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Context
This document is one of a suite of resources prepared by BACP to enable members to engage with the BACP Ethical Framework for the Counselling Professions (BACP, 2016).

Using commonly asked questions resources

BACP is developing the Good Practice in Action resources, which are a new series of publications that are free to BACP members to download. These are intended to inform good practice in the counselling related professions. The resources are reviewed by member-led focus groups and experts in the field and are based on current research and evidence.

BACP members have a contractual commitment to work in accordance with the BACP Ethical Framework for Good Practice in Counselling and Psychotherapy (2016), effective from 1 July 2016. The Good Practice in Action Resources are not contractually binding on members, but are intended to support practitioners by providing general information on principles and policy applicable at the time of publication, in the context of the core ethical principles, values and personal moral qualities of the BACP.

Specific issues in practice will vary depending on clients, particular models of working, the context of the work and the kind of therapeutic intervention provided. As specific issues arising from work with clients are often complex, BACP always recommends discussion of practice dilemmas with a supervisor and/or consulting a suitably qualified and experienced legal or other relevant practitioner.

In these resources, the word ‘therapist’ is used to mean specifically counsellors and psychotherapists and ‘therapy’ to mean specifically counselling and psychotherapy. The terms ‘practitioner’ and ‘counselling related services’ are used generically in a wider sense, to include the practice of counselling, psychotherapy, coaching and pastoral care.
Commonly asked questions about the Ethical Framework for the Counselling Professions

1 BACP’s new Ethical Framework for the Counselling Professions

1.1 What’s new in BACP’s Ethical Framework for the Counselling Professions?

All BACP members and registrants make a commitment to abide by the BACP’s current ethical framework. The Ethical Framework for the Counselling Professions has introduced some changes. As we are bound by it, and it forms the basis for our professional standards and professional conduct procedures, it is essential that we understand clearly what it requires of us.

On the BACP website, the Ethical Framework for the Counselling Professions can be found in full at www.bacp.co.uk/ethics/EFfCP.php. Embedded in those web pages are links to specific terms and topics mentioned in the Ethical Framework for the Counselling Professions, offering clarification and more detailed explanation. Below are some brief commonly asked questions, for quick reference.

All page references in this resource refer to the BACP Ethical Framework for the Counselling Professions unless otherwise stated.

1.2 What are our ethical commitments to clients?

The new Ethical Framework for the Counselling Professions places a responsibility on practitioners to make six specific ethical commitments in their practice (page 01):

1) Putting clients first
2) Working to professional standards
3) Showing respect
4) Building an appropriate relationship with clients
5) Maintaining integrity
6) Demonstrating accountability and candour.

Pages 05-13 explain how each of these commitments will be implemented and demonstrated.
1.3 What values, principles and moral qualities are expected of practitioners?

Values

The Ethical Framework for the Counselling Professions sets the standards expected of practitioners, first through a statement of values and the general ethics underpinning the purpose and goals of our actions. These then become more precisely defined and action-orientated in a set of principles, directing attention to ethical responsibilities. Finally, the internalised values are expressed as the personal moral qualities that are expected of a practitioner (see pages 02-04).

Principles

The core principles underpinning our work are:

- **Being trustworthy:** honouring the trust placed in the practitioner
- **Autonomy:** respect for the client’s right to be self-governing
- **Beneficence:** a commitment to promoting the client’s wellbeing
- **Non-maleficence:** a commitment to avoiding harm to the client
- **Justice:** the fair and impartial treatment of all clients and the provision of adequate services
- **Self-respect:** fostering the practitioner’s self-knowledge, integrity and care for self.

It is recognised that practitioners may encounter circumstances in which it is impossible to reconcile all the applicable principles, and may have to choose which principles to prioritise. Decisions or courses of action do not necessarily become unethical merely because they are controversial or because other practitioners would have reached different conclusions in similar circumstances. A practitioner’s obligation is to consider all the relevant circumstances with as much care as possible and to be appropriately accountable for decisions made (see pages 02-03).
Personal moral qualities

Key personal qualities to which members and registrants are strongly encouraged to aspire (see pages 03-04) include:

- **Care:** benevolent, responsible and competent attentiveness to someone’s needs, wellbeing and personal agency
- **Diligence:** the conscientious deployment of the skills and knowledge needed to achieve a beneficial outcome
- **Courage:** the capacity to act in spite of known fears, risks and uncertainty
- **Empathy:** the ability to communicate understanding of another person’s experience from that person’s perspective
- **Identity:** the consistent application of appropriate criteria to inform decisions and actions
- **Humility:** the ability to assess accurately and acknowledge one’s own strengths and weaknesses
- **Integrity:** commitment to being moral in dealings with others, personal straightforwardness, honesty and coherence
- **Resilience:** the capacity to work with the client’s concerns without being personally diminished
- **Respect:** showing appropriate esteem to people and their understanding of themselves
- **Sincerity:** a personal commitment to consistency between what is professed and what is done
- **Wisdom:** possession of sound judgment that informs practice.
1.4 Should we use ethical problem-solving models – and where do we find them?

Yes, we should. The Ethical Framework for the Counselling Professions (point 13, page 04) states that the use of an ethical problem-solving model is essential to good practice. The Ethical Framework for the Counselling Professions itself provides a variety of factors to be taken into consideration in thinking through difficult situations and in decision making. Acting ethically may present challenges, and may require both commitment and courage. As practitioners, therefore, we are required to use supervision and other available professional resources to support and challenge how we respond to ethical dilemmas. We are expected to think things through and be prepared to explain why we responded or acted in the way that we did (see points 76–78 on page 13).

BACP is in the process of developing a number of new Good Practice in Action resources to support you in these decisions. Please see the BACP website for further information www.bacp.co.uk/ethics/newGPG.php. You may also find helpful the disclosure checklists in Bond and Mitchels (2015) and the discussion scenarios in Standards and Ethics in the Counselling Professions (Bond, 2012).

Good practice requirements

The Good Practice section (pages 05-13) sets out a number of responsibilities of good practice, some of which are mandatory, and clearly states that:

As members and registrants of BACP, we have committed ourselves to the principles and values set out in this Ethical Framework and recognise that our membership or registration may be at risk if we fail to fulfil our commitments (Good Practice point 4)

The responsibilities are set out as full or qualified obligations and are equally applicable to working face to face, online or using any other methods of communication (see point 20, page 06). Point 5 also states:

We are fully and unconditionally committed to fulfilling a specific requirement of good practice where we state ‘we will…’ or ‘we must…’. Where we consider a requirement may need to be varied for good ethical reasons, we state that ‘we will usually…’ (point 5, page 05).
1.5 Do we have a duty to intervene to protect clients?

Yes. In the Ethical Framework for the Counselling Professions there is a new mandatory duty to take action to protect clients where we see unsafe practice:

_We share a responsibility with all other members of our profession for the safety and wellbeing of all clients and their protection from exploitation or unsafe practice. We will take action to prevent harm caused by practitioners to any client._ (Point 11, page 06)

See also:

_We will challenge colleagues or others involved in delivering related services whose views appear to be discriminatory and take action to protect clients, if necessary._ (Point 24, page 07)

1.6 Must we keep our knowledge and skills up to date?

Yes. We are specifically required to keep our knowledge and skills up to date by a variety of means, and also to keep up to date with any law and guidance that is relevant to our work (see points 13–14, page 06).

1.7 Must we keep records, appropriate to the service provided?

Yes. There is a mandatory duty to keep appropriate records:

_We will keep accurate records that are appropriate to the service being provided._ (See point 15, page 06)
1.8 Must we be insured?

Yes. Point 19 states that:

We will be covered by adequate insurance when providing services directly or indirectly to the public. (See page 06)

1.9 Do we have to respect privacy, equality, dignity and difference?

Yes. This means that we cannot conduct our practice in a way that is disrespectful, unfair or discriminatory and which adversely affects our clients (see points 21–23, page 07).

Note that we also have a responsibility to ‘challenge colleagues or others involved in delivering related services, whose views appear to be discriminatory – and to take action to protect clients if necessary’ (see point 24, page 07).
1.10 Do we have a duty of confidentiality?

Yes. We have a positive duty of confidentiality to our clients and we are to fulfil that responsibility by:

a) Actively protecting information about clients from unauthorised access or disclosure

b) Informing clients about any reasonably foreseeable limitations of privacy or confidentiality in advance of our work together. (See points 25–30, pages 07-08)

Please note that, as a result of statutory duties of disclosure and possible court orders, we can never promise a client absolute confidentiality, because there are situations where the law requires disclosure, even if the client refuses their consent (see Good Practice in Action 014 Breaching confidentiality, The Therapist in Court (Bond and Sandhu, 2005) and Confidentiality and Record Keeping in Counselling and Psychotherapy (Bond and Mitchels, 2015). Clients are entitled to know the limitations of confidentiality within which the practitioner has to work. This may vary according to the nature and setting of the client work (see point 32, page 08).

In certain high-risk situations where best ethical and legal practice require the protection of the client or others (for example, in safeguarding, child protection, terrorism or serious crime), then the therapist must make decisions in compliance with current law, government guidance where applicable and ethical principles, having consulted with a supervisor and/or other relevant professionals and experienced colleagues, as appropriate. See Good Practice in Action resources and Bond and Mitchels (2015); see also the values, principles and moral qualities referred to in section 1.3 of this document.
1.11 What are the appropriate boundaries in relationships?

We agree to maintain appropriate professional and personal boundaries in our relationships with clients (including supervisees), and to periodically review any dual or multiple relationships. We will avoid dual relationships where there is a risk of harm outweighing any benefits for the client, and maintain a distinction between personal and professional presence on social media (see point 33, page 08).

1.12 Can I have a sexual relationship with a client, supervisee or trainee?

No. The EF 2015 is explicit and unequivocal regarding sexual relationships:

- We will not have sexual relationships with or behave sexually towards our clients, supervisees or trainees. (See point 34, page 09)

- We will avoid having sexual relationships with or behaving sexually towards people whom we know to be close to our clients in order to avoid undermining our clients’ trust in us. (See point 35, page 09)

The EF 2015 also imposes a duty not to engage in any potentially exploitative or abusive relationship with our clients:

- We will not exploit or abuse our clients in any way, financially, emotionally, physically, sexually or spiritually. (See point 36, page 09)

Caution is also advised when entering into business relationships with former clients (see point 37, page 09).
1.13 What are my responsibilities in describing my qualifications and experience?

We have a duty to be open and honest, which requires that all our advertising, leaflets, cards, websites and so on must be accurate and describe our qualifications and experience clearly and truthfully. This duty also implies that we should not be ‘economical with the truth’ (e.g. we should not provide only parts of relevant information in order to hide the whole truth). For a number of reasons it is illegal to falsely advertise or to claim any qualifications or status that we do not have. Trainees are normally expected to tell clients about their trainee status (see point 66, page 012) and, when appropriate, we all should be honest about the extent (and possibly the limitations) of our professional experience:

Whenever we communicate our qualifications, professional experience and working methods, we will do so accurately and honestly. All reasonable requests for this information will normally be answered promptly. (See point 41, page 09)

1.14 Must we report any criminal charges, disciplinary procedures or civil claims brought against us?

Yes. This is a new provision that makes it mandatory to report to BACP any of these events (see point 43, page 09).
1.15 Must we tell clients of anything important that has gone wrong in our work together?

Yes. Trust and candour is important in the therapeutic relationship and so, if we become aware of anything that has gone wrong (e.g. lost client records, inadvertent breaches of confidentiality), we need to tell the client that this has occurred and do what we can to remedy the situation or ameliorate the damage for the client:

We will ensure candour by promptly informing our clients of anything important that has gone wrong in our work together, and:

a) take immediate action to prevent or limit any harm
b) repair any harm caused, so far as possible
c) offer an apology when this is appropriate
d) notify and discuss with our supervisor and/or manager what has occurred
e) investigate and take action to avoid whatever has gone wrong being repeated.

(See points 45–47, page 10)
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2 Supervision

2.1 Must I have regular supervision?

Yes. Supervision is essential for all members and registrants. It should be regular, it should meet BACP’s standards and all or a substantial part of supervision should be independent of line management (see Good Practice in Action Resources and points 50–53, page 11).

Where supervision is carried out alongside line management, the respective responsibilities for the service provided should be discussed and agreed between supervisee, supervisor and line manager(s) (see point 55, page 11).

2.2 Must I tell clients that I have supervision?

Yes. Clients need to be aware that their case may be discussed in a professional setting, in the context of a confidentiality agreement, to maintain the quality of the service they are receiving and to support and enhance the practitioner’s expertise. There may be occasions when a client needs to know the identity of the supervisor (or the supervisor needs to know the identity of a client) in order to avoid a conflict of interest (e.g. where the client is a counsellor in personal therapy and it is possible that they may know the supervisor as a professional colleague, or that the client may be recognised by the supervisor from their personal circumstances). In such situations, the client and/or supervisor would need to agree to disclosure of their identity. This is an issue that can be addressed when forming the initial therapy contract (see points 50–61, pages 11-12):

All communications concerning clients made in the context of supervision will be consistent with confidentiality agreements with the clients concerned and compatible with any agency policy. (See point 54, page 11)
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2.3 Must I discuss this Ethical Framework in supervision?

Yes, as often as necessary, and at least once a year! (See point 59, page 12)

2.4 Is supervision just for counsellors and psychotherapists?

No – it is for others too! Supervision is recommended for:

… anyone providing therapeutically-based services, working in roles that require regularly giving or receiving emotionally challenging communications, or engaging in relationally complex and challenging roles. (See point 61, page 12)

The Ethical Framework for the Counselling Professions sets standards for education, training and research, based on the commitments, values and moral qualities expected of practitioners (see points 62–74, on pages 12-13).

2.5 Am I responsible for my own health and safety as a practitioner?

Yes. Self-care is important, not only for physical safety but for psychological and physical health, getting appropriate support and maintaining a healthy work-life balance. This also is part of our self-respect – saying ‘no’ when necessary and appropriate (see point 75, page 13).
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About the author

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References and resources

BACP (2016) *Ethical framework for the counselling professions*. Lutterworth: BACP.

Good Practice in Action resources