

## CANTERBURY CONSORTIUM OF PSYCHOANALYTIC AND PSYCHODYNAMIC PSYCHOTHERAPISTS (CCOPPP)

### CODES OF ETHICS AND PRACTICE AND COMPLAINTS PROCEDURE FOR MEMBERS OF THE CANTERBURY CONSORTIUM OF PSYCHOANALYTIC & PSYCHODYNAMIC PSYCHOTHERAPISTS

#### CODE OF ETHICS

The practice of psychotherapy is an activity involving the acceptance of normal professional responsibilities towards clients, colleagues, and society as a whole.

Psychotherapists are expected to approach their work with the aim of alleviating suffering and promoting the well-being of their clients.

Professional and Student Members of CCOPPP are required to conduct all psychotherapy practice within the following codes.

#### Principles

1. **Qualifications**. Psychotherapists are required to disclose their qualifications when requested and not to claim or imply qualifications that they do not have.
2. **Terms, Conditions and Methods of Practice**. The terms and conditions of the therapeutic contract must be made clear to the client at the outset of psychotherapy. Methods of practice should also be explained so far as appropriate and practicable.
3. **Confidentiality**. Preservation of confidentiality is the rule. The limits of this rule should be explained at the outset of psychotherapy as set out on section 3 of the Code of Practice below.
4. **Professional Relationship**. Psychotherapists should consider the client's best interest when making contact with the client's GP or other relevant specialist services with the client's consent. Psychotherapists should be aware of their limitations.
5. **Relationship with Clients**. Psychotherapists are required to maintain appropriate boundaries with their clients. They must not exploit their relationships with clients financially, emotionally, sexually or in any other way.
6. **Diversity and Equality**. Psychotherapists must not behave in prejudicial ways towards their clients or colleagues. They must show respect for matters of diversity such as a age, sex, colour, race, sexuality, disability, economic/social status and

\* The term 'members' here refers to all categories of membership: professional, affiliate and student. Throughout the document the term 'psychotherapist' denotes any member, in any category, who is practising psychotherapy.

## CCOPPP Code of Ethics and Practice (including Complaints and Disciplinary Procedure)

religious belief. They must not become engaged in any behaviour that is abusive or which is otherwise likely to cause detrimental effect to any client or colleague with regard to such issues.

7. **Keeping Records.** Psychotherapists are required to keep records in a way that ensures security and protects the confidentiality of clients and others so far as is practicable. Records must be kept in conformity with all relevant legislation, procedures and policies.

8. **Honesty and Integrity.** Psychotherapists need to keep the trust placed in them by others and must not engage in activities that will damage public confidence in them or in that of the wider profession of psychotherapy. CCOPPP members have a duty to report important information where this gives cause to question their own competence/integrity, that of other registrants or that of students.

9. **Research.** Psychotherapists are required to give a full explanation of the nature of any research in which it is proposed that the patient's material is to be included. Informed and verifiable consent from clients must be obtained in for any such involvement, and it should be made clear that consent may be withdrawn at any stage during or after the completion of therapy.

10. **Publication.** Psychotherapists are required to safeguard the welfare and anonymity of clients and others when any form of publication of clinical material is being considered and to obtain the client's verifiable consent for any such publication.

11. **Practitioner competence.** Psychotherapists are required to ensure that they practice competently.

12. **Insurance.** Psychotherapists are required to ensure that they have adequate indemnity insurance.

13. **Detrimental behaviour.** Psychotherapists are required to refrain from behaviour which may be detrimental to the profession, to colleagues or to trainees. Any psychotherapist aware of detrimental behaviour of a colleague has a duty to take appropriate action.

14. **Legal Proceedings.** A psychotherapist, who is convicted in a Court of Law for any offence, must report the fact to the Chair of CCOPPP. In the event of a Court action being brought against the psychotherapist in any connection to a client, the psychotherapist has an obligation to report this to the Chair of CCOPPP.

## CODE OF PRACTICE

### 1. **Practice competence**

## **CCOPPP Code of Ethics and Practice (including Complaints and Disciplinary Procedure)**

Psychotherapists should ensure that they receive sufficient post-registration training to be able to work effectively with their clients.

Psychotherapists should ensure that they receive supervision or consultation with colleagues as necessary to ensure good practice, especially on occasions on which they feel that there may be difficulties in the psychotherapy.

Psychotherapists should ensure that they maintain their level of competence through continued professional development, reading, research and/or supervision.

Psychotherapists must be aware of the range of their skills and their limitations. It is part of their professional responsibility to seek the advice, help and or supervision from colleagues or appropriate others where necessary and to take appropriate action.

Psychotherapists must ensure that they are physically fit and able to function. In the event of the psychotherapist having a serious illness, they are required to inform the Chair of CCOPPP of this.

Psychotherapists are required to make appropriate arrangements to come into effect in the event of incapacitating illness or death, including the nomination of an appropriate professional colleague to inform clients and provide advice and consultation. The nominated colleague should not normally be one with whom the psychotherapist has an intimate relationship.

Psychotherapists have a responsibility to provide an environment conducive to the practice of psychotherapy where clients and psychotherapists can work in privacy and without undue interruption.

### **2. Referrals practice**

Advertising must be limited to descriptive information about the service provided and the qualifications of the psychotherapist. Advertising material must not include testimonials or make comparative statements about other psychotherapists or schools of psychotherapy.

When commencing work with a client, the psychotherapist should normally confirm that the client has a regular medical advisor. Where it is considered advisable to notify the GP of the commencement of psychotherapy, or of events during psychotherapy, the client should be informed and asked for consent to this.

### **3. Confidentiality**

Psychotherapists are required to safeguard the welfare and anonymity of clients when any form of publication of clinical material is being considered and to obtain the client's verifiable consent. In particular, any published material should not identify a client or relatives/friends and should be disguised as far as possible. Where the

## **CCOPPP Code of Ethics and Practice (including Complaints and Disciplinary Procedure)**

circumstances are such that this would not be sufficient to protect identity, and the welfare of the client and/or third parties might be jeopardized, there should be no publication.

Information provided by clients is regarded as confidential. It is only disclosed with the client's consent, unless there is clear evidence of serious danger to the client or others, if it is withheld. In the event that consent is withheld, the psychotherapist should inform the client of the action that he/she intends to take. However, it must be borne in mind that a psychotherapist has duties as a citizen and that there may be circumstances where it is not permitted to refuse information to a Court of Law. In such a situation, the client should be informed and the psychotherapist should safeguard confidentiality of material so far as is legally possible. Psychotherapists are required to register with the Information Commissioner's Office under data protection legislation if they hold any identifiable information on their clients on a computer or other, similar electronic device. Identifiable personal information includes name, address, telephone number and email address.

As part of the psychotherapist's ability to work effectively with the client, it is important that they should be able to consult with colleagues with respect to a discussion of clinical matters. In this event, psychotherapists are bound to protect their client's anonymity. Where recordings are to be presented, in whatever format, the client's consent must be obtained in writing and it should be specified to what use the material may be put. Such written consent must include accurate details of the specific ways in which such material is to be stored and the uses to which it may be put.

### **4. The Professional Relationship**

Effective psychotherapy depends on establishing a good working relationship with clients. Psychotherapists must recognise the power and influence which this gives them and must strive to establish an honest relationship with their clients. The psychotherapist must take responsibility to explain to their clients about the treatment to be offered and the responsibilities incumbent upon psychotherapist and client. The psychotherapist is responsible for coming to an understanding with the client with respect to the conditions of work, such as: fees, frequency of sessions, holiday arrangements and conditions governing missed sessions.

The psychotherapist must ensure that the client understands arrangements with respect to frequency of sessions, length of treatment, transfer to another psychotherapist, and termination. It is important that clients are given adequate notice of termination and of any other changes that affect the circumstances of psychotherapy.

Psychotherapists will normally only have one role relationship with the client, namely, that of client-psychotherapist. They will not establish other types of relationship (e.g.

**CCOPPP Code of Ethics and Practice (including Complaints and Disciplinary Procedure)**

social relations) with their clients and will avoid taking into therapy people with whom they already have other such relationships.

Recognising the client's vulnerability and possible dependency on the psychotherapist, the psychotherapist must not abuse this fiduciary position.

Where there may be a physical aspect to the client's condition, the psychotherapist should ensure as far as is reasonably possible, that the client has sought medical advice.

## COMPLAINTS AND APPEALS PROCEDURE

All Professional Members of the Canterbury Consortium of Psychoanalytic and Psychodynamic Psychotherapists (CCOPPP) are required to adhere to the Complaints and Disciplinary Procedures of CCOPPP. In all cases in these Procedures the Chair of CCOPPP or of the Ethics Committee may be replaced by the Vice-Chair where appropriate.

1. **Making a Complaint.** Anyone who has concerns about the ethical conduct of a CCOPPP member should bring this to the attention of the **Chair of CCOPPP Ethics Committee**. A client, a colleague, a supervisee, a carer or a third party may be able to raise concern on behalf of vulnerable adults/children if they are unable to formulate or take a complaint forward. Wherever practicable, the initiation and pursuit of complaints by such third parties should occur with the explicit consent of the client. Complaints may be made against the professional practice of a Professional or Student Member of CCOPPP. The complaint must be received within five years of the circumstance to which relates.
2. **Receiving a Complaint.** The Chair of the CCOPPP Ethics Committee, will on receiving a complaint against a member, ensure that the psychotherapist is informed (with the complainant's knowledge) and that both complainant and psychotherapist are immediately sent copies of the Complaints Procedure.
3. **Mediation.** The Chair of the Ethics Committee will invite the complainant and/or the member at whom the complaint is directed to an informal meeting with a mutually acceptable independent mediator to discuss the complaint and to see whether an agreement may be reached without recourse to the formal Complaints Procedure. The mediator will produce a written account of the conclusion of the meeting for the agreement of both parties. Wherever possible, such a meeting will take place within one month of the receipt of a written complaint. The complainant will be advised that his/her participation in any attempt at mediation is voluntary and that such participation does not compromise the complainant's right to a formal hearing.
4. **Formal procedure.** Where it is not possible to resolve the complaint through mediation, the complainant will be asked to submit a full written complaint if s/he has not already done so, and may be offered assistance from a third party nominated at the discretion of the Chair of the Ethics Committee. A copy of the complaint will be sent to the member, who will be invited to make a written response within one month of the member's receipt of the complaint.
5. **Complaints Panel.** A Panel of three members who do not have any direct or intimate relationship to either party (e.g. familial, therapeutic, management) will be constituted as nominated by the Chair of the Ethics Committee, and one of the members shall be designated Convener. The Panel will comprise

## CCOPPP Code of Ethics and Practice (including Complaints and Disciplinary Procedure)

experienced members of CCOPPP and will also normally include one member who is a person of good standing in a field outside of psychotherapy. Where necessary because of relationships with either party, a member from another psychotherapy organisation may be invited to join the Panel. Both parties to the complaint will be informed of the composition of the Panel and the likely timing of any hearings. Each party will have the right to object to the Chair of the Ethics Committee in the case of any Panel member being seen to be prejudiced or otherwise unacceptable. The Chair of the Ethics Committee will decide on the merits of any objection and will have final say on the composition of the Panel.

6. **Conduct of the Panel.** The Panel will have the right to gather whatever information is necessary to investigate the substance of the complaint thoroughly and where appropriate, to take expert advice with any costs incurred to be borne by CCOPPP. The Convener shall produce a contemporary written record of panel meetings and proceedings and will be given access to any documentation relating to the complaint. Each party to the complaint will have the right to bring another person to the hearing, including those able to provide legal and other representations which will assist in clarifying procedures and policies etc. If witnesses are involved, a witness statement should be made available to panel members and both parties at least 14 days prior to a formal hearing. The time between the receipt of the original full written complaint and the hearing shall be no greater than 6 months.
7. **Upholding of Complaint.** Where the complaint is upheld following the above procedures, the Complaints Panel will consider which sanctions, if any, will be applied to the member in question. The possible sanctions are listed in Section 4 of the Disciplinary Procedure, below. The case will then be referred to the Chair of CCOPPP Ethics Committee for implementation of the sanction(s). There will be a brief written summary of the finding of the Complaints Panel which will be sent to both parties and to the Chair of CCOPPP.
8. **Appeal.** After the completion of the Complaints Procedure within CCOPPP an appeal may be made by either party to the Chair of CCOPPP. An Appeals Panel comprising of three members, including one person of standing in a field outside of psychotherapy, will be constituted by the Chair of CCOPPP Ethics Committee to consider the Appeal. The Appeal Panel will request written details of the grounds upon which an appeal is being made. A meeting of the Panel will consider the information provided and may require further discussion with both or all parties to the complaint in the light of this information. The Appeal Panel will not reconsider the substance of the original complaint, but will consider whether there has been a breach of procedures or natural justice or if any new evidence has emerged which challenges the decision to uphold the complaint.

**CCOPPP Code of Ethics and Practice (including Complaints and Disciplinary Procedure)**

9. **Appeal to UKCP.** Where either party to the complaint is not satisfied that the complaint and/or appeal has been fairly or fully investigated they may appeal to the Professional Conduct Officer of the UKCP within 28 days of the completion of the CCOPPP Complaints and Appeals procedures.
10. **Reports to UKCP.** Where a complaint is upheld, the Professional Conduct Committee of the UKCP shall be informed by CCOPPP.
11. **Complaints upheld in other Organisations and Convictions.** A member of CCOPPP is required to inform the Chair of CCOPPP Ethics Committee if any complaint is upheld against them in another professional organisation, if they are convicted of any notifiable criminal offence or if successful civil proceedings are brought against them in relation to their work as a psychotherapist. A member is also required to inform the Chair of CCOPPP Ethics Committee if she/he has breached the CCOPPP Code of Ethics whether or not a complaint has been upheld by another organisation. A Panel will then be set up to investigate the possible breach of the code of ethics. In such cases the CCOPPP Ethics Committee will be the 'complainant' in the matter. The member will address the Panel and answer questions posed by the panel. The member has the opportunity to admit/deny the alleged breaches of the Code of Ethics. If the complaint is upheld the investigating panel will recommend relevant sanctions.
12. **Resignation.** The resignation of a member of CCOPPP shall not be allowed to impede the process of any investigation so long as the alleged offence took place during that person's membership.
13. **Monitoring Complaints.** CCOPPP shall report to the **Registrar** of UKCP annually concerning the number of complaints received, the nature of the complaints and their outcomes.

## DISCIPLINARY PROCEDURE

In cases where a CCOPPP Complaints Panel has found a complaint against a member to be justified the Disciplinary Procedure will be activated.

1. **Panel.** A Disciplinary Panel will be constituted by the Chair of CCOPPP within three weeks of the date on which the final decision of the Complaints Panel is communicated to all parties. The Panel will normally comprise three more experienced members of CCOPPP, none of whom have participated in the complaint or any subsequent appeal and none of whom have any direct or intimate relationship to either party. One member of the Panel will be designated as Chair. Where it is difficult to find members satisfying these criteria the Chair of CCOPPP will have the alternative of either constituting a two member Panel or of co-opting a person of standing from outside the profession of psychotherapy or an experienced psychotherapist from another organisation.
2. **Brief of the Panel.** The Panel will not reconsider decisions made by the Complaints Panel. It will have access to the evidence considered by the Complaints Panel and the summary of the findings in order to consider appropriate sanctions to be taken against the member.
3. **Conduct of the Panel.** The Chair of the Disciplinary Panel will arrange a meeting of the Panel within four weeks of its constitution and will inform the member of the date. The member will be invited to inform the Panel in writing at least two weeks before the date of the Panel of any mitigating circumstances that s/he believes should be taken into account in the consideration of sanctions.
4. **Sanctions.** The Panel may decide on a range of sanctions including:
  - Letter of warning which specifies behaviour which must not re-occur and the sanctions that would be likely to be applied in the event of such a recurrence.
  - Supervision: Stating a minimum and maximum time. The Ethics Committee has the authority to approve a supervisor and arrange monitoring thereof.
  - Therapy: As above.
  - Attendance at theory teaching day(s)/ workshop(s)/ as appropriate, for example, if a member did not realise the importance of the Code of Ethics or the importance of confidentiality.
  - Continuity of membership: Conditional on specific conditions being met.
  - Removal from office/membership of committee(s) within CCOPPP structure.
  - Suspension of membership: With a requirement to stop practicing as a psychotherapist during a stated period. This sanction needs to take into consideration what should happen to any existing clients. This sanction will be time-limited (one month plus) and will be accompanied by other stipulations required to demonstrate a fitness to return to practice. UKCP to be informed.

**CCOPPP Code of Ethics and Practice (including Complaints and Disciplinary Procedure)**

- Termination of the Membership: There should be a Professional Will in place so that someone is already aware of a list of clients and who can assist in re-distributing workload. This should state whether the individual can re-apply for membership after a stated period of time. UKCP should be informed along with other registering bodies such as BACP and the NHS.
5. **Communication of outcome.** The member and the original complainant will be informed in writing of the decision of the Disciplinary Panel by its Chair within 5 working days of the meeting. The outcome will be notified at the same time to the Chair of CCOPPP, who will then liaise with the Chair of the Ethics Committee. This liaison may include discussion as to how information regarding the complaint and its disposal should be communicated to others in addition to those specified in 4, above, including the professional Members of CCOPPP.
  6. **Appeal.** After the completion of the Disciplinary Procedure an appeal may be made to the Chair of CCOPPP. The Chair needs to consider the grounds upon which an appeal against the sanction(s) is made. An Appeals Panel will be set up comprising three members nominated by the Chair of CCOPPP and one of these appointees would be a person of standing outside the field of psychotherapy, none of whom were members of the Disciplinary Panel.
  7. **Appeal to UKCP.** Where either party to the complaint is not satisfied that the Disciplinary Procedure and/or appeal has been properly executed, s/he may appeal to the Professional Conduct Officer of the UKCP within 28 days of the completion of the CCOPPP Disciplinary and Appeals procedures.
  8. **Report to UKCP College.** The Chair of CCOPPP will inform the UKCP College (CPJA) of the outcome of any disciplinary action.
  9. **Report to UKCP Registration Board.** The Chair of CCOPPP will inform the UKCP Registration Board of the names of any members who have been suspended or expelled.

Revised March 2011