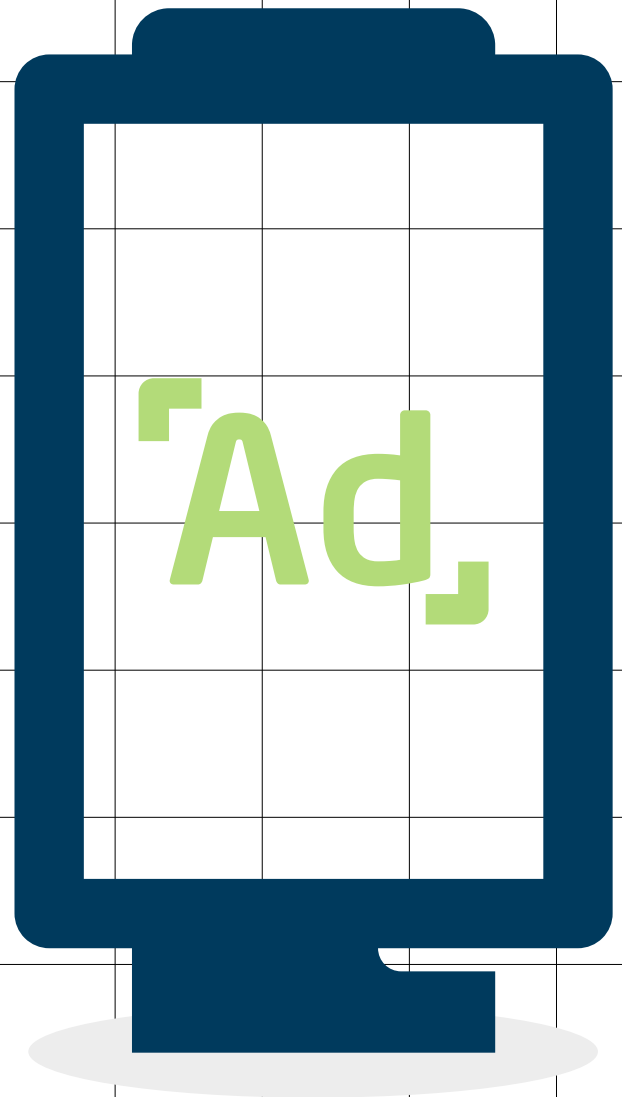


GCC Registrant Toolkit

Advertising

Toolkit



Standing out from the competition

Advertising is one of the most effective ways to promote your business or service to existing and potential customers. It increases your brand awareness, engages and activates customers and helps you to stand out from the competition. These reasons alone explain why the UK spends over £23 billion each year across the various advertising types.

For the chiropractic profession, a considered benchmark for marketing and communication activity (practice-based) is between 3-5% of gross income. Therefore, it is essential that you advertise to the right people in the right place and at the right time.

As a chiropractor registered with the General Chiropractic Council (GCC), there are several requirements that you must consider, when advertising your service or business.

Part B3 of the GCC's Standards of Conduct, Performance and Ethics for Chiropractors (**the GCC Code**) states that all registrants must "ensure your advertising is legal, decent, honest and truthful as defined by the Advertising Standards Authority and conforms to their current guidance, such as the CAP Code".

The purpose of this GCC advertising toolkit, is to help chiropractors avoid some of the more common issues that have arisen when advertising their chiropractic practices or services, some of which have led to Fitness to Practise complaints.

The toolkit is not exhaustive, but provides you with top-line definitions of what is likely to be acceptable or unacceptable in respect of advertising, as well as providing some useful links and advice to ensure your advertising remains compliant with current ASA and GCC standards and guidance.

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Introduction to advertising

What is advertising?

Put simply, advertising is **Paid** marketing activity that a person or company undertakes to promote their service or business. There is a wide range of on- and offline channels available, such as:

- Newspaper and magazine display advertisements
- Directories or listings, such as Yellow Pages
- TV and radio broadcast advertisements
- Billboards and public-facing posters
- Direct marketing (leaflets and mailers etc)
- Online banners, digital signage or pay-per-click
- Emails and text messages
- Advertorials (where you have paid for editorial to be written)

The common denominator throughout all these channels, is that a third-party supplier (eg, The Guardian, ITV, Royal Mail, Facebook, Google) is used to promote your business or service.

These marketing activities differ from **Earned** (PR, social media likes, word of mouth) and **Owned** (your website or social media pages) marketing and communication activities. However, as registrants of a regulated profession, many of the same rules apply to these activities.

Who regulates advertising in the UK?

There are two primary organisations that oversee advertising in the UK: the Advertising Standards Authority (ASA) and the Office of Communications (Ofcom).

The Advertising Standards Authority

The Advertising Standards Authority (ASA) is the self-regulatory organisation for the advertising industry. Its role is to regulate the content of advertisements, sales promotions and direct marketing, and ensure they are all compliant with the Advertising Codes.

The ASA will respond to concerns and complaints from both consumers and businesses regarding advertisements, and will act if they are found to be misleading, harmful, offensive or irresponsible. If necessary, the ASA has the powers to refer misleading or harmful advertisers to Trading Standards, where legal action is required.

The GCC may also undertake a Fitness to Practise investigation if a complaint is made regarding misleading advertisements from registrants. This may also include a referral to the ASA.

This toolkit will focus solely on ASA non-broadcast advertising and direct marketing. For advertising on TV or radio, please refer to the UK Code of Broadcast Advertising (BCAP Code) which can be found on both the Office of Communications (Ofcom) and ASA websites.

What are the Advertising Codes?

There are two sets of codes for advertising in the UK:

1) The UK Code of Non-broadcast Advertising and Direct & Promotional Advertising, commonly known as the CAP Code. The ASA's remit is to ensure everyone who undertakes non-broadcast advertising, complies with this code.

The CAP Code itself is written and maintained by the Committee of Advertising Practice (CAP), the partner organisation to the ASA. In addition, the Committee issues guidance on what some professions, such as chiropractic, can advertise or claim. See the What Treatments Can I Advertise? section on page eight.

2) The UK Code of Broadcast Advertising, commonly known as the BCAP Code. This Code applies to all advertisements broadcast on services licensed by the Office of Communications (Ofcom), which regulates TV, radio and telephone marketing activities. If you are undertaking TV, radio or telephone marketing activities, we advise you visit the Ofcom website and review BCAP for guidance.

What types of advertising does the ASA oversee?

The ASA oversees two broad types of advertising, which must comply with the CAP Code:

1) Printed advertising

This includes advertisements in newspapers and magazines (local, regional, national), advertorials, sales promotions (ie, anything that incentivises a customer to use your service or business, such as a special offer) posters and direct marketing (eg, leaflets that are created to promote your service or business).

2) Online advertising

This is online paid advertising, including banner advertisements and pop-ups etc. However, the ASA also oversees content on business websites, e-comms and social media accounts when used for advertisement, endorsement or promotional purposes.

USEFUL LINKS

www.asa.org.uk

www.ofcom.org.uk



GCC and advertising

Principle B3 of the GCC Code of Standards of Conduct, Performance and Ethics for Chiropractors' (the GCC Code) states that a chiropractor must:

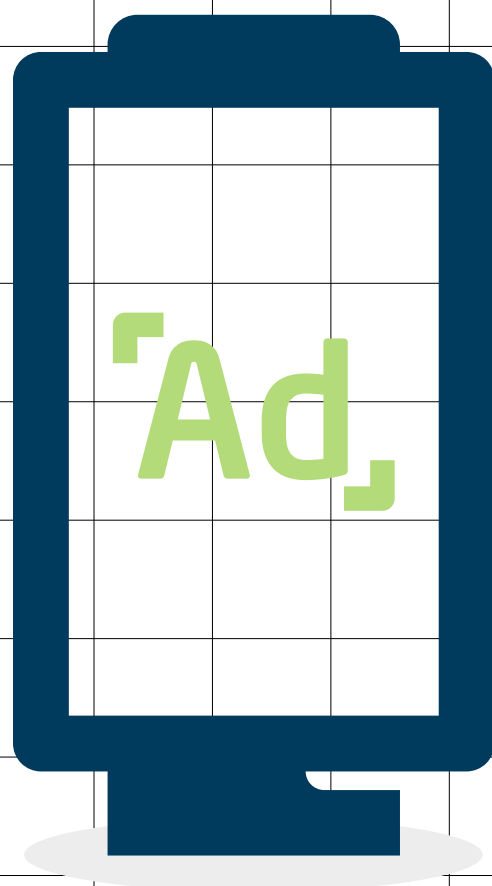
"ensure your advertising is legal, decent, honest and truthful as defined by the Advertising Standards Authority and conforms to their current guidance, such as the CAP Code."

For registrants to comply with this principle, all information must be verifiable ie, you must be able to prove the accuracy of any claims based on reliable and robust evidence in your possession at the time of the advertisement being issued.

Example: Placing an advertisement claiming that you are a chiropractor before completing registration with the General Chiropractic Council. You would be in breach of the CAP Code, the GCC Code as well as the protection of title provisions in Section 32 of the Chiropractors Act 1994.

Any information provided about the efficacy of treatments or services must also be supported by evidence of the standards outlined in the CAP Code.

The GCC has produced detailed Guidance on advertising which can be found on the [GCC website](#).



Four rules when advertising

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As stipulated in B3 of the GCC Code, registrants must ensure their advertising is:

1 Legal

2 Decent

3 Honest

4 Truthful

1 Legal

The business or service being advertised must be legal and comply with all relevant UK laws.

Example: A person cannot advertise themselves as a chiropractor if they are not registered with the General Chiropractic Council. This would be a breach of Section 32 of the Chiropractors Act 1994.

2 Decent

The advertisement should not cause serious or widespread offence, especially in the areas of race, religion, gender, sexual orientation, disability or age.

Example: A chiropractor places an advertisement looking to attract more female patients to their practice. They state that women are less able to tolerate pain than men. This would likely cause widespread offence to women based on their gender.

3 Honest

Stating false and/or deceptive messages or facts with no grounds or merit to justify the statement.

Example: Chiropractors may treat patients who suffer from multiple sclerosis as a comorbid condition. However, to infer that a chiropractor can 'treat multiple sclerosis' would create the false impression that chiropractic is an effective treatment for this condition.

4 Truthful

The advertisement omits facts which may lead a person to believe something which is not true.

Example: An advertisement states a person 'studied chiropractic at university' when the person only attended the programme for one day before leaving the course. The statement is correct (they did study chiropractic albeit for one day) but not truthful, as most people reading that statement would assume the person had completed the programme and qualified as a chiropractor.

As outlined on page six, the guiding principle of the ASA CAP Code, as reflected in B3 of the GCC Code, stipulates that all advertising must be legal, decent, honest and truthful. However, as healthcare professionals you have a responsibility to ensure all claims made within your advertising do not materially mislead the public and/or patients.

As such, throughout the CAP Code, and in supplementary CAP guidance on substantiation of health claims, registrants are required to ensure their advertising is accurate and verifiable, socially responsible and free from misleading claims.

Accurate and verifiable

Can you provide accurate, verifiable and robust proof for all the claims made about the service or business that you are advertising? If not, the publicity will be deemed as misleading.

Example: Claiming that chiropractic can treat eyesight and hearing conditions, colic in babies, asthma, learning difficulties or neurological issues without robust, credible and refereed scientific evidence to justify and verify the claim. If you cannot provide the evidence to verify your claims, it will be determined as misleading.

Note: If pricing is contained within the advertisement, it must state the inclusion or exclusion of taxes and/or any additional costs and fees which may be incurred. These distinctions need to be made clear to patients. This also covers sales promotions with companies such as Groupon.

Socially responsible

Not depicting, promoting, encouraging or condoning illegal, unsafe or anti-social behaviour.

Example: Discouraging vaccinations or promoting excessive concerns regarding the safety and efficacy of vaccines.

Misleading Claims

When applying the CAP Code, the ASA's approach is that advertising, direct marketing and/or sales promotions must not:

- 1) Claim an absolute guarantee of a cure
- 2) Claim that chiropractic treatment is risk-free or safer than other healthcare treatments
- 3) Present anecdotal evidence as being proven or scientific
- 4) Discourage an individual from seeking medical treatment from a general medical practitioner, if appropriate
- 5) Claim that chiropractic care can treat any condition unless that claim is substantiated in compliance with the CAP Code.

What treatments can I advertise?

In 2017, guidance was produced by the Committee of Advertising Practice on treatments that chiropractors can claim to treat. They are:

Ankle Sprain (short term management)

Cramp

Elbow Pain and Tennis Elbow (Lateral Epicondylitis) arising from associated Musculoskeletal conditions of the Back and Neck, but not isolated occurrences.

Headache arising from the Neck (Cervicogenic)

Inability to relax

Joint Pains (including Hip and Knee pain from Osteoarthritis as an adjunct to core Osteoarthritis treatments and exercise)

General, Acute and Chronic Backache, Back Pain (not arising from injury or accident)

Generalised aches and pains

Lumbago

Mechanical Neck Pain (as opposed to neck pain following injury ie, Whiplash)

Migraine prevention

Minor Sports injuries and tensions

Muscle Spasms

Plantar Fasciitis (Short term management)

Rotator Cuff injuries, disease or disorders

Sciatica

Shoulder complaints (Dysfunction, disorders and pain)

Soft Tissue disorders of the Shoulder

Although these treatments are listed, any advertising, online or otherwise, must still comply with all other CAP Code requirements and the six rules. For example, you cannot advertise one of the permissible treatments if you have no experience in undertaking that procedure (the GCC Code, Standard G3: "Chiropractors must recognise and work within the limits of their own knowledge, skills and competence.")

The GCC advises all registrants to check the latest Advertising Standards Guidance regarding medical conditions that chiropractors can claim to treat (**ASA Health Chiropractic**) to ensure no updates or amendments have been made which may lead to an ASA or GCC complaint and/or investigation. You may also wish to use the ASA Advertisement Copy Checker service (see page 11 for details).

Claims and treatments beyond chiropractic

As outlined in 'What treatments can I advertise' on page eight, there are a wide range of conditions for which chiropractors have been trained to diagnose, treat and manage. Furthermore, there is a substantial body of evidence supporting chiropractic treatment for these conditions. As such, advertisements or promotions based on these conditions are likely to meet the four rules, as outlined on page six.

Beyond these conditions and/or treatments, chiropractors can also provide valuable guidance to patients, helping to improve their overall physical, emotional and social wellbeing. This can include preventative advice, suggesting exercises and routines, helping with posture, and providing general health and wellness advice.

However, the GCC and ASA have received complaints from registrants, the public and organisations when chiropractors have 'suggested or implied' that chiropractic can address wider health issues without any credible evidence or substantiation.

One such claim which has received attention and complaints is subluxation, although 'innate intelligence', 'adjustment', 'power that heals a body', 'treat the cause and not the symptoms', 'long-term chiropractic care can prevent illnesses', and anti-vaccine or protection/treatment against Covid-19 claims have also been highlighted in complaints. At this time, no verifiable or substantiated research or body of evidence to the CAP Code standard has been produced regarding these treatments or claims.

Regardless of personal belief, theory or philosophy, promotion of these treatments and/or claims can be potentially damaging to patients as well as affect the trust and confidence in the chiropractic profession with the public, NHS, other medical professions and government. As such, the GCC and ASA has a duty of care to protect the public from unfounded and non-evidenced claims.

Covid-19

Some chiropractors have claimed or implied in published material that spinal adjustment and/or manipulation may protect patients from contracting Covid-19, boosting their immune system and aiding their recovery. The GCC is clear that there is no credible scientific evidence that supports these claims, and chiropractors must not link treatments to Covid-19 in any way. Chiropractors making such claims will be in breach of the requirements set out in the GCC Code and regulatory action will be taken. Where the GCC sees evidence of such claims, it will act.

Subluxation

The use of the term 'subluxation' and claims that imply subluxations inhibit the body's healing mechanisms and/or that the body will not function or heal if subluxations are present and chiropractic treatment not provided cannot be used in the UK as they do not meet ASA CAP Code and GCC standards.

Any claims will be viewed as misleading as there is no verifiable scientific research or body of evidence to support these claims or theoretical model. See GCC guidance on **Chiropractic Vertebral Subluxation Complex**.

Definition of 'body of evidence'

Any objective claim made in an advertisement must be substantiated by available, credible and recognised scientific knowledge. To justify any claims (and it will be incumbent on the registrant to justify these claims), a body of evidence must be presented which meets CAP standards.

A 'body of evidence' can include single and double-blind studies and observational human studies. The evidence should normally include one adequately controlled experiential human study, although a controlled observational study may be adequate in some circumstances. Requirements on methodology, size, duration and nature of the study group must comply with CAP requirements, as well as an objective review of all the data if the report has not been published in a reputable peer-reviewed journal.

Presenting your credentials

As a chiropractor, you are in the favourable position of being able to state that you are registered with the General Chiropractic Council.

As such, the GCC encourages you to promote your credentials openly, yet accurately and honestly.

When can I state I'm a chiropractor?

At the time that the advertisement, direct marketing or sales promotion is visible to the public, you can state you are a chiropractor if:

- 1) You are listed on the GCC register of chiropractors and your fees are fully paid
- 2) You have not been suspended or removed from the GCC register of chiropractors

If you have changed to non-practising status, all materials must make clear your non-practising status.

Can I use my 'Doctor' title?

If you use the courtesy title of Doctor or its abbreviation Dr or DC, you must state clearly within any public-facing information, ie. an advertisement, that you are not a registered medical practitioner, but a Doctor of Chiropractic (DC).

ASA will act in relation to advertisements implying that chiropractors are medical practitioners. The GCC also undertakes Fitness to Practise investigations where a chiropractor does not clarify they are a Doctor of Chiropractic.

Using the GCC 'I'm Registered' mark and your registration number

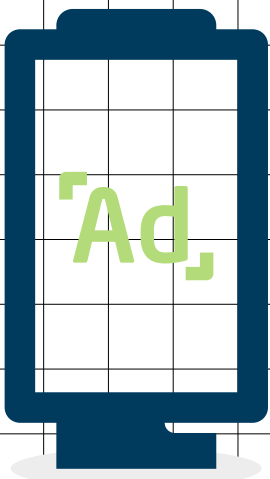
GCC research has found that the public and patients are reassured when they know that a healthcare professional is regulated. This is seen with general medical practitioners, dentists and pharmacists.



However, public awareness of some regulated professions, such as chiropractors and osteopaths, is lower. The GCC therefore recommends you use the GCC 'I'm Registered' mark on printed and online marketing content, where appropriate.

Further assurance of your credentials can be offered by providing your GCC registration number. This allows all potential and existing patients to verify your professional credentials through the GCC 'Find a Chiropractor' search engine.

You can find your GCC registration number on your GCC online account page, or through the 'Find a Chiropractor' search engine on the GCC website.



Online advertisement checker and further information

Online advertisement copy checker

The Advertising Standards Authority offers a free to use online advertisement, sales promotion and direct marketing review service to help ensure you meet all the CAP Code requirements.

The free to use service takes 24 hours to review and comment on any submitted advertisement, providing any guidance or recommendations, if needed.

Note that the ASA will examine the written content of the advertisement and review any imagery for decency etc.

The free to use service can be found at **Bespoke Copy Advice** at www.asa.org.uk.

Further Information

This toolkit is designed to provide a top-line guidance on what chiropractors can and cannot say within printed and online advertising and marketing activities. For further information and detail on any of the subjects covered, the GCC recommends you visit the following:

GCC website

www.gcc-uk.org

GCC Guidance on Advertising

www.gcc-uk.org/guidance-advertising

GCC Code of Standards of conduct, performance and ethics for chiropractors

www.gcc-uk.org/the-code

GCC I'm Registered Logo

www.gcc-uk.org/logo

Advertising Standards Authority

www.asa.org.uk

Committee of Advertising Practice

www.asa.org.uk

Office of Communications (Ofcom)

www.ofcom.org.uk

You may also wish to seek advice and guidance from your professional association/s or the Royal College of Chiropractors.

Advertising checklist

The following checklist may help you determine if your advertisement, sales promotion or direct marketing is Cap Code compliant. It also includes some commonly forgotten marketing elements. The checklist is for guidance only.

		YES	NO	N/A
Standard				
1	Your name or practice name			
2	Address			
3	Telephone number			
4	Email address			
5	Social media handles/username			
6	Car parking available?			
Can you prove the copy to be*:				
7	Legal?			
8	Decent?			
9	Honest?			
10	Truthful?			
11	Accurate (verifiable)? Do I have the evidence/research? Is it current?			
12	Socially Responsible?			
Conditions**				
13	Are the conditions listed?			
What to avoid claims***				
14	Are your claims compliant?			
Credentials				
15	Your registration number			
16	The GCC 'I'm registered' logo			
17	Proper use of the 'Doctor' title?			
ASA Advertisement Checker				
18	Have you used the ASA Bespoke Copy Advice service (see page 11)?			

* If 'no' to points 7-12, your advertisement, sales promotion or direct marketing may be in breach of the ASA Cap Code and/or the GCC Code.

** Refer to list of treatments listed on page eight. Although these treatments are listed, any advertising must still comply with all other Code requirements and the six rules. For example, you cannot advertise a treatment if you have no experience in undertaking that procedure.

*** Refer to Claims and treatments beyond chiropractic on page nine.

Three final points to remember

- 1) If in doubt as to whether any of your claims are fully compliant with the CAP Code, don't make them.
- 2) If you have had content created by a third-party provider (eg, a PR agency, content provider or advertorial written by a magazine), it is your responsibility to ensure the content is accurate and complies with ASA CAP Code and the GCC Code. This also applies to content and information produced overseas where rules may differ from that of the UK.
- 3) You should regularly check evidence and substantiation as research may change over time.

How would you rate this document?



Click a face, or scan the
QR code to share your views