

Code of Ethics

Last reviewed August 2018



The Code of Ethics of the New Zealand Association of Psychotherapists broadly defines the conduct that clients and the general public can expect from Members and Provisional Members of the Association. It also articulates the core principles and values of the Association and, in this way, provides a guide for responsible practice.

Inherent in this Code are five principles which constitute the main domains of responsibility within which ethical issues are considered.

- **Autonomy:** respect for the client's and the therapist's right to be self-governing.
- **Beneficence:** a commitment to act in the best interests of the client.
- **Non-maleficence:** a commitment to avoid harm to clients.
- **Justice:** a commitment to the fair and equitable treatment of clients under the Te Tiriti O Waitangi to Tangata Whenua, Pakeha, and Tauwiwi, providing fair and equitable treatment for all people regardless of age, gender, sexual orientation, ethnicity, religion, disability, and socioeconomic status.
- **Interdependence:** a commitment to maintain relationships of reciprocity and respect with all living beings including, the natural environment.

Central to the ethics of psychotherapy in Aotearoa/New Zealand are the additional values of:

- Integrity;
- Trust;
- Respect.

This Code of Ethics takes these as guiding principles, providing a positive model for the practice of psychotherapy.

The Association recognises the bicultural basis of Aotearoa New Zealand society and is committed to fostering the spirit and upholding the principles of the Te Tiriti O Waitangi. The Association further affirms that the mental health and well-being of clients is intimately related to the wider social context in which they live and seeks to promote this view in the community at large and to challenge actively those policies and practices that cause clients harm.

This Code of Ethics holds that a psychotherapist's primary obligation is to the welfare of clients. This first priority is followed by responsibility to self, colleagues, the profession, the community, the psychotherapist's employing institution and the environment. The challenge of working ethically means that psychotherapists will inevitably encounter situations where there are competing obligations. This ordering of responsibilities is helpful in determining professional priorities and in resolving disputes involving conflicting interests.

The Code of Ethics is intended to encompass all spheres of a psychotherapist's practice. It is intended to guide and regulate those activities a psychotherapist engages in by virtue of being a psychotherapist and the activities of psychotherapists working in other contexts where they are employing psychotherapeutic techniques.

Personal behavior becomes a concern of the profession only if it is of such a nature that it undermines public trust in the profession as a whole or if it raises questions about the psychotherapist's ability to carry out appropriately their responsibilities as a psychotherapist.

Competent practice is the individual responsibility of every psychotherapist, whether working with clients, supervisees or trainees. By accepting this statement of ethics, members of the Association are committing themselves to engaging with the ethical challenge. Association policies on supervision, training and personal psychotherapy are designed to assist this.

Spirit of the Code

This Code cannot cover every potential ethical, conduct or competence related concern. Psychotherapists must therefore depend on their own thoughtful evaluation of specific principles and the spirit expressed in these statements.

The psychotherapist commits to engage with the challenge of striving for ethical practice and conduct, even when doing so involves making difficult decisions or acting courageously.

1. Psychotherapists' responsibilities to clients

- 1.1 Value client well-being. Psychotherapists shall hold the needs and well-being of clients as a paramount concern and accord priority to the psychotherapeutic aspect of their relationships with clients.
- 1.2 Practise non-discrimination. Psychotherapists shall be sensitive to diversity and shall not discriminate on the grounds of colour, creed, ethnicity, gender, sexual orientation, age, disability, social class, religion or political belief.
- 1.3 Be responsive to cultural diversity and seek training and guidance to ensure competent and culturally safe practice.
- 1.4 Ensure informed consent. Psychotherapists shall seek to ensure that the client is willingly engaging in psychotherapy and has an adequate understanding of the process to be undertaken.
- 1.5 Practise respectfully. Psychotherapists shall have respect for the uniqueness and dignity of clients and shall treat them with courtesy and fairness.
- 1.6 Maintain client confidentiality. Psychotherapists shall hold client information in confidence, taking the law into account. Since considerations of safety or legal obligations may on occasion override confidentiality, psychotherapists shall discuss these limits with clients. If conducting psychotherapy electronically, psychotherapists shall notify clients of the inherent limitations to ensuring security of communications.
- 1.7 Respect client privacy. Psychotherapists shall respect the client's right to privacy.
- 1.8 Practise in a safe context. Psychotherapists shall practise in surroundings that support safe practice.
- 1.9 Foster self-determination. Psychotherapists shall foster client self-determination and choice, except where these may cause harm to self or others.
- 1.10 Protect client well-being. Psychotherapists shall have regard for the needs of clients who are unable to exercise self-determination or to ensure their own personal safety and act to protect the clients' best interests, rights and well-being.
- 1.11 Maintain client anonymity. Psychotherapists shall preserve the anonymity of clients when clinical material is used in education, training, research or publications, unless prior informed consent has been gained.
- 1.12 Facilitate client access to services. While psychotherapists may exercise the right not to accept a client, they will ordinarily take reasonable steps to ensure that the client has information regarding access to colleagues or other services.

- 1.13 Practise impartiality. Psychotherapists shall strive to be impartial and offer their services without favouritism or bias when dealing with more than one party.
- 1.14 Practise safely. Psychotherapists shall take reasonable steps to ensure that clients, whether in individual, family or group settings, suffer neither physical nor psychological harm during the conduct of psychotherapy, accepting that considerable distress may be an inevitable part of the process.
- 1.15 Practise non-exploitatively. Psychotherapists shall recognise the power imbalance in the psychotherapeutic relationship and shall not abuse this power, nor exploit the relationship with the client for personal gain or gratification.
- 1.16 Maintain appropriate sexual boundaries. Sexual relations and any behaviours or comments by psychotherapists which might reasonably be interpreted as being sexually demeaning, harassing or as a sexual advance, are unethical.
- 1.17 Abstain from sexual relations with clients. The establishment of a sexual relationship between psychotherapist and client is unethical.
- 1.18 Abstain from sexual relations with former clients while the dynamics of the psychotherapy relationship can reasonably be expected to influence personal decision making and the relationship in an ongoing manner.
- 1.19 Terminate psychotherapy with care. Psychotherapists shall terminate their services to clients in a suitably professional manner.
- 1.20 Psychotherapists shall make provision for alternative professional care in the event of the therapist's suddenly becoming unable to work.

2. Psychotherapists' responsibilities to self, colleagues and the profession

- 2.1 Uphold professional integrity. Psychotherapists shall aspire to high professional standards and conduct themselves in ways that uphold the integrity of their profession.
- 2.2 Acknowledge limits of practice. Psychotherapists shall acknowledge the limits of their skills and methodologies and refer clients or supervisees to others when appropriate.
- 2.3 Portray themselves honestly. Psychotherapists shall accurately portray their qualifications and experience.
- 2.4 Practise self-care. Psychotherapists shall have regard for their own health and well-being so as to ensure that their standards of practice are not impaired.
- 2.5 Continue professional development. Psychotherapists shall continue to develop their professional knowledge and skills, through clinical supervision as well as by other educational means.
- 2.6 Be respectful of colleagues. Psychotherapists shall be respectful of colleagues, supervisees and trainees and shall treat them with courtesy and fairness.
- 2.7 Respect the practice of colleagues. Psychotherapists shall not solicit the clients of colleagues and shall not assume responsibility for another psychotherapist's client without encouraging appropriate communication with the colleague concerned.
- 2.8 Respect collegial confidences. Psychotherapists shall respect the trust placed in them by colleagues, supervisees and trainees and not misuse information given in confidence.
- 2.9 Maintain appropriate boundaries. Psychotherapists shall be responsible for setting, monitoring and maintaining clear boundaries between psychotherapeutic, supervisory, training and other relationships.
- 2.10 Psychotherapists shall seek to maintain the anonymity of supervisees or trainees when clinical material is used in education, training, research or publications, unless prior informed consent has been obtained.
- 2.11 Psychotherapists and trainees should work within existing ethical frameworks when conducting research e.g. those used within academic institutions,
- 2.12 Abstain from sexual relations with current supervisees/trainees.

- 2.13 Assist unwell colleagues. Psychotherapists who become aware of a colleague's ill-health compromising the care of clients, supervisees or trainees have a duty to assist the colleague to receive appropriate help.
- 2.14 Act upon unethical behaviour. Psychotherapists shall have a responsibility to clients and to the profession to initiate appropriate action if they become aware of unethical behaviour by a colleague.
- 2.15 Maintain knowledge of relevant law. Psychotherapists shall be familiar with current law affecting their practice. (We may add a list of relevant laws at the end.)

3. Psychotherapists' responsibilities to the community

- 3.1 Honour Te Titiriti O Waitangi. Psychotherapists shall respect the values and beliefs of the Tangata Whenua and shall equip themselves to understand how the principles of Te Tiriti o Waitangi can influence and guide the practice of psychotherapy.
- 3.2 Be legally responsible. Psychotherapists shall practise within the law.
- 3.3 Promote non-discrimination. Psychotherapists shall seek to promote non-discrimination in the wider community.
- 3.4 Promote equity. Psychotherapists shall seek to improve social conditions through the fair and equitable distribution of community resources.
- 3.5 Cultivate and maintain high principles, practice and ethics, and to conduct themselves fairly and honorably in their psychotherapy practice

4. Psychotherapists' responsibilities to employing institutions

- 4.1 Uphold professional standards. Psychotherapists shall avoid compromising their professional standards when these conflict with institutional requirements.
- 4.2 Promote quality services. Psychotherapists shall seek to maintain and improve the policies and quality of service in institutions or agencies in which they work, using as a guide the standards of practice expected by the Association.

Disclosure responsibilities

A psychotherapist will promptly notify the Association about any criminal charges, disciplinary procedures, or civil claims brought against them. This information will be kept confidential to the Chair of the Ethics Committee and the President. It would only be used in any future disciplinary action and the person would be informed and consent would be sought before the information would be relied on.

Attached:

The process of applying ethical principles for effective decision making

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Ongoing professional development for psychotherapists

Review knowledge base of ethical principles & virtue ethics.

Foster ethical sensitivity (developing personal qualities)

Review values, motives, use of power, blind deaf and dumb spots.

Develop and maintain capacities of empathy, reflection, active listening, self-care, and being in relationship with other.

Process of consideration of an ethical issue

Individual

What is your gut/intuitive/**emotional** response? What **value bases** have you used to respond to this issue? And what other value bases might be useful? What **ethical principles** are of concern here from the NZAP Code of Ethics? Consider making a priority list of which principle comes first in this case.

Open out the **empathic circle**. Consider each person in the drama and look at what is happening from their perspective. Is each person being treated fairly?

Consider the need to accept the **complexity** of the situation (i.e. there is not one solution, the context is what makes a situation complex).

Clarification of the reasoning process: is the problem clear, do you have all the information you need?

In consultation

Go through all the steps with a supervisor, with colleagues, with psychotherapist.

Discuss the action steps you propose.

What might be the consequences?

What might stop you taking action?

Ø **Activity** – Am I carrying out activities that a psychotherapist engages in by virtue of being a psychotherapist or am I engaged in another work context but employing psychotherapeutic techniques?

Ø **Publicity** – Would I want this ethical decision or approach announced on the front page of a major newspaper?

Ø **Universality** – Would I make the same decision for, or take the same approach to, everyone? If every psychotherapist made this decision or took this approach, would it be a good thing?

Ø **Justice** – Is everyone being treated fairly by my decision or approach?

Taking action

Review consequences with supervisor

Find safe place to review, reflect and take the space to learn from experience

If the action step was taken without discussion, and reflection (i.e. in intuitive mode) then reviewing consequences is doubly important.

References

Solomon, M. (2012-2017). AUT teaching notes for PSYT819, Advanced Psychotherapy Clinical Issues.

Carroll, M., & Shaw, E. (2012). Ethical maturity in the helping professions: Making difficult life and work decisions. Victoria, Australia: Psychoz Publications.

Canadian Counselling and Psychotherapy Association Code of Ethics.