

PERFORMAT CODE OF ETHICS

SECTION 1 – THE THEORETICAL FRAMEWORK FOR THE CODE OF ETHICS

General introduction

This Code of Ethics is congruent with the European Association for Transactional Analysis (E.A.T.A.) Code of Ethics.

This Code is intended to guide and inform both organisations and individual members of PerFormat in the ethical practice of Transactional Analysis (TA).

In this Code, the word 'practitioner' relates to all members of PerFormat who use TA as a model for understanding and change with individuals, couples, groups or organisations and also includes the roles of supervisor and trainer.

The word 'client' denotes any recipient of professional services of members of PerFormat.

Within the helping profession, ethical principles need to address many areas in order to influence ethical behavior.

These are:

- ✓ Clients
- ✓ Self as practitioner
- ✓ Trainees
- ✓ Colleagues
- ✓ Our environment and community

TA practitioners will consider the philosophy, ethical principles and personal qualities and reflect on what stance to take and how to behave in each of the mentioned areas.

The practitioner will analyze any situation looking at the influence of ethical principles on the practice and choose behaviors taking into account a wide variety of factors, e.g. client, self, environment, etc. A practitioner may wish to seek consultation with a qualified supervisor or qualified peer.

Limitations - It is recognized that any Code of Ethics will have limitations.

SECTION 2 – THE CODE OF ETHICS

It is intended that this Code represent an attempt to encourage thinking that permits the coexistence of differing views on ethical practice by stating primary principles in ethical practice. It will do this by basing the Code on four central and principles universally held in TA, which are also congruent with the norms of society within Italy:

- ✓ The philosophical base from which we practice
- ✓ The principles, which support and affirm our practice
- ✓ Personal moral qualities of the practitioner
- ✓ Clearly explicit, generally accepted rules of behavior

This Code addresses the PerFormat's commitment to openness and non-defensiveness.

It is encouraged that concerned individuals raise their questions, concerns, suggestions or complaints with someone who can address them properly. In the case of a PerFormat member, in the first instance, it might be with their supervisor, trainer or qualified peer who is in the best position to address an area of concern.

For members of the public this may be informally with a member of the ethics committee who can be contacted by telephone via +39 0500980931 or email info@performat.it.

However, if complainants are not comfortable speaking with their supervisor, trainer etc. or are not satisfied with their response, they are encouraged to speak with someone on the Ethics Committee or Professional Practice Committee. Contact details can be found in the PerFormat website www.performat.it or on the above phone number.

Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation and appropriately address the ethical and professional issues involved.

The philosophical base from which we practice

Our ethical practice must be grounded in our philosophy and the principles which support it.

Practitioners will encounter situations that are not covered by specific codes or will be faced with having to decide between principles. In such circumstances any chosen course of action only becomes unethical if it can be shown that the practitioner did not take appropriate care with due regard to the philosophy and principles of TA.

The fundamental philosophy of TA is widely known and universally accepted within TA, namely:

- ✓ Everyone is OK
- ✓ Everyone has the capacity to think and influence their life by the decisions they make
- ✓ Any decision can be changed

Everyone is OK - This is defined here as meaning that whatever we may do or say, there is an essential core self that has value, dignity and worth. This core self has the potential and desire for growth and relationship. Acceptance of this philosophy ensures that the TA practitioner respects and recognizes human rights and dignity.

The practitioner accepts difference whilst at the same time seeks to alleviate distress, suffering, and encourage growth and health.

The Principles which support and affirm our practice

We have two primary principles, which support and underpin our philosophy:

✓ *Open Communication*

This requires that a practitioner will seek to maintain clear overt communication in their professional dealings with both clients and colleagues. It also means that where practitioners are aware of ulterior transactions they will seek to make them overt. Berne emphasized the importance of sharing knowledge and insights with the client, which is a central feature of this principle. Open communication means that all practitioners are clear in all matters of communication including, for example: advertising, information given about services, rules of confidentiality and working practice and disclosing information that might compromise the professional relationship.

✓ *The Contractual Method*

This requires that all contracts are both clear and explicit as to the nature and purpose of the professional relationship and that both parties to the contract have clear, functioning Adult thinking. The contractual method respects a client's right to be self-governing and encourages and emphasizes the client and practitioner's commitment to an active process in enabling change. It means that practitioners seek freely given and adequately informed consent from their clients.

A further principle also guides our practice.

✓ *Above All Do No Harm*

This was a central principle for Eric Berne. It requires that in all dealings with clients the practitioner seeks to avoid causing harm. To maintain this Principle practitioners are required to sustain competence through ongoing professional development, supervision and personal therapy where necessary.

All practitioners have a responsibility to confront, where appropriate, incompetence and unprofessional behavior in colleagues, and co-operate in any organizational action against those who discredit the good name of TA.

Note on the Principles Observances of the above principles are central in encouraging and respecting the trust that clients place in the practitioner. All ethical practice can be judged against whether or not any action honors that trust. Personal moral qualities Ethical practice and moral action are inextricably linked with personal qualities.

All TA practitioners are strongly encouraged to aim for such qualities. It is recognized, however, that in any ethical process consideration of such qualities needs to be limited to their demonstration in professional practice.

Nevertheless if these qualities were not also demonstrated in an individual's personal life this indicate a lack of congruence and integration.

Integrity; Demonstrated in openness, congruence and straightforwardness in dealings with others.

Courage; The ability to act for what is believed as right in the face of fear, risk and uncertainty.

Respect; To show consideration and regard to others and to self and in the way that others perceive themselves.

Honesty; The capacity to demonstrate truthfulness, sincerity and trustworthiness in all interactions with others.

Compassion; The ability to experience concern and empathy for the suffering of another together with a desire to give support and help.

Humility; The ability to have a realistic understanding of one's own strengths and weaknesses.

Fairness; The ability to view events without bias or prejudice in order to inform decisions and take appropriate actions.

Obligatory Codes

1. PerFormat members shall not exploit their professional relationship with any person to whom the PerFormat member is providing services in the member's field of specialization. 'Exploit' means 'to take unfair or selfish advantage of the member's professional relationship with the recipient of services, in any matter including, but not limited to, sexual or financial matters'.
2. Contracts with recipients of professional services shall be explicit regarding fees, payment schedule, holidays, and cancellation of sessions by client or practitioner, and frequency of sessions. The member shall make it clear whether the contract with the client is for therapy, training, supervision, consultancy or some other service.
3. Members of PerFormat will operate and conduct services to recipient of professional services taking conscientious consideration of the laws of the country in which they reside and work.
4. All communication between the member and the client will be regarded as confidential except as explicitly provided for in the contract or in compliance with relevant law.
5. In the event that a complaint should be made against a member, that member shall co-operate in resolving such a complaint and will comply in all respects with the requirements of the Procedures for Handling Ethics Charges, which are current at that time. Failure to do so will, in itself, be considered a breach of ethics.

SECTION 3 – THE REQUIREMENTS AND RECOMMENDATIONS FOR PROFESSIONAL PRACTICE

There has been much confusion about the status of a 'code' and this has led to confusion as to whether or not any breaking of a code of professional practice is, in fact, a breaking of an ethical code. For this reason the words 'code' and 'guidelines' have been replaced by 'requirements' and 'recommendations'.

Here requirements mean those regulations that are essentials to belonging to PerFormat, to the European Association of TA and, for psychotherapy members to the Codice deontologico of Ordine degli Psicologi.

Recommendations are those things that are held to be appropriate in order to maintain a high level of professionalism in our work (best practice) but are not compulsory. Clearly the omission or breaking of a requirement will necessitate an organizational response (e.g. suspension of being Registered with PerFormat) and not an ethical one.

The breaking of a recommendation may result in confrontation from a colleague. Examples of concern over professional practice includes such matters as false or misleading advertising, misuse of the logo, derogatory comments about another member, or a suspected breach of Professional Practice requirements or recommendations. Such complaints are assumed to be the result of oversight or lack of information on the part of the offending party. The individual concerned is contacted and asked to take action to correct the situation. If the person refuses, then it becomes clear that the offending action(s) was intentional and it may become grounds for lodging an ethical charge against the individual. If this is the case then the matter is referred to the Ethics Committee for action.

When there is not a clear violation, but rather a dispute between members, the matter may be referred to the Committee for information and advice. If it is considered appropriate, the Committee may also provide some level of mediation.

N.B. Failure to meet professional practice requirements or recommendations may also carry with it ethical implications.

Requirements

1. *Insurance*: Practicing members will take out Professional Indemnity Insurance to provide cover in the event of a legal suit, or other claims that may be made against them (this cover may be provided by the member's employer). Members are advised to check their policy documents for clauses which may

- invalidate professional insurance e.g. disclosure of Professional Indemnity Insurance to a client. They are further advised to check that their insurance policy covers the full range of their professional activities, and that some provision for legal costs is included.
2. **Qualifications:** Members' statements concerning their professional qualifications and/or experience will be an accurate reflection of their status. Misrepresentation of qualifications may be illegal under the legal requirements for advertising and promotion that governs standards in commercial advertising and may jeopardize a member's present and future standing with PerFormat.
 3. **Supervision:** All practicing members will ensure that they receive appropriate supervision of their work on a regular basis from someone who is suitably skilled and qualified in their chosen field. The recommendation is a minimum of eight times (minimum of an hour per occasion) a year for Certified members.
 4. **Medical Backup** (specifically applies to Psychotherapy and Counselling members): When a practitioner is working with a client who has a potentially serious medical or psychiatric condition, the practitioner shall ensure that he/she seeks appropriate medical support and advice for the continuation of treatment.
 5. **Duality of Roles:** Members will avoid a duality of professional relationship in the following areas:
 - ✓ Therapist/counsellor and supervisor to one person
 - ✓ Therapist and examiner to one person.
 6. **Continuing Professional Development:** Certified members are required to follow a process of continuing professional development which meets their learning and development needs as well as reflecting their specific working environments and field of application and personal interests. Practitioners are required to maintain professional competence in all areas of their work.
 7. **Equal Opportunities Policy:** All practicing members are required to adhere to PerFormat policy of equal opportunity and ensure that, as far as is reasonably possible, their services are available to all members of society. Training members will inform trainees of all fields of application in TA.
 8. **Recognition of Training Hour:** Only Provisional or full Teaching Transactional Analysts can offer training leading up to recognition as a Transactional Analyst within PerFormat, EATA, or ITAA. A registered 101 Trainer who is a CTA may offer TA 101 training.
 9. **Maintaining Records:** All members shall maintain records of sessions and these shall be kept confidential in a secure place. Except as agreed in the contract or in compliance with the law, information can be disclosed only with the client's consent, unless the practitioner believes that there is convincing evidence of serious danger to the client or others if such information is withheld.
 Clients must be informed that practitioners may discuss their work with their supervisors.
 Supervisors and members of a supervision group shall treat material presented with the same care and confidentiality as provided for in the original contract. Particular care will be taken when presenting case material outside of the usual boundaries of supervision, e.g. for training or teaching purposes. In such cases where case material records are presented - whether printed, verbal, on tape, film, or video, or retrieved from electronic media - the client's consent in writing shall be obtained. Due consideration needs to be given as to the effect on the therapeutic relationship of asking the client's permission to use such material.
 10. **Maintenance of Professional Membership:** All members are required to pay membership dues promptly. Training members are committed to maintain membership of PerFormat in order to fulfil membership obligations to EATA.
 11. **Valuing, Maintaining and Developing Skills and Competence as a Practitioner** (Certified or in Training): Practitioners are committed to expanding their range of skills and to recognize their limitations. It is part of their professional responsibility to seek information and advice from colleagues and also to refer clients to other professional services if this may be of benefit to the client. Professional services shall not be started or continued if the practitioner believes her/himself unqualified to meet the client's needs. Psychotherapists and Counsellors have a particular responsibility to promote further study and research into psychotherapy theory and practice, as well as continue their personal development and the development of their own professional skills and understanding of psychotherapy. Practitioners shall continue in regular ongoing supervision, personal development, and continuing education and accept responsibility for seeking their own psychotherapy as necessary. Practitioners have a responsibility to themselves, their clients and their professional body, to maintain their own effectiveness, resilience and

ability to work with clients. They are expected to monitor their own personal functioning and to seek help and/or withdraw from practicing, whether temporarily or permanently, when their personal resources are sufficiently depleted to require this.

Recommendations

Professional Etiquette:

- ✓ Practitioners accepting clients for psychotherapy or counselling who are already in a professional relationship as a client with another psychotherapist, counsellor, psychologist or psychiatrist, will normally only do so following consultation with the other professional.
In doing so due account needs to be taken of the wishes and autonomy of the client.
- ✓ Practitioners will not accept as clients anyone with whom they may have a pre-existing and potentially prejudicial relationship. To do so may be considered unethical.
- ✓ For practitioners offering counselling or psychotherapy, they will not accept clients for therapeutic work who already have a counselling or psychotherapy contract with another practitioner unless it is specifically agreed with the all practitioners involved.
- ✓ Practitioners will not solicit trainees or clients from other practitioners. Solicit means to gain trainees by making insistent requests, pleas or bribing.
- ✓ Trainers will only agree to accept EATA training contracts with trainees who are under contract with another trainer following full consultation between all three parties.
- ✓ Practitioners will inform clients, and obtain their written permission, if they intend to use any material from the client for research or publication.
- ✓ Practitioners will maintain clear, 'above-board' contracts with their clients.
Duality of Roles (See also under Duality of Roles in the Requirements above): It is a recommendation that practitioners will, as far as is practically possible avoid a duality of the following professional relationship. This means avoiding the following, except in geographical areas where to do so would create considerable difficulties.
- ✓ Therapist/counsellor and Trainer to one person

Fees: Psychotherapy and Counselling practitioners are responsible for charging fees which are commensurate with their qualifications and experience.

Protection: Practitioners need to make provision in their wills for an Executor of their professional estate in the event of their incapacity or death.

Records and the Security of Information:

- a. Records about clients should be kept safely under locked conditions to ensure privacy, and in a form that can be inspected by the client should he/she request this.
- b. Practitioners using computerized record-keeping need to be informed about requirements of the Data Protection Act and register if appropriate.