



# Universities Psychotherapy and Counselling Association

## Standards of Conduct, Performance and Ethics

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### **1. Introduction**

This document establishes the standards by which members of UPCA are expected to practice as professional counsellors and psychotherapists. These standards provide the ethical code of conduct and performance for members, and are the basis for UPCA principles of 'Fitness to Practice' (see: 'UPCA Fitness to Practice Procedures' and 'UPCA Declaring Police Charges, Cautions and Convictions').

There is an overarching expectation that members of UPCA will promote and protect the wellbeing of patients, clients and others for whom they provide a service in every circumstance. Members are expected to apply their skills and abilities to the advantage of their patients, without prejudice or favouritism, on any basis. Patients' interests are paramount.

It is mandatory for UPCA members to work within the standards of conduct, performance and ethics of the organisation. Standards contained in this document are congruent with UKCP codes, and are the basis for enquiry and adjudication concerning a member's fitness to practice brought to attention by complaint or other means.

### **2. General Standards**

- 2.1 Members must act in the best interests of patients and clients at all times.
- 2.2 Members have a duty to treat patients and clients with respect and dignity, without infringing autonomy.
- 2.3 Members must not exploit or abuse the relationship with a patient or client.



2.4 Members must not, taking account of diversity and equality, allow prejudice on any basis including: sex, age, colour, race, disability, sexuality, social or economic status, lifestyle, culture, or religious beliefs.

### 3. Standards of Conduct

**3.1 Personal Conduct:** Members must keep high standards of personal conduct.

3.1.1 Members must not do anything that may affect a person's treatment, or their confidence in treatment.

3.1.2 Members must justify the trust placed in them, and placed in the profession, by acting with honesty and integrity at all times. Members must ensure that their behaviour and activities do not damage the profession's reputation, or undermine public confidence in them or the profession.

3.1.3 Members must ensure that their good character and 'Fitness to Practice' is not impaired, and that they are properly able and suitable to practice as a qualified and competent practitioner.

3.1.4 Members must provide to UPCA information about conduct, competence or health. This includes any matter for which a member's good character and 'Fitness to Practice' may be considered to be impaired. Normally, the police will contact professional bodies about people claiming to be members who have been convicted or cautioned. Even so, members must inform UPCA if they have any important information about their conduct, competence, or 'Fitness to Practice'. Similarly, members must inform UPCA if they have any important information about the conduct, competence, or 'Fitness to Practice' of other members. Members must immediately inform UPCA about:

- a police charge, caution or conviction (not including fixed penalty fines for traffic offences).
- a determination or decision by a registering or regulatory body.
- suspended or placed under a practice restriction by an employer or similar organisation.

3.1.5 Members must co-operate with any investigation or formal inquiry into their professional conduct, the conduct of any other practitioner, or the treatment of a patient, client or user. Members are required to provide relevant information to any investigating body, entitled to the information, in connection with conduct or competence.

**3.2 Confidentiality:** Members must respect the confidentiality of patients and clients.

3.2.1 Members must treat information about patients or clients as confidential.

3.2.2 Members must ensure people are informed about how and why information about them is collected and stored.

3.2.3 Members must ensure people are informed about how and why information is shared with others.

3.2.4 Members must ensure that information collected and stored is only used for the purpose(s) for which it was given.

3.2.5 Members must not knowingly release any personal or confidential information to anyone who is not entitled to it, and should check that people who ask for information are entitled to it.

3.2.6 Members must disclose information if they believe someone may be at risk of harm, in line with the law of the country in which a member is practising.

- 3.2.7 Members must keep to the conditions of any relevant data-protection legislation, and must be particularly careful not to reveal, deliberately or accidentally, confidential information that is stored on computers.
- 3.2.8 Members must protect information in records against loss, damage or use by anyone who is not authorised.
- 3.2.9 Members must ensure that confidentiality is upheld in the same way for research and publication as it is for treatment.

**3.3 Consent:** Members must ensure that informed consent is secured before starting any activity with patients or clients.

- 3.3.1 Members must explain to patients and clients proposed treatment(s), the risks involved and any other treatment(s) possible.
- 3.3.2 Members must respect and support people's rights to accept or decline treatment.
- 3.3.3 Members must uphold people's rights to be fully involved in decisions about their care.
- 3.3.4 Members must record consent in writing or electronically.
- 3.3.5 Members must adhere to employers' procedures on consent, and be aware of any guidance issued by the Department of Health or other appropriate authority in the country in which they practise.
- 3.3.6 Members must ensure that consent for research and publications are managed in the same manner as for treatment.

**3.4 Relationships with Patients:** Members must ensure the maintenance of clear professional boundaries with patients.

- 3.4.1 Members must not accept any gifts, favours or hospitality that might be interpreted as an attempt to gain preferential treatment.
- 3.4.2 Members must not ask for or accept loans from patients or clients, or anyone close to them.
- 3.4.3 Members must establish, and actively maintain, clear sexual boundaries at all times with people in their care. Sexual relationships between members and patients or clients, past and present, are a breach of professional boundaries.

**3.5 Record Keeping:** Members must keep patient and client records.

- 3.5.1 Members must keep records for everyone they treat, or who asks for professional advice or services.
- 3.5.2 All records must be factually accurate, complete and legible. All entries must avoid factual inaccuracy and be signed and dated, usually an automatic process in electronic systems.
- 3.5.3 Members must adhere to employers' procedures on record keeping, and be aware of any guidance issued by the Department of Health or other appropriate authority in the country in which they practise.

**3.6 Communication:** Members must maintain proper and effective communications with patients, clients, other professionals.

- 3.6.1 Members must take all reasonable steps to make sure that they can communicate properly and effectively with patients, clients and other professionals.



3.6.2 Members must communicate effectively, co-operate, and share knowledge and expertise with professional colleagues for the benefit of patients, clients and other professionals.

**3.7 Advertising:** Members must follow professional guidelines for advertising services.

3.7.1 Members must ensure that advertising undertaken in relation to professional activities is accurate and professionally responsible.

3.7.2 Members must not advertise in a misleading, false, unfair or exaggerated ways, and will not use client testimonials in advertising.

3.7.3 Members must not claim professional skills, competencies, expert knowledge, equipment or facilities as superior or better than others unless this can be proven as true.

**3.8 Indemnity Insurance:** Members must ensure that their professional work is adequately covered by appropriate indemnity insurance, or by their employer's indemnity arrangements.

#### **4. Standards of Performance.**

**4.1 Responsibility for Performance:** Members are responsible for ensuring they are capable of meeting standards of proficiency and competence that relate to their area(s) of practice, education and research.

**4.2 Education, Training and Qualifications:** Members must ensure that their performance and qualifications are supported by their core education and training, and that they remain within the scope of their education, training and qualifications in all their professional activity.

**4.3 Continuing Professional Development:** Members must ensure through continuing professional development and supervision that their knowledge, skills and performance are of a high quality, up-to-date, and relevant to their field of practice.

**4.4 Duty of Care:** Members have a duty of care to patients and clients in performance of ethical and effective treatments in those fields in which they have appropriate, up-to-date education, training and experience.

**4.5 Awareness of Limitations:** Members must act within the limits of their knowledge, skills and experience and, if necessary, refer to another professional.

**4.6 Physical and Mental Health:** Members must limit their work or stop practising if their performance or judgement, and hence their fitness to practice, is affected by poor physical or mental health.

**4.7 Duty to Inform:** Members must inform UPCA about significant changes in health and performance, and any changes in practice as a result (see: 'UPCA Fitness to Practice Procedures' and 'UPCA Declaring Police Charges, Cautions and Convictions')