



COSCA

Counselling & Psychotherapy  
in Scotland

# STATEMENT OF ETHICS AND CODE OF PRACTICE





# STATEMENT OF ETHICS AND CODE OF PRACTICE

## **Preface**

Mutually agreed ethics and acceptable standards of practice in any profession provide the bedrock whereby those practitioners and clients are safeguarded and served within a defined framework and agreed boundaries. In this way the professional search for integrity and credibility is validated.

It is the mark of a responsible professional body to define its Ethical Principles and furnish its own Code of Practice for the discipline of members and the welfare of the clients served by these members. Each body of practitioners in the field of counselling and psychotherapy within the United Kingdom, the European Union, the United States of America, Canada and elsewhere, eventually benefits from the spectrum of ethics and codes corporately provided. In this way, the life and practice of each professional body is enriched and diversity and difference valued.

COSCA serves the Scottish counselling and psychotherapy community. This Statement of Ethics and Code of Practice for members of COSCA arise from, and will be regularly reviewed in the light of, COSCA's own experience of dilemmas faced, local circumstances and the dialogue within. It is also an acknowledgement of the corporate search within the membership to establish the safeguards and professional standards expected by the clients which it serves and society generally.

It is a requirement of all individual and organisational members of COSCA to abide by its Statement of Ethics and Code of Practice. In any case of breach of the Statement of Ethics or Code of Practice by a member, the COSCA Complaints Procedure can be invoked.



## STATEMENT OF ETHICS

### **1 Introduction**

- 1.1 All individual and organisational members of COSCA, the professional body for counselling and psychotherapy in Scotland, must abide by the Ethical Principles specified in this Statement.
- 1.2 The term 'client' refers to any party using, receiving or seeking the services of a member which pertain to counselling and psychotherapy.

### **2 Ethical Principles**

- 2.1 The working relationship between a member and their client, and between members, is governed ethically. It is a relationship which is respectful and valuing of each person who is part of it and members have the primary responsibility for maintaining the ethical framework of that relationship.
- 2.2 Members work in the best interests and for the welfare of their clients, and of their colleagues.
- 2.3 Members work within the limits of their competence, monitoring their effectiveness and recognising the need for their on-going professional development.
- 2.4 Members demonstrate integrity, openness and objectivity to their clients, and colleagues. Members do not exploit or harm their clients, or colleagues.
- 2.5 Members respect the dignity, worth and uniqueness of all individuals and affirm their autonomy.



- 2.6 Members recognise and respect diversity and differences between people. Members do not practise, condone or encourage unjustified discrimination or oppressive behaviour.
- 2.7 Members respect privacy and preserve the confidentiality of information acquired in the course of their work.
- 2.8 Members work within the law.
- 2.9 Within the broader context, the above ethical principles are manifest whenever applicable in all the professional activities and relationships engaged in by members.



# CODE OF PRACTICE

## **1 Introduction**

- 1.1 This Code of Practice expands on the Ethical Principles specified in COSCA's Statement of Ethics by applying them to specific issues of practice.
- 1.2 All individual and organisational members of COSCA must abide by this Code of Practice.
- 1.3 The term 'client' refers to any party using, receiving or seeking the services of a member which pertain to counselling and psychotherapy.
- 1.4 Notes of additional guidance, printed in italics, are provided after certain clauses in the Code.

## **2 Competence**

- 2.1 A member offering or providing a service has a fundamental responsibility to have sufficient competence through training, underpinning knowledge and practice to ensure that the service is effective.
- 2.2 A member is required to ascertain that a client's request and/or need for the service offered or provided does not extend beyond the competence of the member.

Where a referral to a more appropriate source of help is indicated the member will take steps to encourage the client and to positively refer on.

- 2.3 An individual member is required to take responsibility for, and be committed to, her/his own ongoing professional and personal development.

*This will include further appropriate training and developing a support network with experienced colleagues.*

- 2.4 An organisational member is required to ensure the professional development and encourage the personal development of its workers.

*The organisation should provide opportunities for further training through courses, workshops, seminars, etc.*

- 2.5 Members continually monitor their practice and can recognise their inability to work effectively with a particular client or when their professional effectiveness is impaired. In such situations, members will promptly take the most appropriate action to serve the best interests of their client(s).

*The functioning of an individual practitioner may be impaired by personal problems caused by, for example, illness, stress, life events, etc. An organisation may be affected by, for example, staff shortages, administrative difficulties, etc. The member must consider whether they should refrain from working with the client; make any appropriate referrals; and seek professional support to address their difficulties.*

- 2.6 Client-work supervision is used by members as an integral part of the process of ensuring professional standards of competence and practice within the working relationship between practitioner and client.
- 2.7 Organisational members will ensure that provision is made for appropriate consultative support for managers and others responsible for the running of their organisation.

### **3 Contracts**

- 3.1 A member will state clearly at the onset of the working relationship with a client any terms, conditions, methods of practice, and extent of confidentiality, preferably in a written form. Also, as clear an indication as possible should be made as to the duration and nature of the work, including any possible limitations.



- 3.2 A member will ensure that all contractual elements are understood by the client, and that they are maintained throughout the course of the working relationship. Clear agreement will be obtained from the client if any alterations to the contract are sought by the member.

*The written or verbal contract (both forms are binding in Scots Law) which the member enters into with the client may be renegotiated. Both parties to the contract must be clear when this takes place and exactly what amendments to the contract have been agreed.*

- 3.3 The member will ensure that the client is given adequate opportunity in the course of the working relationship to review its progress and effectiveness.
- 3.4 Any doubt perceived by a member concerning a client's willingness to be in the working relationship will be raised and discussed with the client.
- 3.5 Where there is a reluctance by the client to engage in the working relationship, the member will address this issue with the client and, where appropriate, with the parties responsible for commissioning the member's services and/or referring the client to the member.

*This can refer to situations where the client is advised or compelled to attend for counselling by a third party, for example, their doctor, their employer or the Courts.*

- 3.6 A member will not confer with other professional workers without the prior permission of the client.



- 3.7 A member will ensure that their client is well-prepared for the suspension or termination of the working relationship.

*In this situation, a member must make every effort to keep their clients informed and empowered to pursue alternative sources of help. A member should also make appropriate arrangements to assist clients in the event of, for example, a sudden death or cessation of business*

## **4 Safety**

- 4.1 During the provision of their services, members will take all reasonable measures to ensure the physical and psychological safety of their clients.
- 4.2 Members will take all reasonable care to ensure that their services do not result in harm occurring to their clients after the working relationship has ended.
- 4.3 A member's physical work environment will be appropriate to the services being provided and will be conducive to the safety and privacy of the client and the practitioner.
- 4.4 Individual members are responsible for their own physical and psychological safety in providing services to clients.
- 4.5 Organisational members are responsible for ensuring the physical and psychological safety of their workers involved in providing services to clients.
- 4.6 Client-work supervision is used by members as part of the process of ensuring practitioner and client safety within the working relationship.



## **5 Confidentiality**

- 5.1 A member will treat all information provided by, or otherwise obtained about, their current and former clients as confidential.
- 5.2 Members will ensure client confidentiality and abide with any legal requirements within their own systems of practice, administration and client-work supervision.
- 5.3 A member will not disclose any information about a client to a third party without the permission of the client. When such agreement is sought, the member will explain to the client how the information will be communicated and for what purpose. Any unanticipated communication with a third party must be reported to the client, together with the content of the communication, as soon as possible thereafter.
- 5.4 Exceptionally, a member may disclose information obtained during the working relationship with their client in the interests of the safety of the client and/or others. In advance of this disclosure, whenever practicable, the client's permission will be sought and the client-work supervisor consulted.
- 5.5 A member will ensure that any information obtained about a client is kept confidential in all other professional relationships involving the member and the client.

*For example: in the relationship between an organisation and its workers; or the relationship between a practitioner and her/his client-work supervisor.*

- 5.6 A member has a professional responsibility to treat with discretion and confidentiality any discussion, information or opinion which may be prejudicial to another party.

## **6 Conflicts of Interest**

- 6.1 A member will not enter into a working relationship with any client about whom the member has prior knowledge which might cause a conflict of interest.

Knowledge can mean known in: a personal capacity; a professional capacity; through a third party; or a casual acquaintanceship; or from documentation.

- 6.2 When a potential conflict of interest becomes apparent after the working relationship with a client has commenced, the member has a duty to acknowledge the conflict of interest to the client and seek an equitable resolution to the situation.

*Resolution can mean referring the client to another practitioner or continuing if the member and the client are both satisfied that the conflict of interest will not prejudice the working relationship.*

- 6.3 Any conflict of interest will be addressed by a member within client-work supervision, or consultation, whichever is appropriate to the situation.

## **7 Exploitation**

- 7.1 Members use their skills and knowledge to work in the best interests of their clients, and do not knowingly permit their skills and knowledge to be misused by others.
- 7.2 A member must not exploit a client, financially, emotionally, sexually or in any other way which does not give attention primarily to the best interests of the client.



- 7.3 A member's responsibility not to exploit a client, extends beyond the termination of the working relationship with the client.
- 7.4 Members avoid exploiting the trust and dependency of other people with whom they might work.

*For example: subordinates, trainees, students, supervisees, colleagues, etc.*

- 7.5 Any possibility or issue of exploitation will be addressed by a member within client-work supervision, or consultation, whichever is appropriate.

## **8 Client-work Supervision**

- 8.1 Members must use client-work supervision to ensure the efficacy of their working relationship with clients and to ensure that the needs of their clients are being addressed. Such supervision must be regular and frequent, and proportionate to the practitioner's training and experience, and to the volume and nature of the client-work. In all cases, it is recommended that those offering counselling supervision should have sufficient competence to do so, through training, under-pinning knowledge and practice to carry out this role.

*Client-work supervision is a formal process which provides a practitioner with the discipline and support of an experienced colleague in the careful and confidential oversight of the practitioner's work with clients. The supervision relationship is a mutual one and is not, in any way, hierarchical nor must it be confused with formal management. It is not normally appropriate for a practitioner's line manager, trainer or personal counsellor to also be their client-work supervisor. Where such situations are unavoidable, every care must be taken to ensure that the roles and boundaries inherent in the client-work supervisory relationship are respected.*



*Client-work supervision is commonly referred to as 'Counselling Supervision' when it applies to the situation of practitioners counselling clients. It is recommended that the proportion of time spent on counselling supervision to that spent on client-work should be 1:12.*

- 8.2 The relationship between the practitioner and their client-work supervisor must be reviewed periodically by the member to ensure that it remains focused, effective and positively contributing to the service offered by the member to the client.
- 8.3 It is the responsibility of the member to reflect on practice and to monitor the need for and use of client-work supervision.
- 8.4 Given that the relationship between a practitioner and their client-work supervisor is confidential, members should not normally reveal the personal identity of clients in the course of client-work supervision.

## **9 Advertising and Publicity**

- 9.1 All advertising and publicity concerning the services offered by members must be accurate and not misleading to potential clients and the general public. In addition, all legal requirements of public advertising standards must be followed.
- 9.2 A member must state their category of COSCA membership fully and clearly on all their advertising and publicity material.



## **10 Professional Responsibilities**

- 10.1 In all aspects of their professional work, members recognise their responsibilities and obligations to colleagues in their own profession and in other professions. Members are expected to ensure that they are appropriately supported via supervision, consultation or coaching, to carry out their responsibilities.
- 10.2 When members employ, train or supervise others, they are committed to furthering the professional development and encouraging the personal development of these people.
- 10.3 Members must work within the law.
- 10.4 Members must accept any procedure or decision of COSCA relating to its Statement of Ethics or Code of Practice.
- 10.5 When a member knows of a possible breach in the COSCA Statement of Ethics and/or Code of Practice by another member, they may first informally attempt to resolve the matter by bringing it confidentially to the attention of the other member. If the breach is serious, or an informal solution is not forthcoming, a complaint should be raised by invoking the COSCA Complaints Procedure.



- 10.6 Members must notify the Chair of COSCA's Ethics Committee at the COSCA Office if:
- 10.6.1 a complaint is upheld against them by another professional body which might have a bearing on their practice as a counsellor, psychotherapist, supervisor, counselling skills user, and/or a trainer in the above fields;
  - 10.6.2 they are convicted of a criminal offence which might have a bearing on their practice as a counsellor, psychotherapist, supervisor, counselling skills user, and/or a trainer in the above fields;
  - 10.6.3 successful civil proceedings are brought against them which might have a bearing on their practice as a counsellor, psychotherapist, supervisor, counselling skills user, and/or a trainer in the above fields.

*In any of these cases, or in the case of such notification being deliberately withheld by the member, the Policy Board has the right to review the member's membership of COSCA.*

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