

BUSINESS WEBINAR

Protecting Your Practice: Strong Foundations for Safe and Sustainable Care



Presented by:
Michelle Whitehead, Lawyer
and Risk Management Mentor

Acknowledgement of Country

I acknowledge the Traditional and Continuing Custodians of the Dhanghutti lands, where I live and work – on the beautiful coastline of South West Rocks, halfway between Sydney and Brisbane.

With deepest gratitude, I witness their love for this land and their nurturing of its abundance. I recognise the historic and ongoing injustices suffered by indigenous peoples, here and around the world.

Presenter | Michelle Whitehead



Lawyer, Mediator & Mentor

Founder, Carefree Counsel

I work with service providers who care deeply about the people they work with – and who want business foundations they can rely on to hold space for them, while they hold space for their clients.

I believe in a practice grounded in care rather than conflict. In clarity rather than complexity. In legal foundations built on trust instead of fear.

When we do this well, not only is your business set up to thrive far into the future, you are more likely to be protected against the kinds of problems that can harm you & your clients.



Homeschooling mum

- Avid fiction reader & Kindle Unlimited addict
- Author, poet, crafty, creative artist
- Nature lover, amateur photographer

Lifelong learner

- BA (Hons 1), LLB (Hons 1), LLM Hons
- GradDip Legal Practice, GradDip FDR
- Admitted as a solicitor in NSW (2010)

Online business owner

Started working from home in 2008 providing research for barristers; evolved into my own online law practice

Host | Lindsay Steedman



Lindsay Steedman is the Queensland Business Manager and Health Educator for Designs for Health Australia.

Lindsay works at the intersection of education, business, and integrative healthcare. With a background in sales, practitioner education, and business development, she brings over 15 years of experience supporting integrative practitioners, pharmacists, students, and business owners.

Lindsay partners with her clients to strengthen both their clinical impact and commercial confidence. Her approach is practical, values-led, and focused on helping practitioners build evidence-based, sustainable businesses.

What we're covering today

- 1 Legal risk in real practice —**
Where risk actually lives in your day-to-day work
- 2 The three pillars of best practice —**
Competence, capacity & connection
- 3 Contracts that scaffold your work —**
Service agreements, informed consent & disclaimers
- 4 Insurance as your safety net —**
What it covers – and what to do if you can't get it



| Section 1

What legal risk actually looks like in real practice

| Where risk quietly creeps in

Scope creep

Sessions drift beyond your professional boundaries – often because you care so much.

Unintentional promises

Encouraging language in marketing reads as a guarantee of outcomes.

Blurred boundaries

Long-term client relationships gradually lose their professional edges.

Hybrid practice pitfalls

DMs, voice notes and online programs carry the same duty of care as face-to-face sessions.

| Scope creep

The scenario:

A long-term client comes in for her regular appointment. Today she's clearly struggling emotionally and starts sharing something difficult. You listen, respond with compassion, empathise with her tears – and twenty minutes later you realized you've offered advice that is well beyond your professional scope.

Even with the best intentions, stepping outside your scope can be a professional negligence claim in the making.

The fix:

A clear, compassionate redirect – sooner rather than later:

"I hear how hard this is. The most helpful thing I can do right now is ask whether you have someone who is specifically trained to support you in this. If you don't, would you like me to give you some names?"

Build a referral network you trust. Know your edges – and how to hold them with warmth.

| Promising outcomes without realising it

Language that reads as a guarantee:

Risky phrasing:

"You'll feel so much better once we get you off gluten."

"Fix the real cause of your fatigue."

"Everyone with your symptoms responds really well to this."

Safer alternatives:

"Removing gluten is something many clients find helpful – it might be worth trialling to see how your body responds."

"We take a whole-person approach to understanding what might be contributing to your fatigue."

"This approach tends to suit people presenting with similar patterns – though everyone's response is individual."

| Blurred boundaries with long-term clients

How it happens:

- Clients texting between sessions expecting instant answers.
- Sessions regularly running over time.
- Expectations of special treatment from long-term or high-referring clients.
- The relationship drifting to feel more like friendship than a professional exchange.
- Contra deals and service swaps that seem like an amazing bargain.

Why it matters:

- Self-care means agreeing from mutual respect, not because you feel like you can't say no.
- It's not the closeness that creates risk – it's allowing the **unconscious** drift.
- People-pleasing is **not** the same as generosity. It creates expectations that become grievances.
- The gap between their expectations and your reality is where disappointment, resentment and conflict quietly grow.
- The fix? Whatever you agree to should be **chosen**, not just allowed to happen.

| Hybrid practice pitfalls – online, messaging and DMs

Every piece of professional advice you give – regardless of the channel it travels through – carries your professional duty of care.

DMs & social media — Advice given informally still counts as professional advice. It's documented, permanent, and out of your control once sent.

Online programs & memberships — Content reaches clients you don't know individually, in circumstances you can't anticipate. Disclaimers and scope statements are essential.

Email & messaging support — Between-session contact blurs the container. Clear agreements about what these channels are – and are not – for are critical.

The background features a hand holding a heart shape, a gavel resting on puzzle pieces, and a copyright symbol with a checklist. The text is overlaid on a semi-transparent white box.

| Section 2

The three pillars of best practice

| Your first and most powerful layer of protection

1

Competence

Working within your true scope of knowledge, skill and professional responsibility.

2

Capacity

Protecting your time, energy and emotional bandwidth so you can do your best work.

3

Connection

Building relationships of genuine fit – with clients and with your own business.

& it is 100% FREE!

1 Pillar 1: Competence

Competence is the full picture of what you bring – and knowing where your edges are.

Competence includes:

- Your formal education & qualifications.
- Your lived professional experience.
- The work that genuinely lights you up.
- Your commitment to ethics & integrity.
- Knowing your referral network – who can help when you can't.

Stepping outside scope risks:

- Professional negligence claims.
- Misrepresentation.
- Regulatory complaints.
- Damage to your reputation.
- Harm to the client you were trying to help.

2 Pillar 2: Capacity

Physical and practical

Your time, your schedule, your caseload. Don't be afraid of waitlists – they signal demand, not limitation.

Emotional and energetic

Especially critical if you work with trauma, grief or complex needs.
Good clearing practices aren't optional – they're clinical.

Financial

When finances are tight, we are more likely to say yes to the wrong clients.
Financial sustainability is a risk management issue.

Burnout is not a badge of honour. Protecting your capacity protects your clients.

2 Pillar 3: Connection

When the connection is right, you do your best work.
When it's wrong – that's conflict waiting to happen.

Connection with your clients

- Filter for fit from the very first touchpoint.
- Your website, language & intake process are your filters.
- Trust your gut – a mismatched client relationship is trouble.
- Set people free to find the practitioner who can truly serve them.

Connection with your business

- You are not a business – you are the boss of one.
- Be a good boss to your most important worker: you.
- If your business doesn't respect you, that's not service – it's servitude.
- Safe. Sane. Sustainable.



| Section 3

Contracts as sacred containers

| What a contract actually does for your practice

“Clear is kind. Unclear is unkind.” – Brené Brown

Clarity

Helps you understand and communicate what kind of relationship you want with your clients.

Certainty

Gives clients confidence in what to expect – building trust before the work begins.

Consistency

Automates your boundaries so you treat everyone equitably, without reactive decision-making.

Connection

Invites clients into relationship with warmth and care, not cold legal formality.

| A contract that cares

NOT THIS:

- Jargon-heavy, unintelligible, heavy reading.
- Cold, distant, disconnecting, generic.
- Lost in the filing cabinet, until the relationship breaks down.
- Only there as a last resort – a barbed wire fence in the distance that you hope no-one ever has to touch.

A contract no-one reads until they need a lawyer to interpret it is not a contract that cares.

BUT THIS:

- Plain English and sparkling with personality.
- Warm, welcoming and easy to read & remember.
- Branded to reflect the energy of your business so it looks and feels like you.
- A seamless part of your onboarding experience – not a jarring interruption.

A sacred container holding space for your relationships so you can do your best work.

| How much contractual protection do you need?

Three sliding scales:

Investment

Low risk

Higher protection needed

The higher the investment, the more important it is to set expectations clearly.

Risk & vulnerability

Low risk

Higher protection needed

The more a client is relying on you, the more carefully you need to manage your duty of care.

Your comfort level

Low risk

Higher protection needed

If your subconscious doesn't feel safe, it will keep your business small. Foundations give you permission to show up fully.

| What a good client contract must cover

Relationship & scope

- Who you are & who you work with.
- Your intentions & values.
- Suitability – who this service is (and isn't) for.
- Scope of services – what's included & what's not.
- Informed consent.

Policies & protections

- Appointment, payment & cancellation policies.
- Confidentiality & privacy.
- Disclaimers & no guarantee of results.
- Intellectual property protections.
- Dispute resolution process & jurisdiction.

A contract that truly cares is one that sounds like you, is aligned with the way you actually practice, and is reviewed by someone who understands both the law and the kind of work you do.



| Section 4

Insurance as the safety net

| Insurance is your last line of defence – Not your first

1

Layer 1 – Best Practice

Competence, capacity & connection

2

Layer 2 – Contracts

Service agreements, informed consent & clear policies

3

Layer 3 – Insurance

Your safety net of last resort

The most robust protection comes from having all three layers in place.

| The two types of insurance you need to know about

Professional indemnity insurance

When it activates

A client claims your professional advice or services caused them harm or loss.

What it covers

Legal costs and compensation claims arising from negligence or mistakes in professional services.



Mandatory for many regulated professions. Strongly advisable for anyone giving advice that clients rely on.

Public liability insurance

When it activates

Someone is injured while in your care on premises you control.

What it covers

Costs arising from personal injury or property damage to clients or third parties.



Required if you see clients face-to-face, run retreats or in-person workshops.

| What to do if you can't get mainstream insurance

Some modalities are considered too alternative – and many insurers won't cover you if you provide services to the US or Canada. Here's what I suggest.

1

Get your contract right first

A solid contract with an Australian jurisdiction clause can help get you over the line with some insurers. It demonstrates professional seriousness. It also manages the relationship so conflict is less likely to occur.

2

Build your own defence fund

Commit whatever you would have paid in premiums to a dedicated, high-interest savings account each month. It becomes your buffer for compensating an unhappy client or covering initial legal costs in case of emergency.

3

Keep your foundations strong

Best practice and solid contracts remain your most powerful protection. Insurance is the net – but your foundations determine how rarely you need it.

| Bringing it all together

There is no such thing as a practice with zero risk. Your business needs to be grounded, boundaried and protected enough to handle whatever arises.

- ✓ Identify where legal risk actually lives in your practice.
- ✓ Assess where you are personally exposed.
- ✓ Understand how contracts clarify expectations and reduce risk.
- ✓ Strengthen practitioner-client boundaries through structured systems.
- ✓ Implement the three-pillar framework for SAFE, SANE, SUSTAINABLE practice.

| Let's keep the conversation going!



Free 30-minute initial consultation

Specific question about your own practice?
Book a free, no-obligation 30-minute conversation.

carefreecounsel.com

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Webinar 2!

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me on 23 July 2026
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Protecting Your Content
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