

ETHICAL GUIDELINES

AUGUST 2001

Preamble

The purpose of this code is to establish minimum standards of ethical practice for Psychotherapists and Counsellors for the information and protection of those using their services.

It is expected that Professional Associations to which Psychotherapists and Counsellors belong will establish their own codes which should cover the standards below. All associations which are members 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.

For the purpose of this statement, the term Counsellor is used to include Psychotherapist. The term Supervisor refers to professional Counselling supervision, rather than line management. The term Client refers to individuals, couples, families, groups, communities or supervisees, as applicable.

The guidelines are divided into two sections: Ethical Principles and Ethical Responsibilities.

Ethical Principles

- 1) Counsellors respect the essential humanity, worth and dignity of all people and promote this value in their work.
- 2) Counsellors recognise and respect diversity among people and oppose discrimination and oppressive behaviour.
- 3) Counsellors respect the privacy of their clients and preserve the confidentiality of information acquired in the course of their work.
- 4) Counsellors protect the rights of their clients including the right to informed consent.
- 5) Counsellors take steps to maintain and develop their competence throughout their professional lives.
- 6) Counsellors abide by the laws of the society in which they practice.

Ethical Responsibilities

Responsibilities to the client

1. (i) Counsellors take all reasonable steps to avoid harm to their clients as a result of the counselling process.
- (ii) Counsellors faced with situations which extend the boundary of their competence seek supervision and consider referral to other professionals.
- (iii) In the event of harm resulting from Counselling, Counsellors take responsibility for restitution. Professional indemnity should be considered in this context.
- (iv) Counsellors promote client autonomy and encourage clients to make responsible decisions on their own behalf.
- (v) Counsellors consider the social context of their clients and their connections to others.
- (vi) Counsellors are responsible for setting and maintaining professional boundaries within the Counselling relationship.
- (vii) Counsellors avoid any other relationship with their clients which is detrimental to the therapeutic process.
- (viii) If a relationship other than counselling is present, counsellors demonstrate careful consideration of ethical issues raised including power imbalance and confidentiality.

Exploitation

2. (i) Counsellors must not exploit clients, past or present, in financial, sexual, emotional or any other way.
- (ii) Counsellors will not accept or offer payments for referrals, or engage in any financial transactions, apart from negotiating the ordinary fee charged for Counselling.
- (iii) Sexual relations between the client and the Counsellor can never be acceptable and constitute unethical behaviour. This is not restricted to sexual intercourse and includes any form of physical contact, whether initiated by the client or the Counsellor, which has as its purpose some form of sexual gratification, or which may be reasonably construed as having that purpose.
- (iv) Counsellors should consider that the deeper the involvement with the client's emotional life during Counselling, the less likely is the possibility of a subsequent equal relationship following termination of therapy. Counsellors must seek professional supervision should any attempt to build a relationship with a former client be considered.

Confidentiality

3. (i) Counsellors treat with confidence any personal information about clients, 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.
- (ii) Clients must not be observed by anyone other than their Counsellors without having given informed consent. This applies both to direct observation and to any form of audio or visual transmission or recording.
- (iii) Counsellors and Supervisors are responsible for protecting the client's rights of confidentiality in the supervisory context by ensuring that shared information is disguised appropriately.
- (iv) Exceptional circumstances may arise which give the Counsellor good grounds for believing that the client will cause serious physical harm to others or themselves. In such circumstances, the breaking of confidentiality may be required, preferably with the client's permission, or after consultation with a Counselling Supervisor.
- (v) 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 client.
- (vi) Agreements about confidentiality continue after the client's death unless there are overriding legal considerations.
- (vii) Special care is required when using specific Counselling situations for reports and publication. The author must have the client's informed consent should there be any possibility of identification of the client.

Contracts

4. (i) Counselling activities are to be undertaken only with professional intent and not casually and/or in extra professional relationships.
- (ii) Contracts involving the client should be realistic and clear.
- (iii) When a client is incapable of giving informed consent, Counsellors obtain consent from a legally authorised person.
- (iv) Any publicity material and all written and oral information should reflect accurately the nature of the service offered and the training, qualifications and relevant experience of the Counsellor.
- (v) Counsellors are responsible for communicating the terms on which Counselling is being offered.

- (vi) Counsellors will disclose any conflict of interest which may arise in relation to a client and will seek supervision to resolve appropriate action which may include referral.

Responsibilities to Self as Counsellor

- 5. (i) Counsellors have a responsibility to themselves to maintain their own effectiveness, resilience and ability to help clients. They monitor their own personal functioning, and seek help or refrain from Counselling when their personal resources are sufficiently depleted to require this.
- (ii) Counsellors do not counsel when their functioning is significantly impaired by personal or emotional difficulties, illness, alcohol, drugs or any other cause.
- (iii) Counsellors have regular suitable supervision and use such supervision to develop counselling skills, monitor performance and provide accountability for practice.

Responsibilities to other Counsellors

- 6. (i) Counsellors 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 counsellors.
- (ii) Counsellors are committed to the ethical code of their Professional Association which will include procedures to withdraw membership for unethical practice.
- (iii) Counsellors who suspect misconduct by another Counsellor which cannot be resolved or remedied after discussion with the Counsellor concerned, approach the appropriate professional body in their field of work.
- (iv) Counsellors do not solicit the clients of other Counsellors. They have an obligation not to impair the work of their colleagues. Nevertheless, Counsellors need to be aware of the client's right to seek a second opinion.

Responsibilities to the Wider Community

- 7. (i) Counsellors work within the law.
- (ii) Counsellors take all reasonable steps to be aware of current legislation affecting their work.
- (iii) Counsellors are committed to protect the public against incompetent and dishonourable practices and are prepared to challenge these practices.

Complaint Procedure

- 8. (i) Each member association must have a procedure to be followed in the event of a

complaint of unethical conduct against a member.

- (ii) Disciplinary procedures must include the possibility that a Counsellor can be debarred from membership. This would automatically lead to removal from any Counselling register for which approved organisational membership is a requirement.
- (iii) Each member association must have an appeal mechanism including the involvement of a person outside the Counselling profession.
- (iv) Notification of the withdrawal of a member from an association following complaint must be given to all associations on whose register the person is listed.