective students as HCANZA Approved Program Provider.

1. The withdrawal of the business 'license to operate' as an entity within either Australia or NZ due to breach of regulatory requirements. This includes a business's registration as a commercial entity under corporations' laws or registered Not for Profit entities.
2. A Board decision to wind up the company.
3. Board or management decision to withdraw an approved program that is advertised on the HCANZA website.

### Continuous Disclosure Responsibility of Programs cont.

Each program provider has a positive responsibility to disclose to HCANZA any change to a previously approved program to protect the integrity of the approval as granted.

### Notification of Changes

Each program provider must meet the submission for re-approval and or notification requirements under the following circumstances whether changes to programs are deletions or additions to the approved program.

1. **Program content:** such changes whether synchronous or asynchronous, need to be advised, submitted for approval, and subsequently approved by HCANZA *within 30 days* of those changes being made. Content changes that must be notified are those listed in the HCANZA H&W Program Approval matrix.
2. **Staff Changes:** Program providers must notify HCANZA of any changes in staff who teach, coach, mentor, assess, or supervise in an Approved Program, **within 30 days** of the change.
3. **Synchronous coaching training:** Where the Approved Program Provider has altered synchronous training content in either the duration and/or faculty, HCANZA **must be notified immediately**.
4. **Rewording of Scope of Practices and or Codes of Conducts.** Any changes to the wording, emphasis, or implied meaning of sections of either document **must be notified immediately**.
5. The creation of a 'new' or different Scope of Practice or Code of Conduct specifically for niche programs must be submitted to HCANZA to ensure integrity and compliance with HCANZA's standards. For example, the creation of different Scope of Practice or Code of Conduct for mental health programs, coaching T2D, Nutrition Coach.
6. **Changes to the name of an Approved Program:** where an organisation changes the name of the program but claims no changes to the content of the program, the program provider must notify HCANZA *within 30 days* of those changes and resubmit the program for review to ensure that the integrity of the content remains and has not been changed. Listing on HCANZA website remain until this review has been achieved.

### Response to Negligence or omissions regarding continuous disclosure requirements:

If HCANZA discovers negligence or intentional omissions on the part of the HCANZA Approved Program Provider, regarding continuous disclosure requirements HCANZA reserves the right to suspend or revoke approval status.

### Program Approval and Renewal:

1. **Annual Fee and Declaration:** Approved Program Providers are required to pay an annual fee (or biannual depending on subscription type) and complete an annual declaration on their anniversary date, noting any changes to the structure and content of the program and teaching Faculty. The declaration should be completed and returned within 10 business days of issue.
2. **This annual declaration includes recommitting to the**
  - a) Approved Program Providers Code of Conduct,
  - b) Terms & Conditions for approved program providers,
  - c) HCANZA Scope of Practice and
  - d) HCANZA Code of Conduct for coaches.
3. **Notification of Changes:** Approved Program Providers must notify HCANZA of any substantial changes to course structure, content, and/or teaching Faculty by email, within the time frames listed above as part of the Continuous Disclosure requirements.
4. **Program Review:** In the 3<sup>rd</sup> year of program approval, providers must resubmit their program for a Program Review to continue their program's recognition as an approved program. The Program Review

Application must **commence at two years and six months, to ensure that the full review process is completed by the 3<sup>rd</sup> anniversary date.**

5. **Review Process:** Please refer to the chart below that sets out the approval and renewal process after approval and prior to the end of the renewal process on the 3<sup>rd</sup> year anniversary date of the program.
6. **Adherence to Updated Guidelines:** Approved Program providers must reflect any updates to HCANZA coaching content requirements approved by the Board within 12 months of notification of those updated guidelines.
7. **Audit Compliance:** Approved Program Audits may be conducted formally or informally by HCANZA at any time during the approval period as required to determine compliance with HCANZA published standards and Codes of Conduct and these Terms & Conditions.

## Definitions:

### Bring the profession of health coaching into disrepute:

Actions or behaviours that tarnish the reputation, respectability, or credibility of a person, organization, profession, or concept. When something is brought into disrepute, it is viewed negatively by others, and its standing or integrity may be diminished. This could result from actions such as unethical behaviour, misconduct, incompetence, or any other behaviour that undermines trust and confidence in the subject.

### Singular program approval framework:

The framework and approval are designed specifically for evaluating and granting approval to a single program. The approval is discrete to the submission and assessment of one program only. The components parts cannot be shared with other programs offered by an organisation. Where material or components parts of a program are shared between programs – all programs must be approved.

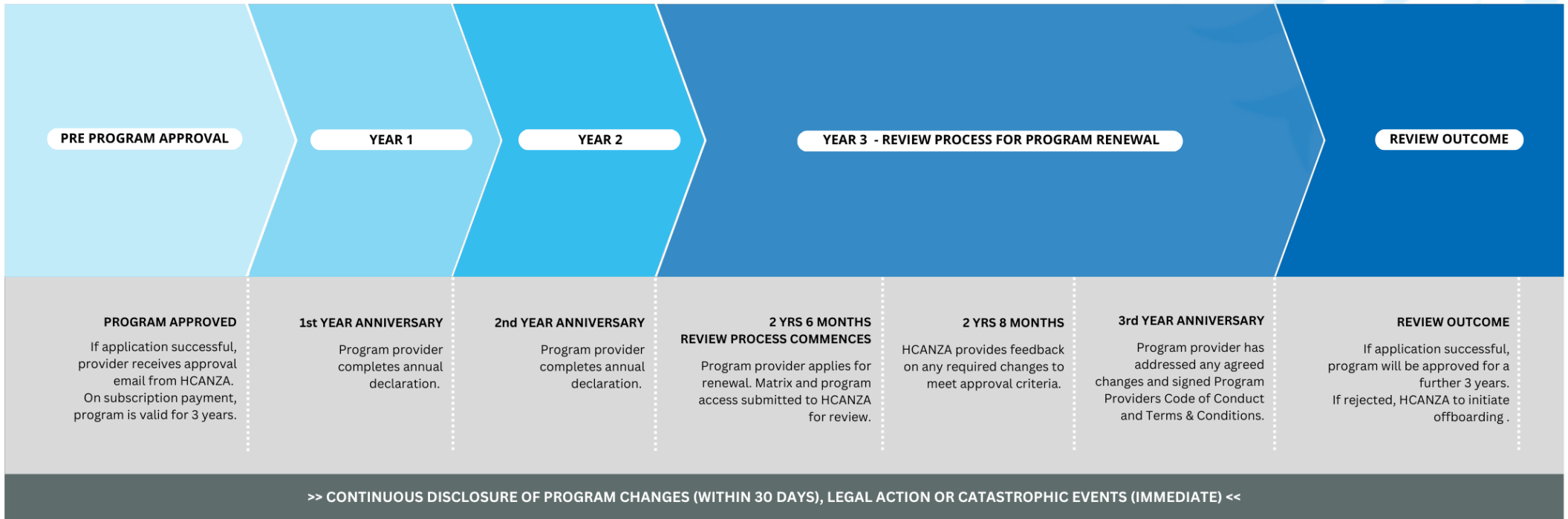
### Misleading Health Claims:

Under Australian & New Zealand law, making misleading health claims is typically prohibited and can lead to legal consequences. Laws typically prohibit claims that are false, deceptive, or misleading regarding the efficacy, safety, or benefits of products or services related to health. This includes claims about treating or curing specific diseases or conditions without sufficient scientific evidence, or where supporting evidence is cherry picked and not supported or recognised by industry regulatory bodies.

Some examples include:

- Claims suggesting a product or service can cure or treat a specific disease without scientific evidence or regulatory approval.
- Cherry-picked testimonials or anecdotal evidence presented as proof of a services effectiveness without supporting scientific data.
- Exaggerated or unsubstantiated statements about the health benefits of a product or service.
- False or deceptive information regarding the safety profile of a health protocol.
- Failure to disclose potential risks or side effects associated with a health protocol.
- Misleading comparisons with other services that are not supported by reliable evidence.
- The use of ambiguous or vague language that implies health benefits without providing concrete evidence.
- Promotional materials featuring endorsements from healthcare professionals without disclosing any conflicts of interest or the basis of their endorsement.
- Claims based on outdated, contested or discredited scientific research.
- Failure to comply with advertising standards and guidelines set by regulatory bodies such as the Therapeutic Goods Administration (TGA) in Australia or Medsafe in New Zealand.

Program renewal process:



### Agreement to Terms & Conditions:

By signing below, I/we (insert name of signatory) agree that I:

- Have read and understood the HCANZA Approved Program Provider Terms & Conditions and agree to adhere to and abide by ALL outlined statements in this policy, as a part of the HCANZA Program Approval application and maintenance of Approved Program status.
- Acknowledge that the application fees for HCANZA Program Approval are review fees and do not guarantee approval or renewal of approved status, and that all fees paid are non-refundable.
- Recognize that HCANZA retains the right to increase fees without prior notice.
- Accept that HCANZA has sole discretion to issue, amend, or revoke the rules, policies, and regulations governing HCANZA Program Approval.
- Abide by any decision of HCANZA regarding the matters of approval, including changes in the guidelines and the revocation of approval.
- Understand that all decisions and recommendations by HCANZA are final, and that I/we will defend, indemnify, and hold harmless HCANZA in the event of any claim made against HCANZA related to the possible approval of our program(s).

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Signature of Approved Program CEO or member of the Board of Directors

Signed:

[Signature]

[Printed Name]

[Title/Position]

[Date]