

CNHC ADVERTISING GUIDANCE

1. Introduction

- 1.1 As the regulatory body for the complementary healthcare sector, set up with government support, CNHC publishes a Code of Conduct, Ethics and Performance (the CNHC Code) with which all registered practitioners must comply.
- 1.2 The CNHC Code sets out the standards and behaviours required of all those on the CNHC Register and is a day-to-day resource. It is deliberately designed to give generic professional principle-based advice and guidance and CNHC recognises that there will be occasions where additional information is required. Such advice is likely to be:
 - i) either where profession-specific advice is needed
 - ii) or where additional generic information is required.
- 1.3 In the case of profession-specific advice this would appropriately come from professional associations relating to the profession concerned.
- 1.4 Where additional generic information is required, CNHC will provide guidance sheets on the subject in hand, prepared in conjunction with representatives of the professions themselves and designed to give examples of good and/or poor practice. This is the first guidance sheet of that nature.

2. What does CNHC's Code of Conduct, Ethics and Performance say about advertising?

- 2.1 Section C4 of the CNHC Code states:

"You or anyone acting on your behalf must use only factual and verifiable information when advertising your work or practice. You must keep in mind that the best available research evidence, while appropriate for Evidence Based Practice, may not be of a sufficient standard to substantiate claims you may make in your advertising Advertising must not

 - a) *break the law, including Section 4 of the Cancer Act 1939*
 - b) *make unsubstantiated claims*
 - c) *abuse the trust of members of the public*
 - d) *exploit their lack of experience or knowledge about health matters*
 - e) *instil fear of future ill-health*
 - f) *mislead*
 - g) *put pressure on people to use your services*
 - h) *bring the profession into disrepute."*
- 2.2 We would particularly draw your attention to CNHC guidance on Section 4 of the [Cancer Act 1939](#).
- 2.3 Any complaint about a potential breach of the Cancer Act will be dealt with by CNHC.
- 2.4 CNHC will also consider whether any other complaints about advertising are sufficiently serious to be dealt with by CNHC. Otherwise they will not be accepted by CNHC because they should be made to the [Advertising Standards Authority](#).

3. What is the CAP Code and how does it apply to you?

- 3.1 The Committee of Advertising Practice (CAP) is the sister organisation of the Advertising Standards Authority and is responsible for writing the UK Advertising Codes.
- 3.2 The Advertising Standards Authority (ASA) is the organisation responsible for administering the CAP Codes and for receiving complaints about advertising.
- 3.3 All those involved in advertising in any way (not just healthcare practitioners) are required to be aware of the requirements of CAP and the ASA.
- 3.4 This means you need to make sure that your advertising meets the CAP Code. Unless you are advertising on broadcast media such as TV, the CAP Code that applies to you is the [Non-Broadcast Code](#).

4. What type of advertising is covered by the CAP Code?

- 4.1 Since 1 September 2010 the CAP Code has applied to:
“Advertisements and other marketing communications by or from companies organisations or sole traders on their own websites, or in other non-paid-for space online under their control, that are directly concerned with the supply or transfer of goods, services, opportunities and gifts, or which consist of direct solicitations of donations as part of their own fund-raising activities.”
- 4.2 In other words, advertising means anywhere that you advertise your services including your website, any leaflets, posters or other printed materials and any social media sites where you make claims about your services. This includes Facebook, Twitter, LinkedIn and other platforms.
- 4.4 The following Rules from the CAP Code are relevant:
12.1 Objective claims must be backed by evidence, if relevant consisting of trials conducted on people. Substantiation will be assessed on the basis of the available scientific knowledge.
12.2 Marketers must not discourage essential treatment for conditions for which medical supervision should be sought. For example, they must not offer specific advice on, diagnosis of or treatment for such conditions unless that advice, diagnosis or treatment is conducted under the supervision of a suitably qualified health professional. Accurate and responsible general information about such conditions may, however, be offered.

5. Do Testimonials and Reviews constitute advertising?

- 5.1 CAP uses the terms testimonials and reviews interchangeably and have advised that they are likely to count as advertising if they are edited or actively incorporated into your own marketing. If they are not, they are likely to count either as organic ‘user-generated content’ or as editorial content.
- 5.2 For example, if you have a dedicated section on your website where clients can post testimonials and reviews, and you don’t edit or cherry-pick the testimonials or reviews that they leave (except to carry out basic moderation such as removing anything that is hateful or seriously offensive), then you are unlikely to be considered responsible for the content of those testimonials or reviews. The ASA is only likely to consider that you are responsible for the content of that section of your website if it:
 - Includes testimonials or reviews that you have collated and gathered from elsewhere, or
 - is moderated to remove negative ones, or

- is re-ordered to draw attention to those that you particularly like, or
- if you quote these testimonials or reviews anywhere else.

If you provide a link to an organic review section, this isn't likely to bring the content of those reviews within the remit of the CAP Code.

- 5.3 Likewise, if clients publish reviews about you on social media, these reviews aren't likely to count as ads for your services unless you have incentivised your clients to do so. However:
- if you repost these reviews or otherwise 'quote' them and incorporate it into your own marketing, then it's likely to be brought within the remit of the Code
 - if your advertising links to an individual review that you wish to highlight, there is a risk of bringing that individual review into the remit of the ASA, but if the link is just to a review section or another external site where un-moderated, organic consumer reviews appear, CAP does not think you would be responsible for the content.
- 5.4 It is essential to note that if you or your website manager yourselves publish testimonials or reviews on your website you must have the consent of the client to do so and you must hold research evidence to substantiate any claims made in them.

6. Why evidence is so important

- 6.1 CAP has stated that in the event of a complaint to the ASA, the key issue will be the evidence base for any statement made in an advert. ASA will only consider research evidence that is submitted in response to a complaint.

7. How can you get help with meeting the CAP Code?

- 7.1 CNHC has worked with CAP to agree wording ('descriptors') for each of the professions on our Register that can be used by CNHC Registrants in their advertising. See <https://www.cnhc.org.uk/who-we-register>. We keep the wording for these descriptors under continuous review and update them when we identify additional strong or moderate research evidence for the effectiveness and/or benefits of the specific therapy.
- 7.2 If you wish to use wording other than the agreed descriptor, the CAP Copy Advice Team provides a free advice service and will check advertising claims prior to publication – usually within 24 hours (please ensure you leave ample time between seeking advice and amending your advertising prior to publication. They can be contacted through the ASA website at [Bespoke Copy Advice - ASA | CAP](#)

8. Your Professional Association

- 8.1 Some professional associations have produced helpful detailed guidance on advertising and you should check to see if this is the case for your association(s).

9. CNHC contact details

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