



Psychotherapy & Counselling  
Federation of Australia

# **PACFA Code of Ethics for Member Associations, August 2004.**

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### **1. Role of the PACFA Code of Ethics**

- 1.1. The purpose of this code is to establish minimum standards of ethical practice and good governance for *Member Associations*, and for the information and protection of those using their services.
- 1.2. It is expected that the professional associations which are constituent members of PACFA and to which Psychotherapists and Counsellors belong, *have established* their own codes which are congruent with the PACFA Ethical Guidelines.
- 1.3. All members associations of PACFA are obliged to inform the Federation of any alterations to their Codes of Ethics. Regardless of the wide range of approaches preferred by individual Psychotherapists and Counsellors, there are common ethical issues.

The PACFA Ethical Guidelines provides a model for all member associations' codes of ethics and requires, as a condition of membership of the federation, that member associations' codes of ethics are congruent with the PACFA Ethical Guidelines.

### **2. Definitions**

- 2.1. For the purpose of this statement, the term 'Counsellor' is used to include Psychotherapist.
- 2.2. The term 'supervisor' refers to professional counselling supervision, rather than line management.

- 2.3. The term 'client' refers to individuals, couples, families, groups, communities or supervisees, as applicable.

*The term 'Member Association' (MA) refers to the counselling and psychotherapy association which have passed the audit required to become constituent member of PACFA.*

### **3. Ethical Principles and Ethical Responsibilities.**

- 3.1. The guidelines are divided into two sections, Ethical Principles and Ethical Responsibilities
- 3.2. *The Ethical Principles represent the higher values which counselling and psychotherapy as a field aspires to uphold, and are a guide for reflection and self evaluation of the organizational behaviour of Member Associations.*
- 3.3. *The Ethical Responsibilities are statements considered to represent acceptable practice in the professions of counselling and psychotherapy and are derived from the ethical principles. The ethical principles and responsibilities are specified in detail in the member associations' code of conduct and in the PACFA code of Ethics.*
- 3.4. *The practitioners on the Australian Register of Counsellors and Psychotherapists - PACFA are bound by code of ethics of their professional association and are accountable for their professional conduct to both their professional association and the board of the Australian Register of counsellors and Psychotherapists-PACFA.*
- 3.5. *Ethical principles and responsibilities listed in the PACFA Code of Ethics apply to the Members Associations as constituent members of PACFA.*
  - 3.5.1. *The Member Associations as professional organizations, through their legal status, democratic culture and structures, are required to operate in ways which are congruent with the ethical responsibilities specified in detail in the PACFA Code of Ethics*

*Periodically Member Associations should reflect on their application of ethical principles, as a means of organizational evaluation in order to ensuring the quality of their organizational governance.*

### **4. Values and principles of PACFA**

- 4.1. Member Associations respect the essential humanity, worth and dignity of all people and promote this value in their work.
- 4.2. Member Associations *honour the trust placed in them by their members and protect the integrity of that relationship.*
- 4.3. Member Associations recognise and respect diversity among people and oppose discrimination, oppressive and other unjust behaviour.
- 4.4. Member Associations respect the privacy of their members and preserve the confidentiality of information acquired in the course of their work.
- 4.5. Member Associations protect the rights of their members including the right to informed consent.
- 4.6. Member Associations take steps to maintain and develop their competence in good governance.

Member Associations abide by the laws of the society in which they are constituted.

## **5. Ethical Responsibilities**

### **5.1. Responsibilities to the member**

- 5.1.1. Member Associations take all reasonable steps to avoid harm to their members as a result of the process organizational governance *and actively protect the integrity of their relationship with their members.*
- 5.1.2. Member Associations faced with situations which extend the boundary of their competence seek qualified professional advice
- 5.1.3. In the event of harm resulting from organizational, Member Associations take responsibility for acknowledgment and restitution.
- 5.1.4. *For all Member Associations, Professional Indemnity Insurance is part of the process of protecting members from harm by allowing for restitution, and is recommended in this context.*
- 5.1.5. Member Associations promote members autonomy by informing them regarding their membership process and encourage members to make responsible decisions on their own behalf.
- 5.1.6. Member Associations consider the social context of their members and their connections to others who are also members of Member Associations

Member Associations are responsible for setting and maintaining professional boundaries within the organization.

## **6. Exploitation**

- 6.1. Member Associations must not exploit members, past or present, in financial, sexual, emotional or any other way.

Member Associations will not accept or offer payments for privileges, or engage in any financial transactions, apart from those detailed in their articles of association.

## **7. Confidentiality**

- 7.1. Member Associations treat with confidence any personal information about members, whether obtained directly or by inference. This applies to all verbal, written, recorded or computer stored material pertaining to the therapeutic context. All records, whether in written or any other form, need to be protected with the strictest of confidence.
- 7.2. Member Associations are responsible for protecting the member's rights of confidentiality.
- 7.3. Exceptional circumstances may arise which give the Member Associations good grounds for believing that the member will cause serious physical harm to others or themselves. In such circumstances, the breaking of confidentiality may be required, preferably with the member's permission, or after consultation with an appropriately qualified person(s)
- 7.4. Any breaking of confidentiality should be minimized both by restricting the information conveyed to that which is pertinent to the immediate situation and by limiting it to those persons who can provide the help required by the member .
- 7.5. Agreements about confidentiality continue after the member's death unless there are overriding legal considerations.

7.6. Special care is required when using specific situations for reports and publication. The author must have the member's informed consent should there be any possibility of identification of the member.

## **8. Contracts**

- 8.1. Member Associations' activities are to be undertaken only with professional intent and not casually and/or in extra professional relationships.
- 8.2. Contracts involving the members should be realistic and clear.
- 8.3. When a member is incapable of giving informed consent, Member Associations obtain consent from a legally authorised person.
- 8.4. Any publicity material and all written and oral information should reflect accurately the nature of the service offered qualifications and relevant experience of the Member Associations.
- 8.5. Member Associations are responsible for communicating the terms on which membership is being offered.
- 8.6. Member Associations will disclose any conflict of interest which may arise in relation to a member and will seek assistance to resolve the situation.

## **9. Responsibilities to look after the Member Associations**

- 9.1. Member Associations have a responsibility to themselves to maintain their own effectiveness, resilience and ability to help clients.
  - 9.2. Member Associations need to monitor their organizational functioning, and seek help or refrain from participation when their resources are sufficiently depleted to require this.
10. Member Associations have regular suitable organizational evaluations and use advice to develop organizational skills, monitor their performance and provide accountability for organizational practice. Responsibilities to other Member Associations
- 10.1. Member Associations do not conduct themselves in their Counselling-related activities in ways which undermine public confidence in either their role as Counsellors or in the work of other Member Associations.
  - 10.2. Member Associations are committed to their ethical code which will include procedures to withdraw PACFA membership for unethical practice.
  - 10.3. Member Associations who suspect misconduct by another Member Association which cannot be resolved or remedied after discussion with the Member Association concerned, should approach the appropriate professional body in their field of work.
  - 10.4. Member Associations do not solicit the members of other Member Associations. They have an obligation not to impair the work of their colleagues.
  - 10.5. Member Associations need to respect the right of the member's to seek a second opinion.

## **11. Responsibilities to the Wider Community**

- 11.1. Member Associations work within the law.
- 11.2. Member Associations take all reasonable steps to be aware of current legislation and regulations effecting their profession and their work practices.

Member Associations are committed to protect the public against incompetent and dishonourable practices, including misrepresentation and are prepared to challenge these practices.

## **12. Complaints and appeals procedures.**

- 12.1. Each member association must have a procedure to be followed in the event of a complaint of unethical conduct against a member.
- 12.2. Disciplinary procedure must include the possibility that a Member Association can be debarred from membership. This would automatically lead to the removal of the Member Association from any register for which approved organizational membership is required.
- 12.3. Each member association must have an appeals mechanism including the involvement of a person outside the counselling profession.
- 12.4. Notification of the withdrawal of a member from the association must be given to all associations on whose register the person is listed.
- 12.5. *PACFA ethics committee may receive, investigate and hear complaints against Member Associations regarding the conduct of their duties as a Professional Association in the field of counselling and psychotherapy.*
- 12.6. *Each Member Association is responsible for receiving, investigating and hearing complaints regarding the conduct of its members.*
  - 12.6.1. *PACFA as a federation of Counselling and Psychotherapy Associations, may assist in and support the process of resolution of complaints against practitioners who are members of member associations*
- 12.7. *The Member Association takes prime responsibility in receiving and hearing complaints except where the member is listed on the Australian Register of Member Associations and Psychotherapists - PACFA*
- 12.8. *PACFA Ethics committee does not accept appeals against the decision of Member Association ethics and appeal committee determinations except where there are grounds for complaint against the member Association in the fairness and due process of the conduct of the complaint.*
- 12.9. *The role of PACFA Ethics committee is to establish that a fair and open investigation was made by the Member Association, that it was done in accordance with the member Associations complaints and appeals process. And in an ethical manner.*

## **13. Submitting a complaint.**

- 13.1. *Notification of the complaint against a Member Association must be made in writing and addressed to the Chair of PACFA ethics committee.*
- 13.2. *A Case Officer will be appointed within two weeks of receipt of the written complaint.*
- 13.3. *The case officer will receive all the details of the complaint both verbally and in writing. All verbal communication with the Case Officer will be summarized to establish the main points of the complaint.*
- 13.4. *The Case Officer may speak with all he/she deems appropriate in the process of collecting all the relevant material to the complaint and the context of the complaint.*

- 13.5. *The Case Officer will advise the PACFA ethics committee of the most appropriate process for the potential resolution of the complaint. Preference will be given to mediation processes, possibly offering recommendation and assistance to both parties to find a way to move forward towards a resolution.*
- 13.6. *If it is found that procedure has been duly and satisfactorily followed and that the member Association has behaved in accordance with the code of ethics, this will be communicated to the complainant and the member association.*
- 13.7. *If the procedure followed are found to be contrary to those specified in the Code of Ethics in either detail or principle, recommendations will be made for addressing the issues or sanctions may be applied to the Member association including expulsion from the Federation.*