

UKCP Draft Code of Ethics

Consultation: 1 June – 7 September 2018

The seven principles

These are the principles UKCP expects practitioners to honour and uphold:

- **Avoiding harm**
- **Benevolence**
- **Candour**
- **Competence**
- **Honesty**
- **Human rights and social justice**
- **Personal accountability**

Thinking Ethically, Acting Ethically

UKCP Code of Ethics

Introduction

Professional practice involves making judgments – about the needs of clients¹, about the appropriate approach to take in each case, about how to respond to new information and developments as therapy progresses.

UKCP's Code of Ethics (the Code) identifies what we regard as the essentials of ethical conduct. A high degree of professional training and development is required of practitioners² to prepare them for the complexity of psychotherapeutic practice and to ensure the public's trust is well-founded. This document:

- supports practitioners of differing modalities and challenges them to deliver the best services they can, so their clients can have confidence in them
- encourages practitioners to adopt a critical-reflective approach, leading from awareness to action and incorporating learning in practice
- sets out the specific standards for ethical conduct required of practitioners

Practitioners are continually making judgments about the complexity of their relationships and interactions with clients. There may well be, in particular circumstances, a range of acceptable responses to a question of professional ethics. Practitioners must exercise judgment, recognising that they must always be prepared to account for and justify such decisions.

All practitioners, for the sake of their clients and also in pursuit of their own professional development and continuous learning process, must be actively aware of professional ethics and engage in critical discussion on a variety of issues important to psychotherapeutic practice.

We encourage practitioners to identify subjects where our guidance may need to be clarified, modified or developed, or where new guidance appears to be needed.

¹ We use the term 'client' to include all kinds and types of users of therapy - not only individuals, but also couples, families or groups who seek the help of practitioners – and whatever their contractual relationship with the practitioner.

² We use the term 'practitioner' to mean a UKCP registrant who practises psychotherapy or psychotherapeutic counselling. Those working towards registration must learn to abide by the Code as they will be subject to it when registered.

How this document is organised

This document is divided into three parts and an Appendix:

- *Part A: A Vision of Psychotherapeutic Practice*
This provides a vision of what psychotherapeutic practice is and can achieve in general terms. It describes the values, attitudes and approach to practice that engaged and ethically-aware practitioners need to possess to deliver the good that is psychotherapy.
- *Part B: Principles for Ethical Practice*
This sets out specific standards of ethical conduct for practitioners. Allegations of misconduct or unprofessional practice will be assessed against the principles contained within this section, and practitioners should be able to demonstrate regular engagement with, and adherence to, the standards.
- *Part C: Questions for Various Areas and Issues of Practice*
This section presents a series of issues and questions to assist practitioners in critically addressing particular areas of practice. We will keep these under review and regularly update them on the UKCP website. We encourage all UKCP members to identify further issues and questions for possible inclusion in this part of the guidance.
- *Appendix: An Approach to the Process of Addressing Ethical Issues and Dilemmas*
This contains a suggested structure which may help practitioners to nurture critical ethical awareness so that learning is advanced and incorporated into ongoing practice.

How to use this document

If you are a **practitioner**, you must ensure you are familiar with the Code and the ways it applies to you, and be able to account for your practice in relation to it. You should actively and regularly engage with the vision, principles and questions we have set out, and be able to evidence, if required, that you have done so. You may use a variety of means such as discussions with, and feedback from, peers, supervisors, clients and the public, keeping a log, attending relevant training events, and engaging in other developmental activities.

If you are a **client or other member of the public** you will find here a clear picture of what we see as ethical practice. It will show you the standards to which practitioners aspire. If, reading this Code, you cannot see that picture reflected in your experience of psychotherapy or psychotherapeutic counselling, or if you have any doubts about the treatment you or others are receiving, you may find it a useful way of beginning a discussion with a practitioner or of initiating a complaint.

If you are a **supervisor, employer, or secondary user** of the guidance, (for example, a member of a complaints committee or of the ethics committee of a UKCP college), you may find it helpful to use this document when addressing questions of ethical conduct.

Psychotherapeutic modalities

Psychotherapy is practised in a number of different ways, or modalities. UKCP recognises and respects this diversity. This code applies to all modalities, and is compatible with the more specific ethical guidance published by the modality colleges.

Practitioners must consult and comply with their college and/or organisational member's ethical and practice standards as well as with UKCP's Code.

Part A: A vision of psychotherapeutic practice

1. *What is the aim of psychotherapy and psychotherapeutic counselling?*

Psychotherapy and psychotherapeutic counselling are special forms of professional helping relationships in which a client and practitioner collaborate to improve the client's psychological well-being, or couples/families collaborate to look at the impact of relationships on well-being. The arrangements are designed to facilitate the exploration of the client's personal issues at an intimate level. This may include thoughts and feelings experienced by the client towards the practitioner which may illuminate features of the client's relationships with people significant for them, past and present.

Psychotherapeutic practice aims to assist people in learning more about themselves, their difficulties, and the causes of their problems alongside possible solutions. This can lead to changes in behaviour and relationships, improvements in symptoms such as those arising from anxiety and depression, and recovery in emotional well-being, social integration and mental health.

By enhancing understanding of self, others and past history, psychotherapy can empower clients to develop and experience life and living in more confident, engaged ways.

2. *What qualities are possessed by a practitioner who thinks ethically and acts ethically?*

The vision and values of psychotherapy are given reality by practitioners' attitudes, character, behaviours and practices.

Practitioners who think ethically and act ethically:

- make the care of clients their first concern.
- are reflective, self-critical, non-judgmental, aspirational, adaptable and flexible.
- are always seeking to develop and do better, more effective and efficient work.
- respect clients' autonomy and self-determination, striving to assist them in expressing their thoughts and feelings to promote self-understanding and agency .
- avoid imposing themselves, their thoughts and feelings, on clients.
- engage in collaboration and negotiation from a position of expertise.
- are robust enough to tolerate and work with uncertainty and anxiety, to bear the emotional pain and disturbance of hearing about clients' experiences, and know when their limits for either have been reached.
- understand their own limitations and seek to enhance their competence, skills and self-knowledge through self-reflection and continuing developmental activity.
- manage the risk of harm to clients, themselves and others.
- recognise the power dynamic in the therapeutic relationship and manage conflict in a professional manner.

- seek advice about professional conduct issues they observe in their own or colleagues' practice.
- acknowledge and act when they are not fit for practice, perhaps through illness or bereavement.
- continue to develop by engaging in appropriate supervision³ and seeking advice and guidance.
- use treatments for which there is a sound basis, paying attention to clinical outcomes.
- take opportunities for training, education and professional development.

They regularly and self-critically review their practice in relation to ethical implications and issues, addressing questions such as:

- Do you recognise the picture of therapy presented in the Code, and are you demonstrating all or most of the qualities described?
- Are you being the best and most effective practitioner you can be?
- What are you doing to acquire and hone these qualities so you have confidence in yourself, as can your clients?
- If you are not moving towards aspects of this ideal, do you have good reasons for not doing so?
- Can you account for deviations in your practice in a way that is justifiable before your peers, supervisors, and clients?

Practitioners must engage actively with this Code and other relevant ethical guidance specific to their practice. They should be able to give an appropriately evidenced account of how they work with this as part of their commitment to ethically-informed, ethically-aware practice.

In the context of complex professional practice and judgment, practitioners must take a broad view of the concerns and issues they face, embracing the principles and intentions of the Code and acting upon them, individually and together.

³ UKCP has published material on supervision.

Part B: Principles for Ethical Practice

This part of the Code contains the foundation standards of ethics and conduct which UKCP expects of all practitioners, and which must be followed by them at all times, whatever their modality of practice and whether they meet clients in person or online. Should a question arise about a registrant's practice, it is against these standards that it will be judged under the Conduct and Complaints Process.

Practitioners must ensure they are aware of the Code, as well as other ethical guidance published by UKCP, its modality colleges and organisational members. UKCP will take account of these ethical framework documents in assessing concerns raised about an individual.

As part of the ethical framework, UKCP publishes documents from time to time which contain guidance on various topics such as safeguarding, research, torture, working online and other matters. Such documents contain advice about good practice which practitioners should follow unless circumstances indicate a need to depart from that advice, in which case they may be called upon to justify their actions.

The seven principles are of equal importance so we list them alphabetically. They naturally overlap and interlink and they underpin the whole Code. In light of them practitioners must always be prepared to make judgments, seeking the advice of an experienced colleague or supervisor as necessary.

The seven principles

Avoiding harm

The duty of care is central to professional practice. Your overriding priority must be to avoid harm and damage to clients.

Benevolence

The object of therapy is to exercise professional knowledge and skills so as to do good.

Candour

You must be open and transparent with all relevant people. When things do not proceed as they should, you should be proactive in providing information about what has happened. You must provide full, truthful information, give reasonable support and, where appropriate, apologise.

Competence

You must ensure you are capable of delivering the standards of competence appropriate to your area(s) of practice, education or research, and that your standards of proficiency and performance match your competence.

Honesty

Professional relationships are founded in trust. Trust will be compromised if there is not honesty on both sides. You must justify the trust placed in you, and in the profession, by acting with honesty and integrity at all times.

Human rights and social justice

You must act in all circumstances to promote equality and celebrate diversity.

Personal accountability

You are personally accountable for your conduct, actions and professional practice.

Ethical Principles

The seven principles underpin the whole Code. In the numbered points below, the Code of Ethics sets out the things we regard as central to ethical practice. As a practitioner you will:

Best interests of clients

1. Make clients your first concern, treat them with respect, and promote their long and short term wellbeing.
2. Respect your client's autonomy.
3. Act in a dependable and reliable way, managing the risk of harm to clients, yourself and others.
4. Act in your client's best interests when providing therapy.
5. Challenge practices and arrangements that might not be in a client's best interests.
6. Pay special attention to the particular issues that arise in providing therapy for children⁴ and others whose autonomy may be diminished.
7. Do not have sexual contact with clients.
8. Do not exploit or abuse your relationship with clients for your emotional, physical or financial gain.
9. Do not collude in harmful or exploitative relationships of clients.
10. Recognise that your professional and personal conduct may have both positive and negative effects on the way they are experienced by a client. You must, in a continuing process, critically examine the impact these effects may have on a psychotherapeutic relationship. Your highest priority must be to preserve the client's psychotherapeutic best interests.

Disclosure and Professionalism

11. Disclose to clients any conflict of interests and ensure that this is not a bar and can be managed without detriment.
12. Do not accept any gifts, favours, money or hospitality that might be interpreted as exploitative or being outside the standard practice agreement.
13. Declare any interest that has a bearing on any professional opinion you offer, or which could be perceived as compromising your professional judgment.
14. Be aware of the power imbalance between practitioner and client, and avoid dual or multiple relationships⁵ which could cause harm by compromising professional judgment. If a dual or multiple relationship is unavoidable, for example in a small community, take responsibility for clarifying and managing boundaries and protecting confidentiality.

⁴ Legally, a child is anyone under the age of 18.

⁵ Such relationships could be social or commercial relationships between practitioner or client, or a supervisory or training relationship running alongside the therapeutic one.

15. Exercise all reasonable care before entering into a personal or business relationship with former clients, taking into account the time that has elapsed since therapy ended. Should such a relationship prove to be detrimental to the former client, you may be called to answer a charge of misusing your former position.

Communication and consent

16. Be open, frank and truthful, communicating information readily, willingly, accurately and in language which others can understand.
17. Provide in your advertising, and on request, a clear statement of the qualifications relevant to your field of practice and your UKCP registration, and advertise your services accurately and in a responsible and professional manner, without exaggeration.
18. Do not use clients' testimonials in advertising or make any claims which you cannot demonstrate to be true.
19. Be open and honest about your qualifications, training, expertise, competence and practice, and be accurate in your use of professional titles and post-nominal letters, indicating whether these are medical or academic qualifications relevant to the practice of psychotherapy or psychotherapeutic counselling.
20. Confirm each client's consent through a clear contract at the outset of therapy. Review it regularly as therapy proceeds.
21. Explain to a client, or prospective client, your terms, fees and conditions and, on request, clarify other related questions such as likely length of therapy, methods of practice to be used, the extent of your own involvement, complaints processes and how to make a complaint, as well as arrangements for referral and termination processes.
22. Discuss with the client in advance, wherever possible, any proposed changes in the therapeutic relationship and arrangements, for example if you plan to retire or to spend some time out of practice.
23. Ensure clients understand the nature of any proposed therapy and its implications, what to expect, the risks involved, what is and is not being offered, and relevant alternative options. Respect and support people's right to accept or decline therapy and to remain fully involved in decisions about their care.
24. Cooperate and share knowledge and expertise with professional colleagues for the benefit of clients and other professionals.
25. Participate in research only with the client's consent and in accordance with relevant codes and guidance. Recognise that the precise means of consent you use will vary according to the type of client involved and research undertaken. Pay particular attention to any additional guidance or special considerations which may apply to specific groups, such as children and young people.
26. Ensure that, in all forms of communication in which you offer professional opinions or judgments as a practitioner, you are identifiable by the name which appears in your UKCP register entry.

Records and confidentiality

27. Respect, protect and preserve clients' confidentiality. You must protect sensitive and personally identifiable information obtained in the course of your professional work.
28. Make notes appropriate to the modality of therapy being practised, and keep records which are factually accurate, complete, legible and timely.
29. Keep clients' information confidential, subject to legal and ethical requirements, and discuss it only within appropriate professional settings.
30. Notify clients, when appropriate or on request, that there are legal and ethical limits to confidentiality, and circumstances under which confidential information might have to be disclosed to a third party.
31. Comply with all legal requirements for the retention and use of personal data obtained during the course of therapy.⁶ Ensure the information you collect and store is used only for purposes compatible with its original purpose and is not disclosed to third parties unless there are overriding circumstances in which using it in another way is justifiable.
32. Obtain clarification, including legal or ethical advice, of the potential impacts on maintaining client confidentiality if you are required to serve in judicial or administrative proceedings, or are asked to release information in connection with such proceedings, even when the client has given consent.
33. Safeguard the welfare and anonymity of clients when any form of publication of clinical material is being considered and always obtain valid consent in any case where the welfare or anonymity of a client may be compromised. This includes situations where a client or former client might recognise themselves in case material despite the changing of names or actual circumstances.

Professional knowledge, skills and experience

34. Offer only the forms of therapy in which you have had adequate training and experience.
35. Understand the limits of your competence and stay within them in all your professional activity, referring clients to another professional when appropriate. This includes recognising that particular groups, such as children, have needs which not all practitioners are equipped to address.
36. Ensure continuing ability to practise by securing supervision and ongoing professional education and development sufficient to meet the requirements of UKCP, its modality colleges and its organisational members.
37. Ensure that you do not work with clients if you are not able to do so for physical or mental health reasons, or when impaired by the effects of drugs, alcohol or medication.
38. Make considered and timely arrangements for the termination of a therapeutic relationship, or if you are unable to continue to practise, ensuring that clients are informed and alternative practitioners are identified where possible.

⁶ UKCP has published guidance on the implications of the data protection legislation.

39. Have arrangements in place for informing clients and, where appropriate, providing them with support, in the event of your illness or death.

Social responsibility

40. Uphold human rights, promote equality and respect diversity, practise self-enquiry, and challenge prejudice or improper discrimination in yourself or others⁷.
41. Undertake not to allow prejudice about a client to adversely affect the way you relate to your client. This includes prejudice in relation to protected characteristics⁸ as well as others including lifestyle or social, economic, or immigration status.
42. Avoid behaviour that might be perceived as abusive or detrimental to any client or colleague.
43. Advocate access to services, and maintain active awareness of social factors which impinge on the therapeutic setting.

Accountability and candour

44. Act in all circumstances in a way which upholds the profession's reputation and promotes public confidence in the profession and its members.
45. Build your practice upon sound guidelines and take responsibility for all aspects of it which are within your control, demonstrating the ability and willingness to articulate a rationale for what you do.
46. Notify clients of this and any other codes of ethics and practice which apply to you, and of the complaints procedures to which you are subject.
47. Maintain a reasonable awareness of, and comply with, all legal and professional obligations which apply to your practice.
48. Ensure that any public communication in which you take part, and in particular your participation in social media, is carried out in a manner consistent with this Code.
49. Understand your legal responsibilities concerning the rights of children and vulnerable adults and take appropriate action should you consider any such person is at risk of harm.
50. Ensure that you are familiar with and understand UKCP's published guidance on Safeguarding.
51. Challenge questionable practice in yourself or others, reporting to UKCP potential breaches of this Code, especially where there may be ongoing harm to clients or you judge clients to be at risk of harm.
52. Ensure that your professional work is adequately covered by appropriate indemnity insurance or by your employer's indemnity arrangements.
53. Acknowledge mistakes and be willing to apologise for them, and co-operate with any lawful investigation or inquiry relating to your psychotherapeutic practice.

⁷ UKCP has published guidance on equality, diversity and inclusion

⁸ Protected characteristics are defined within the Equality Act 2010.

54. Inform UKCP and any relevant organisational member if you are:

- a. convicted of a criminal offence, receive a conditional discharge for an offence, or accept a police caution;
- b. disciplined by any professional body or membership organisation responsible for regulating or licensing a health or social care profession; or
- c. suspended or placed under a practice restriction by an employer or similar organisation because of concerns relating to your competence, health or practice of psychotherapy.

Part C Questions for various areas and issues of Practice

Practices, modalities and contexts are different. So the way in which this part of the Code seeks to promote engagement with ethics is by making available lists of ethically-relevant questions on topics covering a variety of key issues relating to therapeutic practice. These topics and sets of questions will be added to and regularly revised by the Ethics Committee, facilitating a dynamic ethical conversation within UKCP and its members.

Evidencing engagement with these topics and questions where they are relevant to a practitioner's work is an important part of actively engaging with the vision and principles set out in this and other documents which form the ethical framework.

Practitioners are asked to do two things:

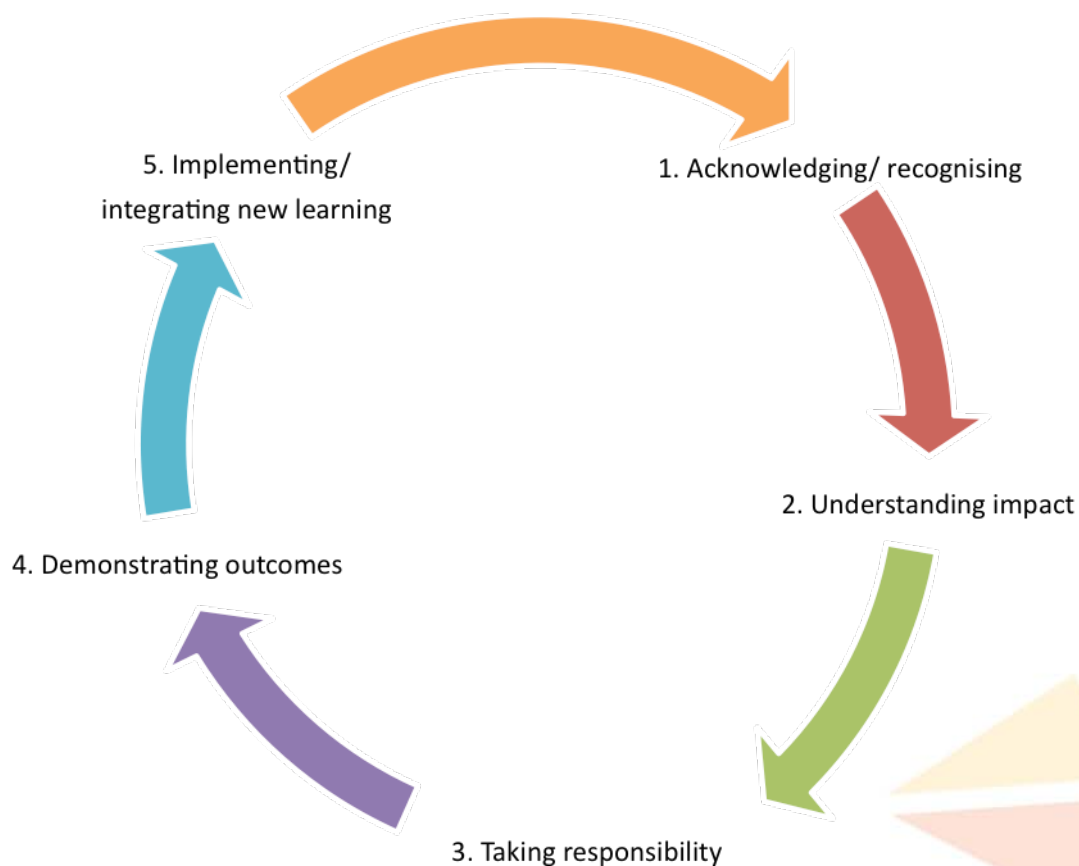
1. Look at the list of topics regularly and select the topics that are relevant to their situations, responding as they may to the questions that pertain to their practice. The topics and questions can be found on the UKCP website: <http://www.psychotherapy.org.uk/>
2. Suggest new topics and lists of questions to the Ethics Committee, and to suggest amendments to existing ones to make them more useful. The Committee can be contacted via ethics@ukcp.org.uk or via the Ethics page of the UKCP website.

Appendix

An Approach to the Process of Addressing Ethical Issues and Dilemmas

This Appendix offers one possible way of helping practitioners to actively engage with and learn from addressing ethically-related issues in practice. You do not have to use this specific method to engage with ethical issues or with the Code. However, it might be helpful.

Here is a series of steps giving practitioners some direction when addressing ethically related issues and dilemmas. They will help you to think through how to get from issue to resolution. This process can be useful when considering dilemmas, but also can be useful in talking with clients who feel they have not been treated as they would have hoped, or have an issue that they would like to raise with you. It embodies the ‘reflective, ethically aware practitioner’ approach, which moves from awareness to action. It is based on the quality cycle which moves from recognition to learning to sustained change of practice for self and others.



The steps are:

1. Acknowledging and recognising the situation

What are the key ethical issues?

Which of the seven principles of the UKCP Code are pertinent when considering this dilemma:

- Avoiding harm
- Benevolence
- Candour
- Competence
- Honesty
- Human rights and social justice
- Personal accountability

2. Understanding impact

Have you, where appropriate, been able to have a full and open discussion with the client?

Have you secured any necessary additional information?

Have you consulted with colleagues, or a supervisor?

Have you discussed this dilemma with a professional organisation or adviser?

What are the effects of the dilemma on the client, and practitioner?

How can the ethical principles be applied in this circumstance?

Does this situation pose any conflicts between any of the principles and how these might now be addressed and resolved?

3. What are the potential risks and benefits of this resolution?

How will you take responsibility for rectifying this situation?

How will the dilemma/issue be resolved?

What do your feelings and intuitions tell you to do?

How can your values best show caring for the client?

How will your decision affect others in this ethical dilemma?

Have you had the opportunity to discuss this resolution with a supervisor?

What is the best way to proceed from here?

4. Demonstrating that appropriate outcomes have been reached

Can you demonstrate that an appropriate outcome has been achieved?

Have you been able to document your journey?

How will your practice change as a result of this process?

5. *Implementing and integrating new learning into practise*

How might others benefit from your learning so that colleagues and the whole profession learns and develops?

How can you disseminate your learning?

Might your learning be shared in a clinical forum or published?