

## SECTION 10: CODES OF ETHICS AND PROFESSIONAL PRACTICE

These codes apply to both accredited and trainee members of GPTI

### 10.1 Code of Ethics and Professional Practice

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## 1. STATUS OF THIS CODE

- 1.1 In these Codes "Members" refers to **Accredited and Trainee Members**; they are bound by the conditions of their membership to work to the ethics and standards espoused in the Codes.
- 1.2 Ethical guidelines of the United Kingdom Council for Psychotherapy (UKCP) are incorporated in this Code. GPTI concurs with the following quote

'This ethical principles and code of professional conduct cannot cover every potential ethical, conduct or competence concern. Members must therefore depend on their own thoughtful evaluation of specific principles and the spirit expressed in these statements' (UKCP Ethical Principles and Code of Professional Conduct p.2)

## 2. INTRODUCTION

- 2.1. The purposes of this code are as follows: -
  - To provide a common frame of reference to which **Accredited and Trainee Members** of the Institute adhere in managing their responsibilities to clients, colleagues and the wider community.
  - To state the standards which Accredited and Trainee Members are required to maintain in their professional practice and to encourage optimal levels of practice.
  - To inform and protect clients, the public and professional associations seeking or using the services of members.
  - To provide a frame of reference for addressing ethical issues in relation to clients, colleagues and the wider community.
- 2.2. Applying this Code in situations of particular complexity requires Members to exercise careful judgement and to seek advice and support from senior colleagues and supervisors if they are not clear about how to deal with a professional dilemma. Despite conscientious and sensitive attention to resolving ethical dilemmas, it may not be possible to effect a resolution which is entirely satisfactory for all concerned.
- 2.3. The Institute has procedures to manage allegations of poor or unethical professional practice. If allegations of unethical practice are proven, sanctions, including suspension or withdrawal of membership, may follow.
- 2.4. As a Member Organisation of the United Kingdom Council for Psychotherapy (UKCP), the Institute is required to report to the UKCP Board the names of UKCP Members who have been suspended or expelled from GPTI.

## 3. THE NATURE OF GESTALT PSYCHOTHERAPY

- 3.1. Gestalt psychotherapy provides an opportunity for clients to increase awareness of themselves, their relationships with others and with the environment, and to develop their range of responses and choices.

- 3.2. The basis of Gestalt psychotherapy is to encourage clients' self support, personal responsibility and autonomy, whilst respecting their dignity and worth.
- 3.3 Gestalt psychotherapists work in a variety of settings; they work with individuals, couples, families, groups and organisations.

#### 4. THE STRUCTURE OF THIS CODE

**This Code is in two parts: -**

- The Code of Ethics that sets out the fundamental values and general principles of gestalt psychotherapy.
- The Code of Practice that applies these values and principles in detail to the practice of gestalt psychotherapy.

**The meaning of words in this Code:-**

- "Should", "recommend" and "advise" are used when the actions referred to are those considered representative of good practice whilst not being a current legal requirement nor an absolute requirement of membership.
- "Must" is used to refer to actions that Members of the Institute are obliged to take.

#### 5. CODE OF ETHICS: FUNDAMENTAL VALUES

- 5.1 The relationship between client and psychotherapist is fundamental to Gestalt psychotherapy. Members need to acknowledge the power and influence inherent in the psychotherapeutic relationship, the likelihood that they may be recipients of numerous projections and that they themselves, may project onto their clients out of awareness
- 5.2 GPTI acknowledges that it operates within an increasingly complex social environment and it values diversity and difference. GPTI also recognises the existence of oppression and discrimination, direct and indirect, inherent at every level within our society, which will inevitably be reflected in GPTI itself. Bearing this in mind, GPTI aims to treat all individuals who have links with the Institute with dignity and respect.
- 5.3 A clearly bounded relationship is seen as essential to the practice of psychotherapy; dual relationships with clients such as therapist/friend, therapist/supervisor, therapist/trainer and therapist/business colleague are considered unacceptable.
- 5.4 Clients' welfare is the foremost concern. Manipulation or exploitation of clients emotionally, sexually, financially, politically or in any way for the benefit of the therapist or the benefit of others is considered unethical. (See 6.3.6 and 6.3.7)
- 5.5 A high value is placed on enhancing and respecting the choices made by clients. Importance is put on providing clear information, surrounding the terms and conditions under which a psychotherapy service is offered before engaging in ongoing psychotherapy with anyone.

- 5.6 The practice of awarding client material maximum confidentiality and providing clients with reasonable levels of privacy, within the work-context, is considered good practice. Any limitations on either of these should be clearly communicated to clients from the outset of psychotherapy.
- 5.7 Whilst clients' rights to agreed levels of confidentiality and privacy are valued, so are the fundamental rights to safety and life of the members of the wider community. Conflicts of conscience and interest between the welfare of clients and that of others may arise during the process of therapy; the psychotherapist's judgment, following supervisory and/or legal consultation where feasible, is used to balance the rights of the parties involved as best as is possible in the circumstances.
- 5.8 Ongoing supervision is seen as essential in maintaining ethical practice. It is also recognised that, at times, psychotherapy support is necessary to maintain competent practice.
- 5.9 Gestalt psychotherapists are sensitive to the field in which the therapeutic work is taking place. Supervision and, where relevant, dialogue with colleagues, is used to negotiate this contextual field, which includes its structure and boundaries and also the aims that dominate the field, in order to ensure adequate support for competent practice. (Adapted from EAGT Codes)
- 5.10 The foregoing values and principles apply whether the psychotherapeutic work is undertaken in a voluntary or paid capacity.

## **6. CODE OF PROFESSIONAL PRACTICE**

**GPTI Accredited and Trainee Members must abide by the GPTI Code of Ethics and Practice and must be available to answer any questions concerning their practice, in the manner stated in the GPTI Regulatory Procedures.**

### **6.1 Contracting with clients**

- 6.1.1. Members are responsible for informing clients about their fees, cancellation procedures, availability, supervisory arrangements and the degree of confidentiality which they offer. This should be done before a commitment is made to ongoing psychotherapy. Any subsequent changes in the working contract should be negotiated beforehand.
- 6.1.2. All members must provide information about their qualifications, experience and membership of GPTI. They must indicate that they abide by the Institute's Code of Ethics and Practice and offer clients access to these. Trainee Members must inform all prospective clients of their professional status in the first interview.
- 6.1.3. Members are responsible for informing clients if they become aware of any relevant conflict of interest at the first interview or at any stage of psychotherapy.
- 6.1.4. Records ( see 6.9.3 and 6.9.4) should include:
- client's name, address and telephone number
  - client's general practitioner's name, address and telephone number
  - details of client's current involvement with other professionals, including other therapeutic relationships
  - information about relevant health problems
  - a record of the clinical work

- 6.1.5. Members must take into consideration the right of clients to see those records particular to them, as described in the Data Protection Act, and should be mindful of this when recording information.
- 6.1.6. Where there are contractual arrangements with a third party, over the payment of therapy for example, Members must make a clearly separate contract with the third party. Any future re-negotiations would be conducted with the third party. Members should be aware that conflicts of interest may arise where a person other than the client pays for therapy. Any contract with a third party should therefore make clear that a Member's primary duty is to the client.

## **6.2 Clients' safety and confidentiality**

- 6.2.1. Psychotherapists should aim to provide a working environment which offers maximum privacy to clients.
- 6.2.2. All client records must be kept under secure conditions to ensure privacy. (See 6.9.3 )
- 6.2.3. When there is an adjunct medical aspect to the client's condition, Members should discuss with him/her whether to seek advice from their general practitioner or other appropriately qualified professional person. Members must obtain clients' permission before conferring with other professionals, unless there are exceptional circumstances. (See 6.1.1)
- 6.2.4. Except where permitted by law, Members must maintain confidentiality both during psychotherapy and after its completion. Any disclosure of information may be made only with the client's written consent, unless there are overriding legal, safety or ethical considerations. Members should be aware that the disclosure of confidential information is permitted by law in limited circumstances. Where necessary, members should seek guidance from the Ethics Committee and/or legal advice
- 6.2.5. Should there be convincing evidence of serious risk or danger to a client, or to others, every effort should be made either to negotiate protective action by the client or to obtain the client's informed consent to protective action by the psychotherapist. Should neither of these outcomes be agreed, then the Member should be prepared to act without the client's consent, in order to prevent harm. The Member should be prepared to justify his or her conduct by reference to the law and any relevant guidance issued by the GPTI. (See 6.3.4 and notes on disclosures at end of document)
- 6.2.6. Information about clients must be regarded as confidential. Where disclosure is deemed to be necessary, this should be restricted to information that is pertinent to the situation. This applies whether the information is obtained directly from clients or by inference.
- 6.2.7. When a Member wishes to obtain relevant data about a client from other professionals or institutions, he/she must observe the rights of the client as regulated by the law. This also applies to the handling of written data regarding the client.
- 6.2.8. Members should ensure that personally identifying information about clients is not revealed in overlapping networks of professional relationships. Members should refrain from making trivialising comments about their clients in any setting.
- 6.2.9. Members must obtain clients' informed consent, in writing, to the making of audio or video recordings of psychotherapy sessions; any agreement with clients must make clear that the material may be disclosed in limited circumstances – for example, where required by a court order. Members should

consider the implications of power differentials and transference dynamics when discussing recording with clients. Reference may be made to the value of recordings for maintaining and enhancing the quality of service. Information given must include the following:

- the client's free choice, and options to revise any agreement made, at any time in the future.
- the purposes for which the audio or video recording is intended and the circumstances in which it would be used
- assurance that the material will be heard only within the context specified and by professional colleagues bound by the same rules of confidentiality
- client control over the material; any requests for recordings to be deleted
- must be respected

6.2.10 Should Members wish to have their work with a client observed, this must first be discussed and written consent obtained, on the understanding that the client has the right to withdraw this at any time.

6.2.11 When Members are unable to keep an appointment because of illness or other unforeseen events, they should whenever possible make appropriate provision for the care of clients.

6.2.12 Members must make provision for clients to be informed in the event of their serious incapacity or death and must inform clients, in advance, of the manner in which the records relating to them will be handled in these circumstances. Other considerations are the ongoing care of clients; appropriate management of confidential files and audio/visual recording recordings of sessions; the procedures necessary for the closure of one's practice in a responsible, ethical and sensitive manner and the nomination of an appropriate person to take these matters forward on the Member's behalf, where necessary.

6.2.13 Members should consider their personal moral stance and legal duty of care in the case of receiving information about children and vulnerable adults at risk of harm. Initial contracts must clearly state these responsibilities and make clear the circumstances in which the Member will disclose information which would otherwise be treated as confidential.

## **6. The client-psychotherapist relationship**

6.3.1. Members are responsible for working in ways that promote their clients' self-agency and affirm and enhance their capacity to make creative choices and changes in response to their evolving needs, circumstances, values and beliefs.

6.3.2. Members must ensure that no person is discriminated against or denied access to services on the basis of his/her disability, race, gender, sexual orientation, social class, age, nationality or religious affiliations. [See GPTI Equal Opportunities Policy and relevant Acts such as the Disability Discrimination and Race Relations Acts]

6.3.3. Members should provide regular opportunities for clients to review the terms of the psychotherapeutic contract and the progress of psychotherapy.

6.3.4. Members do not usually act on behalf of their clients. They may decide to do so if requested specifically by their client or in other exceptional circumstances. (See 6.2.5)

6.3.5. Members are responsible for setting and maintaining the boundaries of the therapeutic relationship. The professional relationship with clients must be managed ethically and respectfully in any

circumstances where the client and psychotherapist meet outside the context of the professional relationship.

- 6.3.6. Members should be aware of the powerful influences of transference and counter-transference and the potential for exploitation in the psychotherapy relationship. They must not exploit their current or past clients financially, politically, emotionally, sexually, physically or in any other way. Members must not manipulate clients in order to benefit other persons, groups or organisations.
- 6.3.7. Physical contact in the therapeutic process is exclusively orientated to the welfare of the client and requires special professional reflection and care. In the handling of physical contact in the therapeutic process, the consent of the client is of primary importance, but by no means the only important factor to be considered. Sexual contact of any kind with current or past clients is considered to be unethical.
- 6.3.8. Decisions about ending psychotherapy are the responsibility of both client and psychotherapist. Should the Member's professional assessment not accord with the client's the Member should facilitate closure in ways that allow for an acknowledgement and discussion of that difference and an honouring of the client's views and well being. If Members recognise that they are not working effectively with a client, they must inform the client and facilitate termination and, if appropriate, an onward referral.

#### **6.4 Members' self-care and competence to work with clients**

- 6.4.1. Recognition of limitations is an important aspect of competency. Members must actively monitor the limits of their competence through their own psychotherapy, supervision and consultative support. They should work within their limits and if in doubt consult about the advisability of working with a particular client or client group. Where necessary, they should make appropriate referrals.
- 6.4.2. Members have a responsibility to themselves and their clients to maintain their own effectiveness, resilience and ability to practise effectively. They must monitor their own personal functioning, seek help and/or withdraw from psychotherapeutic work temporarily or permanently when their personal resources are so depleted as to warrant this. Members should not work with clients when their capacity is impaired due to emotional difficulties, illness, alcohol, medication or any other reason. They should make appropriate referrals if necessary.
- 6.4.3. Trainee Members must obtain the agreement of their training consultant and supervisor to work with clients.
- 6.4.4. Members should take all reasonable steps to ensure their own physical safety when they engage in psychotherapy work.
- 6.4.5. Practising Members must obtain professional indemnity and public liability insurance for the protection of their clients and themselves. Members are advised to obtain adequate cover for any legal action taken against them or against the owners of premises in which they work.
- 6.4.6. Trainee Members must be in regular personal psychotherapy during training unless otherwise agreed with their training consultant. Other Members are required to have access to psychotherapeutic support where necessary to support and challenge their professional effectiveness.

#### **6.5 Supervision and CPD**

- 6.5.1. The purposes of supervision are to provide a supportive and challenging context within which psychotherapists discuss their work are responsible for arranging the form and frequency of supervision appropriate to client contact hours and experience. Trainee Members must comply with the ratio of supervision to client contact hours, as specified in their training contract. It is unethical for Members to practise without regular supervision.
- 6.5.2. When presenting work for the purposes of supervision, members must respect the boundaries of confidentiality agreed with their clients.
- 6.5.3. Members and their supervisors are responsible for ensuring that the main focus of their discussions is purposeful and pertinent to the psychotherapist's work with clients.
- 6.5.4. Members should ensure that their supervisor is not also their psychotherapist.
- 6.5.5. Members who are employed by an agency or organisation are responsible for maintaining a clear boundary between concerns they take to their line manager and psychotherapeutic issues they take to clinical supervision.
- 6.5.6. Members are required to commit to an on-going process of Continuing Professional Development (see CPD Policy in this handbook)

## **6.6 Advertising and public statements**

- 6.6.1. Advertising by Members must be confined to their name, address and telephone number, an accurate description of the service offered, fees, training, status, qualifications and membership of professional organisations. All reasonable steps must be taken to honour undertakings given in publicity material.
- 6.6.2. Pre-contract and Trainee Members must not imply qualified status that they do not possess and must always describe their membership status in full. A Trainee Member must not describe himself or herself as a 'psychotherapist' or 'gestalt psychotherapist', unless granted that title elsewhere. Members must not describe themselves as affiliated to an organisation in a manner which inaccurately implies sponsorship or authorisation by that organisation.
- 6.6.3. Testimonials must not be included in publicity material. Statements which imply services superior to those provided by others must not be made.

## **6.7 Research**

- 6.7.1. Members must obtain clients' informed, written consent to the presentation or publication of case material to colleagues, for training, research or educational purposes. Clients must be informed that they have the right to withdraw their consent and to specify the conditions under which they agree to the material being used. When using case material, members must always ensure that their client's identity is protected by changing biographical and other identifying details.
- 6.7.2. When engaged in research in relation to their psychotherapeutic work, Members must conduct this in ways which are respectful, legal and ethical throughout. They should use their data accurately and restrict their conclusions to those compatible with their methodology.

## **6.8 Responsibilities to GPTI colleagues and other professional groups**

- 6.8.1 Members should conduct themselves in a way which promotes public confidence in psychotherapy. Reference made to, or about, other psychotherapists or professionals should not be made with the purpose or likely outcome of demeaning the other.
- 6.8.2 If a Member has experienced the unethical conduct or below-standard professional practice of another Member, he or she has a professional obligation to raise the matter in the manner described in the Institute's Regulatory Procedures
- 6.8.3 If a Member learns through another party of the below-standard professional practice or unethical conduct of another Member, he or she must raise the matter, as a special and allowed form of third-party allegation, in the manner described in the Institute's Regulatory Procedures. If the information is acquired within a confidential relationship, the Member should seek consent of the client. Where this is not possible, or consent is refused, the Member should seek further advice and should consider whether disclosure is ethically and legally justifiable.
- 6.8.4 If a Member perceives that another Member is no longer fit to practice for reasons of deteriorating health, he or she must respectfully alert that Member to the fact and to his/her responsibility to withdraw from practice. Failure of the Member to withdraw from practice would require further action as set out in the Institute's Regulatory Procedures.
- 6.8.5 Members should not accept someone as a client who is already the client of another psychotherapist, unless both psychotherapists agree that this is appropriate.
- 6.8.6 It is normal practice to acknowledge referral of a client from a colleague or other professional.
- 6.8.7 Members should accept their part in exploring and resolving conflicts of interest between themselves, the Institute and other agencies, especially where this has implications for clients.

## **6.9 Responsibilities in law**

- 6.9.1. Members must work within the legal framework of the part of the United Kingdom in which they practice, and within that of the European Court of Human Rights.
- 6.9.2. It is the responsibility of Members to be conversant with the legal implications of their psychotherapeutic work.
- 6.9.3. Records are subject to statutory regulations under the Data Protection Act 1998 and subsequent revisions. Anyone holding records including those stored on a computer as in 6.1.4, is by law, to register with the Data Commissioner. Members may need to obtain the consent of clients to the transfer of their personal data to another organisation in the event that the practice is closed down
- 6.9.4. Members would be advised to adopt an appropriate policy regarding the retention of records having considered such factors as relevant legal limitations (e.g. Data Protection Act), the nature of the risks involved, the purposes for which the records would be retained and the periods, as stipulated in GPTI, or relevant other, Regulatory Procedures, in which allegations may be brought. UKCP suggest client notes be kept for at least 7 years.

- 6.9.5. Members must report to the Executive Council of the Institute if they become the subject of any criminal proceedings or any civil proceedings brought against them in relation to their work as psychotherapists
- 6.9.6. Members may be obliged to involve the police where they become aware that a crime has or will be committed, and in some circumstances Members will be legally obliged not to inform the client that they are so doing. Members should seek supervisory and legal advice in all of these circumstances.
- 6.9.7. A Member should not generally disclose personal information to a third party such as a solicitor, police officer or officer of a court without the client's express consent, except in limited circumstances. Members should request that any such third party confirms the basis on which the request for information is made and then seek advice from the Ethics Committee and/or legal advice. Members are advised that they can be called before a court to speak to a report that they have provided.
- 6.9.8. Members should take care to maintain a balance between the therapeutic contract and any applicable legal and employment obligations in cases of abuse or serious lack of care involving minors and vulnerable adults.

## NOTES

### Disclosures:

Disclosure of personal information without consent may be justified in the public interest where failure to do so may expose the client or others to risk of death or serious harm. Where the client or others are exposed to a risk so serious that it outweighs the client's privacy interest, you should seek consent to disclosure where practicable. If it is not practicable to seek consent, you should disclose information promptly to an appropriate person or authority. You should generally inform the client before disclosing the information. If you seek consent and the client withholds it you should consider the reasons for this, if any are provided by the client. If you remain of the view that disclosure is necessary to protect a third party from death or serious harm, you should disclose information promptly to an appropriate person or authority. Such situations arise, for example, where a disclosure may assist in the prevention, detection or prosecution of a serious crime, especially crimes against the person, such as abuse of children.

In the event of an allegation being lodged against a Member, the contract for confidentiality changes in order to allow all parties to present their cases. Members may consider including this fact in their initial contract.

Where circumstances allow, you should seek advice from the Ethics Committee and/or and appropriately qualified legal adviser as to whether, in such circumstances, disclosure can be justified before the law and the Institute. Ultimately, only the courts may determine whether a disclosure was justified. However, GPTI may also ask you to justify your decision if a complaint is made. If there is clear consent from the client to the proposed disclosure, it is likely to be permitted. However, queries generally arise where the circumstances do not fall neatly within the anticipated circumstances.

These pages will be regularly reviewed. Any suggestions for modification of the Code of Ethics and Professional Practice should be sent to the Chair of the Ethics Committee.