

OACCPP - *An Association of Mental Health Professionals*

CODE OF ETHICS

For members of

**THE ONTARIO ASSOCIATION OF CONSULTANTS, COUNSELLORS,
PSYCHOTHERAPISTS AND PSYCHOMETRISTS**

2006

**THE PROVINCIAL CODE OF ETHICS FOR MEMBERS OF
THE ONTARIO ASSOCIATION OF COUNSELLORS, CONSULTANTS, PSYCHOTHERAPISTS
AND PSYCHOMETRISTS**

PREAMBLE AND MISSION STATEMENT

The OACCPP is a voluntary association of mental health practitioners. The purpose of the OACCPP Code of Ethics is to provide members with a template for conducting mental health practices within an ethical and responsible framework. The Code of Ethics applies to all OACCPP members, and all members must sign an agreement stating that they will follow the ethical guidelines in their professional conduct. Only certified and general members however, have formal status within the organisation. However with respect to ethical and professional conduct issues, the Chair of Ethics will respond to queries about the Code, and the Chair of Professional Conduct will respond to concerns or complaints about professional practice lodged by clients, the public at large, or other practitioners. For clarification of points, contact Marion Pirie, pirie@eagle.ca for Ethics principles; and Gisela Wood, gisela.wood@on.aibn.com, for advice and guidance regarding professional conduct and complaints from the public.

It should be noted that the role of the Ethics Committee is exclusively one of providing guidance and advice. The Ethics Committee does not have the mandate to discipline or regulate members of OACCPP, certified or non-certified. For Professional Conduct guidelines, please refer to the document governing those guidelines.

All members of OACCPP should be familiar with the Code, which is contained in the OACCPP By-laws. As a general ethical principle guiding standards of practise and protection of the public, OACCPP strongly recommends that all members become certified. It is also a stipulation of the Code of Ethics that non-certified members of OACCPP make clear to their clients that they are not certified.

The Ontario Association of Counsellors, Consultants, Psychotherapists and Psychometrists Ethical Code consists of the following set of **Ethical Principles and Guidelines**:

- I. Principles Guiding the Professional Relationship.
- II. Principles Guiding the Scope of Practice and Competency Limits.
- III. Principles Guiding Establishment of Fees.
- IV. Principles Guiding Responsibility to Society at Large.
- V. Consent
- VI. Confidentiality
- VII. Research
- VIII. Supervision
- IX. Recording and Storing Records
- X. Closure
- XI. Relevance of OACCPP Ethical Principles and Guidelines to Employer Ethical Guidelines

The following principles and guidelines will be contained in the Professional Conduct Manual:

- I. Guidelines regarding complaints lodged by the public, professionals or other members of OACCPP.
- II. Guidelines regarding Conflicts of Interest.

In this Code, "member" refers to all members of OACCPP; "client" refers to all health consumers of mental health services provided by a member. Such services include, but are not limited to: counselling, psychotherapy, supervision, and consulting clients. "Code" refers to the Code of Ethics, and "Association" or "Organisation" refers to OACCPP.

The Ontario Association of Counsellors, Consultants, Psychotherapists and Psychometrists is fully cognisant of its responsibility to assist in the assurance of ethical behaviour on the part of its members. The role of the Association is to provide all members with a Code of Ethics and conduct workshops regarding ethical practise on a regular basis. It is the mandate of the Professional Conduct Committee to respond to queries and or complaints lodged by the public and or the professional community. The Ethics Committee's main functions are to prepare, monitor, and explain the Code to members of OACCPP. It is the responsibility of the Ethics Committee, in consultation with the Certification and Membership Committees, to ensure that all members have signed the aforementioned agreement stating that they have read and will adhere to the Ethics Code.

I. Principles Guiding the Professional Relationship

As mental health practitioners, OACCPP members will have as their clients, a variety of populations: adults, children, families, couples, groups, as well as a number of consulting clients, such as other professionals or organizations. Within the practice of mental health, OACCPP members must accept as the fundamental guiding principle, respect for the dignity and integrity of the clients they serve and to honour the mandate governing all mental health professionals: "do no harm". The integrity of the client is to be upheld regardless of culture, ethnicity, age, gender, race, religion, marital status, sexual orientation, physical and mental functioning, socio-economic status, or any other attribute, condition, or status unique to that individual.

The integrity of the individual is upheld through respecting their rights to confidentiality, privacy, self-determination, informed consent regarding the therapeutic process, informed consent regarding fee for services, and due process, in general. The right to privacy may be contravened only when the practitioner feels it is his or her duty to warn another person if the practitioner believes that the client's or another person's life or safety were at risk based on information imparted during the professional relationship with a client.

In adhering to

I. The Principles Guiding the Professional Relationship, OACCPP members will;

- At all times, take reasonable steps to avoid harming their clients, and to minimize harm where it is foreseeable and unavoidable.
- Be careful not to engage in activities in a way that could place incidentally involved individuals at risk.
- Refrain from undertaking an activity where the practitioner knows or should know that his or her personal problems are likely to lead to harm to a patient, client, colleague, student, research participant, or other person or organization to whom they may owe a professional or scientific obligation.
- Demonstrate appropriate respect for the knowledge, insight, experience and areas of expertise of others.
- Not engage publicly (e.g., in public statements, presentations, research reports, or with clients or colleagues) in demeaning descriptions of others, including jokes based on culture, nationality, ethnicity,

- colour, race, religion, gender, etc., or other remarks which reflect adversely on the dignity of others.
- Use language that conveys respect for the dignity of others (e.g., gender-neutral terms) in all written or verbal communication.
- Avoid or refuse to participate in practices disrespectful of the legal, civil, or moral rights of others. OACCPP members are encouraged to call members of the Ethics Committee if clarification is required.
- Refuse to advise, train, or supply information to anyone who, in the OACCPP members' judgement, may use the knowledge or skills to infringe on human rights.
- Respect the right of recipients of service, to safeguard their own dignity.
- Seek as full and active participation as possible from others in decisions that affect them.
- Respect and integrate as much as possible, the opinions and wishes of others regarding decisions which affect them.
- Not participate in activities in which it appears likely that their skills will be misused or misrepresented by others. Take reasonable steps to correct the misuse, or misrepresentation by others.
- Refrain from entering into or promising another personal, scientific, professional, financial, or other relationship with such persons if it appears likely that such a relationship reasonably might impair objectivity or otherwise interfere with the practitioner's ability to perform his or her functions or might harm or exploit the other party.
- Refrain from taking on professional or scientific obligations when pre-existing relationships would create a risk of such harm.
- Attempt to resolve any conflict of interest with due regard for the best interests of the affected person and maximal compliance with the Ethics Code.
- Attempt to maintain clear boundaries between individual clients and their family members or close friends.
- Abstain from all forms of harassment, including sexual harassment.
- Accord sexual-harassment complainants and respondents dignity and respect.
- Not engage in sexual intimacies with a former therapy patient or client for at least two years after cessation or termination of professional services.

In adhering to

II. The Principles Guiding Scope of Practice and Limits of Competency, OACCPP members will

- Offer or carry out only those activities for which they have established their competence to carry them out to the benefit of others.
- Not delegate activities to persons not competent to carry them out to the benefit of others.
- Take immediate steps to obtain consultation or to refer a client to a colleague or other appropriate professional, whichever is more likely to result in providing the client with competent service, if it becomes apparent that a client's problems are beyond their competence.
- Keep themselves up to date with relevant knowledge, research methods, and techniques, through the reading of relevant literature, peer consultation, and continuing education activities, in order that their service or research activities and conclusions will benefit and not harm others.
- Evaluate how their own experiences, attitudes, culture, beliefs, values, social context, individual differences, and stresses influence their interactions with others, and integrate this awareness into all efforts

to benefit and not harm others.

- Make clear whether they are acting as private citizens, as members of specific organisations or groups, or as representatives of OACCPP, when making statements or when involved in public activities.
- Accurately represent their own and their associates' qualifications, education, experience, competence, and affiliations, in all spoken, written, or printed communications, being careful not to use descriptions or information which could be misinterpreted.
- Carefully protect their own and their associates' credentials from being misrepresented by others, and act quickly to correct any such misrepresentation.
- Accurately represent their activities, functions, and likely or actual outcomes of their work, in all spoken, written or printed communication. This includes, but is not limited to: advertisements of services; course and workshop descriptions; research reports.
- Ensure that their activities, functions, and likely or actual outcomes of their activities are not misrepresented by others, and act quickly to correct any such misrepresentation.
- Take credit only for the work and ideas that they have actually generated, and give credit for work done or ideas contributed by others in proportion to their contribution.
- Acknowledge the limitations of their knowledge, methods, findings, interventions, and views.
- Seek appropriate help and/or discontinue professional activity for an appropriate period of time, if a physical or psychological condition reduces their ability to benefit and not harm others.
- Engage in self-care activities, which help to avoid conditions (e.g., burnout, addictions) which could result in impaired judgement and interfere with their ability to benefit and not harm others.
- Assess the individuals, families, groups, and communities they are serving (or seek consultation for same) adequately enough to ensure that they will be able to discern what will benefit and not harm those persons.
- Ensure that they are sufficiently knowledgeable about individual differences and vulnerabilities to discern what will benefit and not harm persons involved in their activities.
- Seek consultation to determine the possible effects of all new procedures and techniques that might carry some risks, before considering their use on a broader scale.
- Not carry out any scientific or professional activity unless the probable benefit is proportionately greater than the risk involved.
- Make themselves aware of the knowledge and skills of other disciplines (e.g., law, medicine, psychology, psychiatry) and advise clients to seek the use of such knowledge and skills, where relevant.
- Strive to obtain the best possible service for those needing and seeking mental health services. This includes recommending other professionals if appropriate.
- Not participate in, condone, or be associated with dishonesty, fraud, or misrepresentation.
- Familiarize themselves with the OACCPP by-laws, rules and regulations, and abide by them, unless abiding by them would be seriously detrimental to the rights or well being of others.
- Familiarize themselves with and demonstrate a commitment to maintaining the standards of their discipline.
- Seek consultation from colleagues and/or appropriate groups and committees, and give due regard to their advice in arriving at a responsible decision, if faced with difficult situations.
- Give reasonable assistance to secure needed mental health services or activities, if personally unable to

meet requests for needed psychological services or activities.

- Clearly delineate their client populations, and be prepared to provide the credentials and training certificates certifying competency in the areas in which they advertise services.
- Will abstain from using legally protected terms, such as "Psychologist", "Psychology", or "Psychological" to define or promote their services. In the Province of Ontario, the laws regulating the profession of Psychology restrict the legal use of the above terms. (See below).
- Will strictly adhere to the following with respect to restriction of the title Doctor:

The **Regulated Health Professions Act, Section 33 (1)** reads:

“Restriction of the Title Doctor”

“Except as allowed in the regulations under this Act, no person shall use the title ‘doctor’, a variation or abbreviation or an equivalent in another language in the course of providing or offering to provide, in Ontario, health care to individuals.

Idem

(2) Subsection (1) does not apply to a person who is a member of:

The College of Chiropractors of Ontario

The College of Optometrists of Ontario

The College of Physicians and Surgeons of Ontario

The College of Psychologists of Ontario

The Royal College of Dental Surgeons of Ontario”

In other words, only members of a regulated health profession may use the title ‘doctor’, ‘Dr’, or the equivalent in Ontario in the course of providing mental health services.

Further, if you hold a doctorate from a fully accredited university or graduate institute, you may use the abbreviation “Ph.D.” after your name, but you may not use the term “Psychology” on any documentation, as that term is legally protected for use by registered psychologists in this Province. You must fully inform all clients as to your status as a non regulated health professional and to the scope of competencies your credential and certification allows.

- Will Strictly Adhere to The Controlled Act, which reads as follows:

Under Bill 43, The Regulated Health Professions Act reads

No person shall perform a controlled act set out in subsection (2) in the course of providing health care services to an individual unless:

- a) The person is a member authorised by a health profession Act to perform the controlled act: or*
- b) The performance of the controlled act has been delegated in accordance with section 28 to the person by a member described in clause (a).*

For the purposes of this document, a “**Controlled Act**” is defined as:

“Communicating to the individual or his or her personal representative a diagnosis identifying a disease or disorder as the cause of symptoms of the individual in circumstances in which it is reasonably foreseeable that the individual or his or her personal representative will rely on the diagnosis.”

An act by a person is not a contravention of the Controlled Act if the person is exempted by the regulations under this Act or if the act is done in the course of an activity exempted by the regulations under this Act.

The delegations of a controlled act by a psychologist or another regulated health professional must be in accordance with any applicable regulations under the health profession Act governing the member's profession.

An act by a person is not a contravention of the Controlled Act, if it is done in the course of:

- a) Rendering first aid or temporary assistance in an emergency.*
- b) Fulfilling the requirements to become a member of a health profession and the act is within the scope of practice of the profession and is done under the supervision or direction of a member of the profession:*
- c) Treating a person by prayer or spiritual means in accordance with the tenets of the religion of the person giving the treatment:*
- d) Treating a member of the person's household and the act is a controlled act set out in paragraph 1, 5 or 6 of subsection 27 (2); or*
- e) Assisting a person with his or her routine activities of living and the act is a controlled act set out in paragraph 5 or 6 or subsection 27 (2).*

COUNSELLING AND THE CONTROLLED ACT:

The Controlled Act does not apply with respect to a communication made in the course of counselling about emotional, social, and educational or spiritual matters as long as it is not a communication that a health profession Act authorises members to make.

There are several definitions of counselling, psychotherapy, psychometry, and consulting. It is not the mandate of the Ethics Committee to define these terms, but to refer members to the section on Scope of Practice. OACCPP members interested in acquiring a definition of the above terms should consult a Dictionary of Psychology.

In adhering to

III. The Principles Guiding Establishment of Fees, OACCPP members will

- Respect the dignity and needs of clients in establishing fees. Refer to the guidelines established in the Policy and Procedure manual for guidance regarding fees.
- Clarify the nature of the professional relationship, if any, of professionals with whom the OACCPP member is associated.

In adhering to

IV. The Principles Guiding Responsibility to Society at Large, OACCPP members will

- Model professional and respectful interactional dynamics when speaking to members of the community at large, members of OACCPP, and to all board members.

- Work and act in a spirit of fair treatment to others.
- Make every reasonable effort to ensure that opinions of the OACCPP members regarding mental health practices will not be misused, intentionally or unintentionally, to harm others.
- Not practice, condone, facilitate, or collaborate with any form of unjust discrimination.
- Act to prevent or correct practices that are unjustly discriminatory.
- Will, as professionals and private citizens, uphold and foster societal values which nourish the welfare of all human beings. As with many other associations in this field, OACCPP pledges to promote the health and welfare of all humans.
- Contribute to the mental health field through research and publication, unless such activities conflict with other basic ethical standards of practice.
- Uphold at all times the laws of society and interpret and/or communicate same to clients where deemed appropriate.
- Participate in and contribute to continuing education and the professional and scientific growth of self and colleagues.
- Assist in the professional development of those who join the Association by helping them to acquire a full understanding of the ethics, responsibilities, and needed competencies of their chosen area(s).
- Participate in the process of critical evaluation of the Association's role in the development and implementation of procedures, which contribute to beneficial societal functioning and change.
- Engage in regular monitoring, assessment, and reporting (e.g., through peer review, program reviews, case management reviews, of their ethical practices and safeguards (Certified and general members only).
- Help develop, promote, and participate in accountability processes and procedures related to their work.
- Uphold OACCPP's responsibility to society by promoting and maintaining the highest standards of the discipline.
- Encourage other professionals, if appropriate, to relate with integrity.
- Assume overall responsibility for the scientific and professional activities of their assistants, students, supervisees, and employees with regard to the Principle of Integrity in Relationships, all of whom, however, incur similar obligations.
- Protect the skills, knowledge, and interpretation of the practice of mental health from being misused, or used incompetently.
- Uphold OACCPP's responsibility to society by bringing incompetent or unethical behaviour, including misuses of knowledge and techniques, to the attention of appropriate regulatory bodies, authorities, and/or committees, in a manner consistent with the ethical principles of this Code, if informal resolution or correction of the situation is not appropriate or possible.
- Only enter into agreements or contracts that allow them to act in accordance with the ethical principles and standards of this Code.
- Acquire an adequate knowledge of the culture, social structure, and customs of a community before beginning any major work there.
- Convey respect for and abide by prevailing community mores, social customs, and cultural expectations in their scientific and professional activities, provided that this does not contravene any of the ethical principles of this Code.
- Consult with colleagues, if faced with an apparent conflict between keeping a law and following an ethical

principle, unless in an emergency, and seek consensus as to the most ethical course of action and the most responsible, knowledgeable, effective, and respectful way to carry it out.

- Act to change those aspects of this Code, and the practices governed by it, which detract from beneficial societal changes, where appropriate and possible.
- Be sensitive to the needs, current issues, and problems of society, when determining research questions to be asked, services to be developed, information to be collected, or the interpretation of results or findings.
- Be especially careful to keep well informed through relevant reading, peer consultation and continuing education, if their work is related to societal issues.
- Speak out, in a manner consistent with the principles of this Code, when they possess expert knowledge that bears on important societal issues being studied or discussed.
- Speak out and/or act, in a manner consistent with the principles of this Code, if the policies, practices or regulations of the social structure within which they work seriously ignore or oppose it.
- Encourage others, if appropriate, to exercise responsibility to society.

In adhering to

V. The Principles Guiding Consent, OACCPP members will

- Obtain informed consent from all independent and partially dependent persons for any mental health services provided to them except in circumstances of urgent need (e.g., suicidal gesture). See the Policy and Procedure manual for specific actions to be taken.

In adhering to

VI. The Principles guiding Confidentiality, OACCPP members will

Discuss with persons and organisations with whom they establish a professional relationship matters regarding limits on confidentiality.

In adhering to

VII. The Principles Guiding Research, OACCPP members will

- Screen appropriate research participants and select those not likely to be harmed.
- Act to re-establish with clients any trust that might have been lost due to the use of research techniques that might be interpreted as deception.
- Ensure that clients give consent for any research conducted with a one-way mirror.

In adhering to

IX. The Principles Guiding Recording and Storing Records, OACCPP member will

- Create, maintain, disseminate, store, retain, or dispose of records relating to their practice, in accordance with law and in a manner that permits compliance with the requirements of this Ethics Code. All OACCPP members should keep progress notes, duly dated and signed by the Practitioner, in independent practice.

-
- All practitioners must be knowledgeable about the proper and legal procedures for maintaining progress notes. See the Policy and Procedure manual for details.

In adhering to

X. The Principles Guiding Closure, OACCPP members will

- Respect the right of individuals to discontinue participation or service at any time, and be responsive to non-verbal indications of a desire to discontinue if the individual has difficulty with verbally communicating such a desire (e.g., young children, verbally disabled persons).
- Not abandon a client or terminate a professional relationship without due consultation with the client, and an attempt to secure further services if required.
- Not prolong a therapeutic relationship when it becomes reasonably clear that the client no longer needs the service, is not benefiting, or is being harmed by continued service.
- Discuss prior to termination the expectations of the client, provide appropriate pre-termination counselling, suggest alternative service providers as appropriate, and take other reasonable steps to facilitate transfer of responsibility to another provider if the patient or client needs one immediately.
- Maintain appropriate contact, and, where possible, support, and responsibility for caring until a colleague or other professional begins service, if referring a client to a colleague or other professional.
- Give reasonable notice and be reasonably assured that discontinuation will cause no harm to the client, before discontinuing services.

In adhering to

XI. The Principles Guiding the Relevance of OACCPP Ethical Principles and Guidelines to Employer Ethical Guidelines, OACCPP members will

- Adhere to the guidelines set out by their employer unless they detect a seeming breach of ethics, in which case they should contact the Chair of Professional Conduct.
- Each practitioner should be aware of these principles when working within an agency, which will likely have a separate, but hopefully complementary, Code of Ethics. Always refer to the Code of Ethics and the Policy and Procedure manual when in doubt.

Note that Guidelines regarding complaints lodged by the public, professionals, or other members of OACCPP are documented in the Professional Conduct Guidelines.

The Chair of the Ethics Committee, Marion Pirie, may be reached at pirie@eagle.ca. The Chair of the Professional Conduct Committee may be reached at Gisela.wood@on.aibn.com.