



# YMCA Awards

Level 3 Customised exercise  
programme instruction and  
communication techniques  
2018

# Level 3 Customised exercise programme instruction

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**Legal and ethical responsibilities of  
a personal trainer**

## **Learning outcomes**

By the end of this session you will be able to

- Describe legislation relating to the role of a Personal Trainer
- Explain the legal requirements of a Personal Trainer with regards to the recording, storing and disposal of client information
- Explain the purpose of Personal Liability Insurance
- Explain the importance of working within the scope of practice as a Personal Trainer

## Equality and diversity

Personal trainers have an obligation to promote equality and diversity in the workplace

- Equality is ensuring that individuals (or groups of individuals) are treated fairly, equally and no less favourably regardless of issues such as race, gender, religion, belief, disability, sexual orientation or age

## **Equality and diversity**

- Diversity is recognising, respecting and valuing people's differences, and promoting an inclusive culture in which everyone can realise their full potential

## Equality and diversity

As an instructor, equality and diversity can be promoted by:

- Treating all customers and clients fairly
- Creating an inclusive culture for all customers and clients
- Ensuring equal access to opportunities to exercise and activity
- Enabling all clients to exercise to their full potential
- Ensuring that the exercise environment does not discriminate against any individuals or groups
- Ensuring procedures do not discriminate against any individuals or groups

## The Equality Act 2010

Defines nine protected characteristics with no one protected characteristic having a higher priority than any other. These are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation



## **Equality and diversity**

The primary aim of the Equality Act 2010 is to:

- Eliminate discrimination, harassment and victimisation
- Advance equality of opportunity
- Foster good relations between different parts of the community

# Safeguarding

This Safeguarding Vulnerable Groups Act (SVGA) 2006 was passed to help avoid harm, or risk of harm, by preventing people who are deemed unsuitable to work with children and vulnerable adults from gaining access to them through their work

## **Health and safety at work**

The Health and Safety at Work etc. Act, 1974 is the primary piece of legislation covering occupational health and safety in Great Britain

The Health and Safety Executive, with local authorities (and other enforcing authorities) is responsible for enforcing the Act and a number of other Acts and Statutory Instruments relevant to the working environment

## **Data protection**

In accordance with the Data Protection Act, 1988, personal trainers are under a legal obligation to ensure where possible that any data including computerised, electronic and manual records are stored securely and not disclosed to any party without the client's consent

## **Data protection**

It is important that the confidentiality of the participant's information is not put at risk; failure to do so could result in a compensation claim made by the participant for breach of confidentiality

An instructor also has a moral responsibility not to discuss with a third party any matters relating to the participant without the participant's consent

## Personal liability insurance

Personal liability insurance covers injury or damage compensation claims made against you by a third party



## Personal liability insurance

- Also known as third-party insurance, provides coverage for injuries or property damage sustained by another person
- For example, a client cuts themselves on a piece of your equipment, personal liability coverage will cover any expenses incurred due to legal action. Damages as well as any medical bills to the injured person are also paid up to the agreed liability limit

## **Public liability insurance**

Public liability insurance can pay the cost of compensation and legal fees if your business is held responsible for injury or damage

Particularly important if clients visit your place of work, whether at home, a studio or another type of premises



## **Public liability insurance**

- Designed to protect you if members of the public make a claim for an injury or stolen/damaged property which occurred at your business premises
- For example, if a client was to enter your personal training studio and trip, breaking their arm, they may make a claim suggesting it was your fault for not keeping the floor in a safe condition. Your public liability insurance cover will allow you to make a claim to cover any compensation or legal costs should the third party take the matter to court

## Scope of practice

- Personal trainers are only allowed to work within the limits of their individual qualifications and competence
- Personal trainers are professionals and should adopt a professional manner in everything they do, including, clothing, appearance, language, online presence etc.

- The Register of Exercise Professionals (REPs) have produced a code of ethics for fitness professionals to abide by
- REPs have a rigorous system of self-regulation for all instructors, coaches, trainers and teachers involved in supervising people who exercise and partake of physical activity programmes

- REPs have created a framework within which individual instructors can achieve the highest standards of professionalism linked to best practice in the health, fitness and exercise industry
- Registration is achieved and maintained through the gaining of nationally recognised qualifications and training
- On joining REPs', you agree to abide by the code of ethical conduct and standards of best practice reflecting the core values of rights, relationships, personal responsibilities, professional standards and safe working practice

## **Rights**

- Exercise professionals should deal openly and in a transparent manner with their clients. They should at all times adopt the highest degree of professionalism in dealing with their clients' needs

## **Relationships**

- Exercise professionals will seek to nurture healthy relationships with their customers and other health professionals

## **Personal responsibilities**

- Exercise professionals will demonstrate and promote a responsible lifestyle and conduct

## **Professional standards**

- Exercise professionals will seek to adopt the highest level of professional standards in their work and the development of their career

## **Safe working practice**

- Exercise professionals will systematically prepare for all activities ensuring the safety of their clients is of paramount consideration

## REPs Membership

Signifies that an exercise professional meets required standards of good practice and:

- Have gained a recognised and approved qualification
- Have demonstrated competence in their working environment
- Are committed to their own ongoing professional development
- Have public liability insurance that meets the minimum requirements for registration
- Adhere to an industry accepted code of ethical conduct

# **The Chartered Institute for the Management of Sport and Physical Activity (CIMSPA)**

- CIMSPA is the professional development body for the UK's sport and physical activity sector
- CIMSPA provides leadership, support and empowerment for professionals working in sport and physical activity and a single unified voice for the sector



