



Report 2013-2015

of the

Board of Ethics

**To the EFPA General Assembly in Milano on
July 11-12, 2015**

Report 2013-2015

Executive summary

The Board of Ethics (BoE) met four times (October 2013 in London / March 2014 in Riga/ October 2014 in Brussels and March 2015 in Porto) and undertook a range of work as planned following approval of the 2013 General Assembly Stockholm. This has included review of association's ethical codes, contribution to symposia and congresses and development of guidelines for practice.

Changes in the membership of the BoE were : for the active members : Catherine Wieder replaced by Anne Andronikof (France), Rui Pedro de Oliveira replaced by Miguel Ricou (Portugal), Tony Wainwright replaced by Kate Bullen (UK) and Dimitris Perperis replaced by Katalin Todor-So (EFPSA); for the corresponding members : Mario Adonis replaced by Xenia Georgiadou (Cyprus), Virva Siira replaced by Tuija Holm, Rasa Barkauskiene replaced by Ilona Cesniene (Lithuania); new members arrived : Artemis Giotso for Greece, Nino Dazzi for Italy, Iulian Laurentiu Stefan for Romania and Alla Shaboltas for Russia. In 2015 there are 27 members in the BoE : 22 active and 5 corresponding.

Activities

1. Model Code

To understand clearly what the EC wished, we met during our meetings Robert Roe (In Brussels 2014) and Edward Van Rossen also in Brussels. The main topic on the agenda during our four meetings was to achieve the proposition of a Model Code taking in account the remarks from the EC and also from some countries and other boards/task forces. After our last meeting in Porto, we send a proposition to the EC (see annex 1).

2. Recommendations concerning complaints

It appeared clearly that the three texts of recommendations were too long

- 1. Recommendations on Evaluative Procedures and Corrective Actions in Case of Complaints about Unethical Conduct**
- 2, Appendix A model for evaluative procedures and disciplinary actions in case of complaints about unethical conduct**
- 3. Memorandum on possible Member Associations' actions against members being censured by another Member Association**

and the BoE worked out a simplified proposition (see annex 2).

3. Ethics track : since the ECP in Istanbul 2011, the BoE organizes during the ECP the Ethics track : the aim is to provide a unique experience to follow various presentations on ethics in a frame that takes place each day in the same place and time and could enable attendees to follow specific ethics related discussions. We prepared the Ethics track for ECP2015 in Milan.

4. Symposia : the BoE took part to the preparation and the presentation in two symposia : “European Ethics in Psychology and Education” Riga 28th March 2014 and the “European Conference on Ethics and Psychology” Porto 13th March 2015.
5. Revision of codes : we are involved in the work concerning the redaction of a Latvian code.
6. Research in Ethics: we prepare a proposition of empirical study concerning ethics.
7. Glossary : we are also working on a glossary concerning ethics.
8. We developed a important place on the website of EFPA, see : <http://www.efpa.eu/ethics/board-of-ethics>

Meetings (see executive summary)

Information & recommendations for GA & Member Associations

The General Assembly is asked to take notice and accept the following proposals:

1. Model Code
2. Document concerning complaints

Members of the group:

Pierre Nederlandt is the convenor of the board. The national representatives are:

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Annex 1 to be approved by GA

Model Code of Ethics

1. Introduction

The profession of Psychology is underpinned by ethical values which are shared by psychologists across Europe and internationally. The shared values include justice, equality, and respect for the autonomy and dignity of the individual and their communities. These values are implemented through principles that seek to improve the quality of life of citizens and act in their best interests. To that end the European Federation of Psychologists' Associations have produced this Model Code. The Code aims to reflect the shared understanding of the values of its member organizations. It seeks to provide principles and guidelines by which individual psychologists and organizations can inform the practice of psychology and enhance professional competence. The values of the model code may be considered based on the values of the European convention on human rights http://www.echr.coe.int/Documents/Convention_ENG.pdf

The *general purpose* of the Model Code is to promote a greater convergence amongst ethical practice and processes in European countries. Psychologists in Europe, regardless whether they are members of a particular Member Association, and regardless of the country of practice, should be subject to the same ethical principles. This model code also includes proposed guidelines on investigative procedures and sanctions.

Achieving convergence should be seen as a *long-term aspiration* (2030) and leaves room for a gradual and natural transition between successive ethical frameworks and codes.

The *intended uses* of the Model Code include:

- i. to serve as a reference model for new national legislation on the title and/or the profession of psychology;
- ii. to serve as a model for the design of ethical codes in countries where no adequate code exists, or where multiple ethical codes exist that need to be integrated into a single code;
- iii. to provide guidance in cases where existing codes need to be modernized;
- iv. to provide guidance in cases where the scope of application of existing codes needs to be extended from certain categories of psychologists (such as members of an association) to all certified psychologists;
- v. to offer a model for investigating and assessing alleged transgressions;
- vi. to provide guidance on ethical conduct in cases of border-crossing psychological services;
- vii. to serve as a standard for adjudication of alleged transgressions which may be potentially useful in the case of border crossing psychological services.

In terms of the application of the Model Code it should be noted that ethical codes may differ in status and function depending on the jurisdiction of the country. In some countries, codes are legally recognized and part of a system of disciplinary law. In addition, there should be recognition that there may be differences between national and regional social norms regarding what is culturally acceptable.

1.1 Context

The European Federation of Psychologists' Associations (EFPA) adopted its European Meta-Code of Ethics at its General Assembly, Athens, July 1995, as guidance for the content of the Ethical Codes of its Member Associations. The Meta-Code of Ethics provides one ethical frame of reference for Psychological Associations to develop their ethical codes, and to provide assistance in the evaluation of their members' conduct. This Model Code complements that work and should be read alongside the Meta Code.

In accepting the Meta-Code, EFPA Member Associations ensure the national codes are not in conflict with the Meta-Code. As a result the ethical code of each member Association will be based on the same principles and have comparable content.

- i. According to the Meta-Code, Member Associations can contribute in several ways to the appropriate ethical level of their members' professional conduct. One of these ways is by instituting evaluative and disciplinary procedures in case of complaints about alleged unethical conduct of their members.
- ii. Individual members are expected to comply with their Association's code. Consequently, the ethical behaviour of individual members of any EFPA Member Association can be evaluated against a common framework.

- iii. There are four main means whereby Member Associations may seek to ensure their members act appropriately and ethically:
- a. The formulation and publicizing of the ethical code.
 - b. The regulation of initial training
 - c. Requirements for members to maintain and develop their ability to practice competently and ethically
 - d. The provision of evaluative and disciplinary procedures in cases of complaint

Aims

General: This Model Code of Ethics provides guidance in how to apply ethical principles to professional practice in such a way that they will advance ethical awareness and reflection. It aims to:

1. Support psychologists in situations which require them to take a position on ethical issues
2. Protect clients against inappropriate and/or harmful measures
3. Support cooperation amongst psychologists and between psychologists and other professionals
4. Retain and enhance the public's trust in the practice of professional psychologists
5. Serve as a basis for creating guidelines and frameworks for the specialization areas within psychology
6. Serve as a basis for creating procedures and structures for complaints handling and related matters for member associations.

Definition of client

In this code the term 'client' refers to any person or persons with whom a psychologist interacts on a professional basis. For example, a client may be an individual (such as a patient, a student, or a research participant), a couple, a family group, an educational institution, or a private or public organization, including a court. A psychologist will also have responsibilities toward persons in an indirect relationship with the psychologist (for example a parent, spouse, others). Psychological science and practice serve the well-being of people; as such psychologists also have a professional and scientific responsibility towards society at large.

Decision making

Thinking about ethics should pervade all professional activity. Ethics can be defined as moral principles that govern a person's behaviour or the conducting of an activity. Psychology can be defined as the study of the mind and behaviour. In every conceivable setting from scientific research centers to mental healthcare services, "the understanding of behaviour" is the enterprise of psychologists. There is an overlap between psychology and ethics, as both are concerned with behaviour. Before embarking on professional work the ethical implications should be considered as part of the work context together with legal, professional and other frameworks. For further guidance on ethical decision-making see Appendix B

2. The Model Code of Ethics

The Model Code is based on The European Federation of Psychologists' Associations (EFPA) Meta Code of Ethics and the four main principles:

- Respect for individual rights and dignity
- Professional competence
- Responsibility
- Professional integrity

Appendix A includes guidance on the way an organization should establish its ethical governance. Ethical governance can be provided either within the Code of Ethics, or within a separate Code of Procedures.

General:

- i. The practice of psychologists is based on science and reliable experience. Psychology and the

psychological profession are in a continuous process of development, producing new and more complex knowledge and methods. Since social change continuously brings forth new problematic situations, it is important that psychologists pay attention to their own limitations and are able to turn to their colleagues and other professionals for additional knowledge and competence.

- ii. Psychologists respect the principles of Human Rights as these are defined by international treaties and human rights conventions.
- iii. Psychologists will take due regard to international, national and regional legislation when considering this Model Code of Ethics.
- iv. Psychologists have a duty to know the law that regulates the profession of psychology. Practicing psychology is subject to the law of that country.
- v. Psychologists use their professional knowledge in many different roles, in many types of professional situations, and use many types of working methods. Psychologists have the necessary resources for bringing about significant changes in the conditions of individuals, groups and organizations.
- vi. Psychologists often have the opportunity to profoundly influence other people's lives. They sometimes meet them in moments of great vulnerability. This sets, heavy demands for the ethical awareness of psychologists, and has been one of the primary reasons for designating codes of professional ethics and conduct.
- vii. However, many of the psychologists' professional relationships and work assignments are such that they cannot be formally regulated. In such cases the ethical awareness, the responsibility and the professional competence of individual psychologists play a crucial role.
- viii. It is important that the discussion on, and the development of principles of professional ethics is a dynamic process. These principles reflect fundamental and universal human values.

3. The Structure of the Model Code of Ethics

The Model Code is divided into four sections, which are concerned with the principles of Respect, Competence, Responsibility and Integrity, which reflect the EFPA Metacode of Ethics (see <http://www.efpa.eu/ethics/ethical-codes>).

Each principle has standards of conduct that should be observed.

3.1 Respect for individual rights and dignity

General respect:

- i. The psychologist shows respect for the individual and peoples' fundamental rights, dignity and value, and works in such a way that their expertise will not be used to harm, abuse, or oppress.
- ii. The psychologist respects the knowledge, views, experience and expertise of clients and other parties concerned. The psychologist also respects the special expertise, obligations, and responsibilities of their colleagues and other professionals.
- iii. The psychologist takes into consideration individual, role-related and cultural differences that are based on the client's level of functioning, gender, sexual orientation, ethnic or national identity, age, religion, language and social status.
- iv. The psychologist has a duty to recognize and take action towards the vulnerability of groups and persons.
- v. The psychologist also takes into consideration the limitations concerning their own personal, cultural and social background and sexual orientation.

Confidentiality:

- i. The psychologist protects the privacy of confidential information that they receive from the client and other parties.
- ii. Confidentiality may be breached if the client or other parties are clearly in danger.
- iii. The psychologist will inform the client on first contact of the limitations of confidentiality defined by law and that they may be obliged by law to share information.
- iv. Informed consent and freedom of choice:
 - a. The psychologist informs the client of the activities that are planned and discusses their actions and their potential consequences with the client. In this way the psychologist makes informed consent possible: the client will have the necessary information on the basis of which they can decide whether to agree to the activities or not.
 - b. If the client is a minor or lacks capacity, their autonomy is to be appropriately taken into consideration when acquiring the consent of an appropriate authority.
 - c. Informed consent also applies with research participants.

Self-determination

- i. The psychologist defends the client's autonomy and right to self-determination. This also applies to the client's right to begin or end the professional relationship.
- ii. When working with children or clients that have been committed to treatment against their will, or in acute situations, the principle of voluntary participation can be deviated

from according to the prevailing legislation, but even in such cases a cooperative relationship should be the goal.

3.2 Professional Competence

General:

- i. The psychologist seeks to develop their professional competence and to maintain it on a high level.
- ii. The psychologist strives towards awareness of their professional and personal strengths and weaknesses in order to be able to realistically evaluate their competence when taking on job assignments.
- iii. The psychologist only accepts such assignments, provides such services and uses such methods for which they are competent on the basis of their training and experience.

Ethical awareness

One of the preconditions for high professional competence is that the psychologist is aware of the principles of professional ethics and applies them in their professional practice.

Competence

The psychologist's work is based on science and professional experience. The psychologist continuously strives toward developing their professional competence by actively engaging with the development of psychology as a science and as a profession.

Limits of Competence

The psychologist works within the limits of their training, experience and personal abilities and seeks professional help and support in difficult situations.

Limits of Procedures

- i. Obligation to be aware of the limitations of psychological methods and conclusions drawn from them.
- ii. The psychologist exercises special caution when using methods, devices and techniques that may lack a robust evidence base or lack evidence of efficacy, which do not meet the standard requirements set for methods or which they do not thoroughly master.

External limitations:

- i. The psychologist must be aware of and also take account of the constraints that healthcare systems, legal frameworks and other circumstance may have on their right to practice.

3.3 Responsibility

General: Psychologists play an important role. They should be aware of the consequences of their work, and use their professional competence and power in the best interest of their clients. The psychologist is aware of the professional and scientific responsibilities they have toward their clients, research participants, and toward the organization and society in which they live and work. The psychologist avoids deliberately causing harm to anyone and is responsible for their own actions. They always aim to ensure that their services will not be misused.

- i. The psychologist is personally responsible for the quality and consequences of their professional practice, but they are also simultaneously aware that they are perceived by others as a representative of the entire profession

Preventing misuse/ harm

The psychologist never misuses psychological knowledge or interventions. The psychologist must under no circumstances participate in, or support actions by using or threatening to use physical or psychological force that aim at:

- i. Extorting information or a confession from someone
- ii. Persuading someone to reveal, deny or change their personal or some other person's world view or political, religious or ethical convictions
- iii. Ensuring that psychological Knowledge is not used for purposes of torture and ill-treatment

The psychologist aims to actively prevent and report such actions as indoctrination, brainwashing or torture. Psychologist will report to the national association or relevant human rights bodies.

Managing ethical dilemmas

- i. The psychologist is aware of the existence of ethical dilemmas in professional practice. The psychologist is responsible for seeking solutions to solve such problems and discussing them with colleagues, commissioners and/or the relevant local association.
- ii. The psychologist should also inform other concerned parties of the requirements set by the principles of professional ethics outlined in this Code.

Continuing responsibilities

- i. The psychologist is responsible for making an agreement with the client on the conditions, course, ending and follow-up of the professional contact.
- ii. Following the end of a professional relationship with a client, the psychologist still has to abide by the ethical standards that defined the work, including maintaining confidentiality and professional boundaries.

Extended responsibility in supervision, education and research

- i. The psychologist has an extended responsibility of scientific and professional practice, and for the standards of professional ethics of their assistants and people under their

- supervision or training, or research subjects.
- ii. When teaching psychological methods the psychologist is also responsible for critically evaluating the strengths and weaknesses of the methods, as well as their possible ethical implications.

3.4 Professional Integrity

General: The psychologist strives toward professional integrity in research, teaching and psychological practice. Psychologist should aim to be honest and impartial and should treat individuals and groups with respect. The psychologist endeavours to make their own role as clear as possible in each of their working contexts.

Openness and clarity

- i. The psychologist provides adequate information on their abilities, professional experience, competence and commitment to the profession; they should only use professional titles for which they have the right on the basis of their training, license and employment.
- ii. The psychologist uses scientific knowledge and precision when giving statements as a psychologist.
- iii. The psychologist provides information on psychology and the professional practice of psychologists in such a way as to avoid misconceptions or harm to psychology as a science or as a profession.
- iv. The psychologist informs the client in advance of the financial conditions of the professional relationship and is aware of the consequences that could result from the psychologist accepting, in addition to the official fee, other rewards; for example, accepting gifts or other special favours from the client.

Conflicts of interest and exploitation

- i. The psychologist strives towards an awareness of their personal needs, attitudes and values and their role in the professional relationship.
- ii. The psychologist does not misuse their power and status by abusing the client's dependence and trust.
- iii. The psychologist avoids having extraprofessional relationships with clients. Such relationships decrease the required professional distance and may lead to a conflict of interests or to abuse. The psychologist is aware of the direct and indirect ways in which intimacy or sexuality can affect the relationship between the psychologist and the client. The psychologist avoids letting the relationship become private or sexual in nature. There must be no sexual relations between the psychologist and the client.

4. Conclusion

This Code provides the parameters within which professional judgments should be made. However, it cannot, and does not aim to, provide the answer to every ethical dilemma a psychologist may face. It is important to remember to reflect and apply a process to resolve ethical dilemmas as set out in this code. If you have a question about the code or about professional ethics, there are several potential sources of advice. There is the EFPA website. The links to the Codes have also been approved.

This code has been written by the EFPA Board of Ethics based on the existing member association Codes, which have been approved and are consistent with the EFPA Meta Code.

Existing guidance on governance of organizations which have a Code are provided with the documents to be found here <http://www.efpa.eu/ethics/efpa-guidelines>

The EFPA Board of Ethics is available to provide advice and support for those Associations who are drafting new or revised Codes and may be contacted via the EFPA Board of Ethics website.

Appendix A

5. Ethical Governance

General:

- 5.1. On its own, the Code is not sufficient to provide a professional ethical framework for an organization. Additional requirements include the establishment of Ethics Committees with clear Terms of Reference that identify the purpose and functions of the committee. The committee in this context may refer to a Board of Ethics, or another committee dealing with complaints or both.
- 5.2. The Committee
 - 5.2.1 The committee should consist of experienced Psychologists. Additional members could include lay members, and specialists from other areas (for example, legal or philosophy representation).
 - 5.2.2 The size of the Committee will reflect the complexity of the organization. There should be a minimum of five members with at least two thirds of members present to ensure that the meeting is quorate.
 - 5.2.3 The Committee will be responsible for a range of functions as specified in the Terms

of Reference. One of these functions could be to receive complaints or allegations of professional misconduct. If the Ethics Committee does not receive complaints an alternative process must be developed. The expectation is that the development of the alternative process would be in consultation with the Ethics Committee and the Member Association.

5.2.4 Selection of membership of the Committee will need to be informed by the following principles:

- 5.2.i.1 A selection committee should be established to recommend appointment to the relevant authority within the Association.
- 5.2.i.2 An open and transparent selection procedure should be in place where a formal application is required with curriculum vitae.
- 5.2.i.3 If the applicant has a previous violation of the code, or a history of non-collaboration with the investigatory system, their application will not be accepted. In exceptional circumstances their application can be considered, and they will need to demonstrate that they are now committed to the Code and to supporting their own and other members compliance.
- 5.2.i.4 It would be preferable for the Committee to have broad representation from the different fields of psychology for example educational, work and organizational, clinical, teaching and research.
- 5.2.i.5 The Committee should develop a process with a detailed time schedule for addressing complaints. This process should include the following steps:
- 5.2.i.6 The complaint must be in writing.
- 5.2.i.7 The committee will decide whether there is a case to answer. If there is no case to answer all relevant parties will be informed.
- 5.2.i.8 If there is a case to answer, the complainant and the psychologist will be given the opportunity to present their positions supported by the documentation requested by the committee.
- 5.2.i.9 If the complaint is upheld the psychologist and the complainant should be informed of the outcome.

5.3 *Sanctions:*

- i. A Member Association will establish a set of sanctions which will be applied following violation of the Code. Typically these are organized in a hierarchy (see "A model for evaluative procedures and disciplinary actions in case of complaints about unethical conduct" <http://www.efpa.eu/ethics/efpa-guidelines>)
- ii. Included in the Member Association's powers of decision should be the following tariff of actions, which matches the seriousness of the violations of ethical standards. Possible outcomes are outlined below:

- Complaint not upheld;
- Complaint is proven: No sanction;

Corrective Action:

- Period of supervised oversight;
- Additional training;

Sanctions:

- Warning;
- Reprimand;
- Payment of a financial penalty;
- Temporary suspension of membership;
- Suspension of membership;
- Expulsion from membership;
- Loss of EuroPsy registration.

- iii. Mediation should be considered. The "Guidelines on mediation in the context of complaints about unethical conduct" can be found at <http://www.efpa.eu/ethics/efpa-guidelines>

Appendix B

6. Ethical Decision making

Information from surveys of psychologists, data on queries received by the national association and information from formal complaints indicates that certain areas of work produce the majority of concerns about ethical matters.

These areas of concern include:

- i. multiple relationships
- ii. unclear or inadequate standards of practice – where the psychologist is unaware of or disregards the current systems in use by peers or others in similar work;
- iii. breaches of confidentiality – where rules and constraints were broken or not clarified in advance with stakeholders;
- iv. competence – where excessive or misleading claims are made or where inadequate safeguards and monitoring exist for new areas of work;
- v. research issues including falsifying data, failing to obtain consent, plagiarism or failing to acknowledge another's work or contribution.
- vi. health problems affecting performance or conduct; and bringing the profession or the national association into disrepute.
- vii. written reports on clients which may include third party information.

Many of the above concerns involve unethical behaviour but others involve lack of information, poor planning or carelessness. Reflective practice, peer support and transparency of professional activity would prevent problems occurring or developing into serious concerns.

Despite every care being taken, ethical difficulties will occur. Several systems of ethical decision-making exist and the following is an adaptation of the core themes.

- a. Identify the relevant issues:
- b. What are the parameters of the situation?
- c. Is there research evidence that might be relevant?
- d. What legal guidance exists?
- e. What do peers advise?
- f. Is there guidance available from the local regulator or other relevant bodies?
- g. Identify the clients and other stakeholders and consider or obtain their views.
- h. Use the Model Code of Ethics to identify the principals involved.
- i. Evaluate the rights, responsibilities and welfare of all clients and stakeholders.
- j. Generate the alternative decisions preferably with others to act as a sounding board.
- k. Establish a cost/risk benefit analysis to include both short- and long-term consequences.
- l. Make the decision after checking that the reasoning behind it is logical, lucid and consistent. Document the process of decision-making which should include the various possibly contradictory points of view.
- m. Assume responsibility and monitor any outcomes.
- n. Apologize for any negative outcomes that result. Many formal complaints are often a client's only way of obtaining an acknowledgement of distress. Saying 'sorry' does not automatically admit liability.
- o. Make every effort to correct any negative outcomes and remain engaged in the process.
- p. Learn from the process for yourself, for others and for the national association.
- q. While the process set out in this section may appear to be a counsel of perfection, the thinking behind ethical decisions needs to be clear, especially where time is short and/or where high levels of emotion and risk are involved.

Annex 2 to be approved by GA

Recommendations in case of complaints about unethical conduct

Evaluative Procedures, Disciplinary and Corrective Actions for psychologists in Europe

Introduction

Psychologists work according to professional ethical principles and following their ethical code. Since its inception, the European Federation of Psychologists Associations (EFPA) has sought to regularise the ethical guidelines available to psychologists of Member Associations. The development of the Meta-Code of Ethics in 1995 provided a common basis from which Member Associations could ensure their own ethical codes were comprehensive and consistent.

It should provide – in the common interest of clients, psychologists, society and the profession of psychology all over Europe – one ethical frame of reference to base psychologists' conduct upon, in order to support an accountable professional work within Europe.

These recommendations are focused on principles and general procedures and should be applied with respect to national, legal and cultural contexts.

The Professional Associations have a responsibility to ensure the public are aware of the system for dealing with complaints.

These recommendations are intended to support trust and confidence in the relationship between psychologists and the public and therefore are based on openness, transparency, confidentiality, fairness and equity.

1. Principles and required elements

1.1 Access to information

The psychologist must be informed of the details of the complaint and the possible violation of the ethical code and/or other relevant ethical guidelines.

During any evaluation and disciplinary procedure, both psychologist and complainant should have easy and equal access to all information and evidence.

Procedures: Members of the public and psychologists should have easy access to information explaining the procedures concerning the making of a complaint; the process of evaluating the complaint and the psychologist's behaviour; and the decisions and range of corrective and disciplinary actions that are available.

The public confidence may also be enhanced if the outcomes of evaluated complaints are made publically available.

1.2 Confidentiality

All information concerning the complaint should be treated as confidential during the process of investigation. Where a complaint is dismissed or not upheld, the matter should remain confidential.

A complaint should not be pursued unless the complainant formally authorizes that information necessary for the evaluation of the complaint will be required and therefore must be made available.

The psychologist who is the subject of a complaint may use information which is confidential for the purposes of answering to the complaint, but must limit any release of such information with discretion and expressly for this purpose.

Confidentiality as well as record keeping with respect to the information gathered during the procedure should be laid down appropriately in regulations.

There should be a policy on the period for which records will be retained. In addition there should also be a publication policy.

1.3 Integrity

All who are involved in the evaluation and disciplinary or corrective procedures should act with integrity, honesty and fairness. They should not take on any role if there is conflict of interest. If a conflict of interest should occur during the process, then this should be brought to the attention of those with a need to know and the person concerned should withdraw from further involvement.

1.4 Equity

All aspects of the process of evaluation and discipline should be open, transparent, fair and equitable for any complainant or psychologist. Comparable cases should lead to similar outcomes in evaluation and in corrective actions.

1.5 Composition of the Ethics Committee (Appendix A 5.2 of the Model Code)

2. Investigation, evaluation, disciplinary and corrective system and procedures (see also Appendix A 5.3 of the Model Code)

In accordance with the Model Code, the National Association contributes in several ways to the appropriate ethical level of psychologists' professional conduct. One of these ways is by instituting investigative, evaluative, disciplinary and corrective systems and procedures in case of complaints about alleged unethical conduct of its members.

The National Association should have written rules of procedure concerning acceptance of the complaint, the procedure of investigation, evaluation, the possible outcomes, about gathering and retaining the records, and about publication of the outcomes. These rules should include a procedure to allow the psychologist to appeal.

A good knowledge of professional ethics as well as of professional practice is a prerequisite for those functioning in this system. In addition, in order to ensure a fair procedure, appropriate familiarity with rules of legal due process is necessary, be it within the system itself, from staff support or from external legal advisors.

The investigation, evaluation and disciplinary and/or corrective procedure should be monitored and considered by the appropriate body within the association on a regular basis.

Publication of the outcomes of evaluated complaints may be helpful in promoting the content of and the adherence to the ethical code. Statistics regarding investigations, evaluations, and corrective actions should periodically be reported to the association's members.

2.1 Acceptance or dismissal of the complaint (see Appendix A 5.3 of the Model Code)

The national association should decide whether it is within its powers to investigate the complaint.

The national association should decide whether to dismiss the complaint, or proceed with an investigation. In case the complaint is dismissed the complainant will be informed of the decision, and of the reason for dismissing the complaint.

If the complainant withdraws their complaint, the association may still decide to proceed.

2.2 Investigation

The investigation stage will involve the gathering of evidence and other information by an investigatory panel from the complainant; from the psychologist who is the subject of the complaint, and from any other source, which will provide assistance.

At the latest after its primary assessment in the investigatory phase, the client's complaint should be formulated in terms of alleged violations of ethical principles or their behavioural derivations, as described in the code of ethics and specific guidelines, in order to evaluate the professional conduct in the light of clear standards.

The panel should ensure that the member against whom the complaint has been made has the opportunity to make written representations.

2.3 Evaluation and statement of the Committee

The evaluative process is primarily intended to clarify if, in what respect and to what degree the alleged professional conduct is considered unethical.

The evidence is assessed to reach an evaluation of whether the complaint and the alleged infringement of the ethical code and/or other relevant ethical guidance are upheld.

Those who are assigned to carry out any evaluation should be independent and unbiased in their judgement.

Decisions and sanctions will be presented in writing to the member within a specified period. The statement should articulate the nature of the infringement of the ethical code and/or other relevant ethical guidance, including the degree of harm resulting from the unethical behaviour, together with information presented in mitigation.

Parties should have the possibility to have the evaluation reviewed. Consequently there should be an appeal or review procedure.

Those entrusted with investigation, evaluation, disciplinary or corrective action in the first instance, should be excluded from undertaking a review or appeal. Each body should have an independent position within the association.

Based on investigation, the outcome of the evaluation may give the psychologist insight into what actually is seen as ethically inappropriate and consequently advice may be given how to improve future actions in the light of the ethical principles.

2.4 Actions and sanctions (See also Appendix A 5.3 of the Model Code)

If a complaint is upheld, decisions are required regarding what action(s) should follow.

The term *disciplinary* procedure refers to actions that involve sanctions including, but not limited to, a reprimand, suspension from a register or expulsion from the association.

The term *corrective* procedure refers to actions designed to improve performance including, but not limited to, requirements for specific additional training or re-training and supervised practice. Its aim is improvement of future behavior.

Even where disciplinary actions are determined, the need for corrective actions in addition (e.g. further education or supervised oversight) should be considered.

Disciplinary or corrective actions are based upon appropriate investigation and evaluation. Member associations should develop and state publicly their sanctions.

Included in the national association's powers of decision should be the disciplinary and corrective actions, which are proportionate to the seriousness of the violations of ethical standards.

To ensure the effective functioning of the evaluative and disciplinary systems, psychologists should be obliged by the national association's statutes to co-operate in procedures concerning complaints about professional conduct during their membership. The association should regard its members' refusal to co-operate in evaluation procedures as an offence, and act accordingly.

2. 5 Appeal

The national association rules of procedures should include a procedure to allow either party to appeal. Members of any appeal committee should be independent of the previous investigatory and evaluation process.