



## **CODE OF ETHICS AND PRACTICE**

The Code of Ethics outlines the fundamental ethos of the Foundation for Emotional Therapeutic Counselling and a number of principles arising from this. The Code of Practice applies these principles to the practising of Emotional Therapeutic Counselling. The Schedule contains the Foundation's Policy Statement on Equal Opportunities.

This document has four parts:

- Part One: Introduction
- Part Two: Code of Ethics
- Part Three: Code of Practice
- Part Four: Schedule – Equal Opportunities

### **PART ONE INTRODUCTION**

#### **1 DEFINITIONS**

- 1.1 **'Emotional Therapeutic Counselling'** means the type of therapy defined in clause 3 of this Introduction ('Nature of Emotional Therapeutic Counselling').
- 1.2 **'Foundation'** means the Foundation for Emotional Therapeutic Counselling.
- 1.3 **'Member'** means a Diploma or Advanced Diploma Member of the Foundation for Emotional Therapeutic Counselling in any capacity (including, but not limited to, Counsellor, Supervisor or Trainer).
- 1.4 **'Qualifying Training'** means such training as the Foundation requires being undertaken before a person becomes a practising Member of the Foundation for Emotional Therapeutic Counselling.
- 1.5 **'Supervision'** means a formal and mutually agreed arrangement between Counsellors which enable a Counsellor to discuss his/her work regularly with another, experienced and competent Counsellor who is familiar with the process of supervising therapy.
- 1.6 **'Supervisor'** means someone who supervises another Counsellor in Supervision
- 1.7 **'Counsellor'** means a Diploma or Advanced Diploma Member of the Foundation for Emotional Therapeutic Counselling.

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- 1.8 'Trainer' means someone who trains people on courses run under the auspices of the Foundation for Emotional Therapeutic Counselling.

## **2 GENERAL**

- 2.1 The purpose of this Code of Ethics and Practice is to establish and maintain standards for Counsellors. Its purpose is also to inform and protect members of the public who seek and use the services of Counsellors. There are also Codes of Ethics and Practice for Trainers and Supervisors, which should be read (if applicable) in conjunction with this Code.
- 2.2 All Members are required to abide by existing Codes, which are appropriate to their work. They thereby accept a common frame of reference within which to manage their responsibilities to clients, colleagues (whether or not they are Members) and the wider community. Whilst this Code cannot resolve all ethical and practice-related issues, it aims to provide a framework for addressing ethical issues and to encourage optimum levels of practice.
- 2.3 A Counsellor may not undertake Emotional Therapeutic Counselling with people whose medical condition causes them to be designated as inappropriate for such therapy by the Foundation.
- 2.4 The Foundation has a Complaints Procedure, which can lead to the expulsion of Members for breaches of any of the Codes of Ethics and Practice.

## **3 NATURE OF EMOTIONAL THERAPEUTIC COUNSELLING**

- 3.1 Emotional Therapeutic Counselling holds the holistic premise that the spirit is of equal importance to the mind and body. It differs from more conventional counselling and psychotherapy in that, rather than simply using the mind to analyse symptoms, it seeks to promote healing of the original emotional wounds by working through the feelings. The overall aim of Emotional Therapeutic Counselling is to bring clients to that wholeness from which they can comfortably live in their world and manage their lives.
- 3.2 Emotional Therapeutic Counselling involves working with individuals referred to as clients. The objectives of a particular therapeutic relationship will vary according to the individual client's needs. The Counsellor's role is to facilitate the client's work in ways which respect the client's values, personal resources and capacity for self-determination.

## **4 ANTI-DISCRIMINATORY PRACTICE**

- 4.1 Anti-discriminatory practice underpins the basic values of Emotional Therapeutic Counselling. It also addresses the issues of the client's social context.
- 4.2 Members have a responsibility to be aware of their own issues of prejudice and stereotyping, and must give particular consideration to ways in which this may affect their work.

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### **PART TWO CODE OF ETHICS**

#### **1 GENERAL**

- 1.1 Emotional Therapeutic Counselling is a non-exploitative activity. Its basic values are integrity, responsibility, impartiality and respect. A Counsellor must give the same degree of care to working ethically whether they are being paid or working voluntarily.
- 1.2 A Counsellor is expected to observe and honour the principles of the therapeutic relationship as described by Bugental (*Psychotherapy & Process, 1978*)

#### **2 RESPONSIBILITIES**

- 2.1 The Counsellor-client relationship is the foremost ethical concern, but it does not exist in social isolation. A Counsellor's responsibilities to clients, former clients, themselves, other Counsellors and professionals, colleagues (other than Counsellors) and members of the caring professions, and members of the wider community are listed under separate headings in the Code of Practice.
- 2.2 A Counsellor must take all reasonable steps to ensure the client's safety during therapy.
- 2.3 A Counsellor must make clear to clients the terms under which Emotional Therapeutic Counselling is offered before the therapy commences. Subsequent revision of such terms must be agreed with the client before any change is made.

#### **3 COMPETENCE**

A Counsellor must take all reasonable steps to monitor and develop their own competence. This includes, but is not limited to, having mandatory supervision.

#### **4 CONFIDENTIALITY**

Confidentiality is a means of providing the client with safety and privacy. For this reason, any limitation on the degree of confidentiality offered is likely to diminish the usefulness of Emotional Therapeutic Counselling. Clause 10 of the Code of Practice deals with practical issues of confidentiality which apply to the practice of Emotional Therapeutic Counselling.

#### **5 EQUAL OPPORTUNITIES**

The attention of Members is drawn to the Foundation's Policy Statement on Equal Opportunities, contained in the Schedule to this document. Members must recognise, and work in ways that respect the value and dignity of others with due regard to issues such as origin, status, race, gender, age, beliefs, sexual orientation and/or disability.

**PART THREE  
CODE OF PRACTICE**

**1 INTRODUCTION**

This Code of Practice applies the values and principles of the Code of Ethics to more specific situations, which may arise in the practice of Emotional Therapeutic Counselling.

**2 ISSUES OF RESPONSIBILITY TO THE CLIENT**

**2.1 Client safety**

A Counsellor must take reasonable steps to ensure that the client does not suffer physical, emotional or psychological harm during therapy. It is not normally a part of the Counsellor's role to give advice.

**2.2 Client autonomy**

2.2.1 A Counsellor is responsible for working in ways which promote a client's control over their life, and must respect the client's ability to make decisions and change in the light of their own beliefs and values.

2.2.2 A Counsellor must not normally act on behalf of their clients. If they do so, it will only be at the express written request of the client or occasionally, if at all, in exceptional circumstances.

2.2.3 A Counsellor is responsible for setting and maintaining boundaries between a therapeutic relationship and any other kind of relationship, and making this explicit to a client.

2.2.4 A Counsellor must not exploit clients financially, sexually, emotionally or in any other way. Engaging in sexual activity with a client is unethical and forbidden.

2.2.5 Clients must be offered privacy for their therapy sessions. Clients should not be observed by anyone other than their Counsellor without having given their informed consent. (This includes audio or video-taping therapy sessions.)

**2.3 Pre-therapy information**

2.3.1 Any publicity material and all written and oral information should reflect accurately the nature of Emotional Therapeutic Counselling and, to the extent it is included, the training, qualifications and relevant experience of the Counsellor.

2.3.2 A Counsellor must take all reasonable steps to honour the undertaking offered in their pre-therapy information.

**2.4 Terms on which Emotional Therapeutic Counselling is offered**

2.4.1 A Counsellor is responsible for communicating the terms on which they are offering Therapy, including availability, the degree of confidentiality offered, and their expectations

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of clients regarding fees, cancelled appointments and any other significant matters. The fees charged should not exceed the sum nominated from time to time by the Foundation. The communication of terms and any other negotiations should be conducted in a free initial session, where the concept of Emotional Therapeutic Counselling and the terms and conditions under which the Counsellor works, are explained.

- 2.4.2 It is a client's choice whether or not to participate in, or continue with Therapy. Reasonable steps should be taken in the course of the therapy to ensure that the client is given an opportunity to review their progress, the terms on which Therapy is being offered and the methods being used.
- 2.4.3 A Counsellor must avoid unnecessary conflicts of interests in the course of their practice. Should any such conflict arise, or if there is any doubt as to whether a conflict exists, the Counsellor must inform his/her supervisor before advising the client(s) of the nature of the conflict of interest.
- 2.4.4 A Counsellor must inform each client that records of sessions are kept. At a client's request, information must be given about access to these records, their availability to other people, and the degree of security with which they are kept.
- 2.4.5 A Counsellor has a responsibility to establish whether or not a client is engaged in other therapeutic or helping relationships. The client's permission must be obtained before conferring with other professional workers.
- 2.4.6 Counsellors should be aware that computer-based records are subject to statutory regulations under the Data Protection Act 1984. At the date of this Code, hand-written records are not subject to similar regulations. From time to time the Government introduces regulations concerning clients' right of access to their records and it is the responsibility of each Counsellor to ensure that they are aware of, and comply with, all current regulations.

### **2.5 Counsellor competence**

- 2.5.1 A Counsellor must actively monitor the limitations of their own competence through supervision. A Counsellor must work within their known limits. They must not use initiatives, actions or techniques that are not included in the qualifying training without prior consultation with their supervisor.
- 2.5.2 A Counsellor may not practise when their functioning is impaired due to personal or emotional difficulties, illness, disability, alcohol or drugs, or for any other reason.
- 2.5.3 It is an indication of the competence of a Counsellor when they recognise their inability to work with a client or clients and make appropriate referrals.

### **3 ISSUES OF RESPONSIBILITY TO FORMER AND EXISTING CLIENTS**

A Counsellor remains accountable for relationships with former and existing clients. He/she must exercise caution if entering into friendships, sexual relationships, business relationships, training or any other sort of relationship. Any changes from the therapeutic relationship must be discussed with the Counsellor's Supervisor. Issues and power dynamics present during the therapeutic relationship must be resolved in an appropriate manner before a change in relationship with a former client may take place. A Counsellor who is also a Trainer should be familiar with the

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provisions of the Code of Ethics and Practice for Trainers, in particular paragraphs 14-26 (Responsibilities).

### **4 ISSUES OF RESPONSIBILITY TO SELF AS A COUNSELLOR**

- 4.1 A Counsellor has a responsibility to themselves and their clients to maintain their own effectiveness, resilience and ability to help clients. They must monitor their own personal functioning and seek help and/or withdraw from practice, whether temporarily or permanently, if their personal resources are sufficiently depleted to prevent them from practising competently.
- 4.2 A Counsellor will have received full and adequate training in accordance with the Foundation's training programme before commencing to practise. Furthermore a Counsellor is required to maintain ongoing and regular professional development in accordance with the Foundation's requirements.
- 4.3 All Counsellors must have professional indemnity insurance with a minimum cover of £1million. Failure in this respect will result in the removal of a Counsellor's licence to practise.
- 4.4 A Counsellor should take all reasonable steps to ensure their own physical safety.

### **5 ISSUES OF RESPONSIBILITY TO OTHER COUNSELLORS AND PROFESSIONALS**

- 5.1 A Counsellor must not conduct themselves in their therapy-related activities in ways which undermine public confidence, either in their role as a Counsellor or in the work of other Counsellors.
- 5.2 A Counsellor may practise other therapies themselves and may belong to professional bodies governing such therapies provided that their activities in connection with such other therapies do not bring the Foundation into disrepute. Members who practise other therapies are expected to have first undergone a structured, recognised training course in the therapy or therapies.
- 5.3 A Counsellor may belong to other organisations whose ethical standards differ from those of the Foundation. Such Counsellors must accept that their dual membership does not give them immunity from the consequences of contravening the regulations of the Foundation whether contained in its Articles of Association, the Code of Ethics and Practice or any rules, memoranda, recommendations or advice issued by the Management Council of the Foundation for the conduct of Members. If a Counsellor finds themselves caught between conflicting ethical principles, they are urged to consider the particular situation in which they find themselves and to discuss the situation with their Supervisor or another experienced Counsellor. It has to be accepted that, even after conscientious consideration of the salient issues, some ethical dilemmas cannot be resolved easily or wholly satisfactorily.
- 5.4 A Counsellor may not give a formal course of instruction in Emotional Therapeutic Counselling unless they hold a training qualification issued by the Foundation and have the approval of the Management Council of the Foundation.
- 5.5 If a Counsellor is aware of, or suspects, misconduct by another Counsellor they should first discuss the matter with that other Counsellor. If the matter cannot be resolved or

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remedied, the Counsellor who is aware of, or suspects misconduct, should implement the Complaints Procedure, doing so within the boundaries of confidentiality imposed therein.

### **6 ISSUES OF RESPONSIBILITY TO COLLEAGUES (OTHER THAN COUNSELLORS) AND MEMBERS OF THE CARING PROFESSIONS**

- 6.1 A Counsellor shall be accountable for their services to work colleagues, employers and funding bodies as appropriate. The means of achieving this should be consistent with respecting the needs of the client.
- 6.2 A Counsellor must not describe their work in such a way that a work colleague or significant member of the caring profession might be led to believe that they offer a service which they do not, as to do so might deprive the client of the offer of such a service elsewhere.
- 6.3 A Counsellor should accept their part in exploring and resolving any conflict of interests between themselves and their work colleagues, employer or funding body, especially when this has implications for the client.

### **7 ISSUES OF RESPONSIBILITY TO MEMBERS OF THE WIDER COMMUNITY**

- 7.1 A Counsellor must work within the law.
- 7.2 A Counsellor must take reasonable steps to be aware of current law affecting their work. A person's ignorance of the law is no defence against legal liability or penalty including inciting or 'counselling' (which has a specific legal sense) the commission of offences by clients.

### **8 SUPERVISION**

- 8.1 It is a breach of ethical requirements for a Counsellor to practise without regular Supervision. There is a separate Code of Ethics and Practice for Supervisors.
- 8.2 'Supervision' refers to a formal arrangement which enables Counsellors to discuss their therapeutic work regularly with one or more people who have an understanding of both Emotional Therapeutic Counselling and Supervision. Its purpose is to ensure the efficacy of the counsellor-client relationship. It is a confidential relationship.
- 8.3 The volume of Supervision should be in agreement with the supervisor and in proportion to the volume of counselling sessions undertaken by the Counsellor. The experience of the Counsellor may also be relevant when deciding the frequency of the supervision.
- 8.4 The discussion of cases within Supervision should take place without revealing the identity of the client.

### **9 CONFIDENTIALITY**

- 9.1 A Counsellor must hold personal information about clients whether obtained directly, indirectly or by inference, in confidence. Such information includes name, address, biographical details, and other descriptions of the client's life, which might result in the identification of the client.

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- 9.2 Exceptional circumstances may arise which gives the Counsellor grounds for believing that the client will cause serious physical harm to others or themselves, or will be harmed themselves. In such circumstances the client's consent to change the agreement about confidentiality should be sought whenever possible, unless there are reasonable grounds for believing that the client is no longer able to take responsibility for their own actions. Whenever possible, the decision to break confidentiality between the Counsellor and the client should be made only after consultation by the Counsellor with their Supervisor or, if their Supervisor is not available, another experienced Counsellor.
- 9.3 Any breaking of confidentiality should be minimised by restricting (a) the information conveyed, to that which is pertinent to the immediate situation; and (b) those to who it is conveyed, to such persons who can reasonably be expected to provide the help required by the client. The ethical considerations involve balancing action in the best interests of the client and action in a way or ways, which enable the client to take responsibility for their actions.
- 9.4 A Counsellor must take reasonable steps to communicate clearly the extent of the confidentiality they are offering their clients. This must be done no later than at the free initial session (see Part Three Clause 2.4.1 of this document).
- 9.5 Any agreement between a Counsellor and their client about confidentiality may be reviewed and changed by joint negotiations (see Part Three Clause 2.4.2 of this document).
- 9.6 Agreement about confidentiality continues after the client's death unless there are overriding legal or ethical considerations, which warrant a breach of the agreement. A decision to breach confidentiality after a client's death should be made only after consultation by the Counsellor with their Supervisor.
- 9.7 If a client expresses serious suicidal intentions, a Counsellor should negotiate with the client to gain their consent for their referral to a suitably qualified professional. In the event that these negotiations are unsatisfactory the Counsellor should discuss the matter with their Supervisor or another experienced Counsellor before breaking confidentiality.
- 9.8 Special care is required when writing about specific Counselling situations for case studies, reports or publication. The client's informed consent must always be obtained beforehand. (See also Part Three Clause 12 of this document (Research).)
- 9.9 Any discussion between a Counsellor and others should have a clear purpose and should not trivialise clients or the work they are doing.
- 9.10 A Counsellor practising Emotional Therapeutic Counselling in a school, or a school environment has a responsibility to be aware of, and to comply with, that school's Child Protection Policy regarding disclosures.

## **10 CONFIDENTIALITY AND THE LAW**

- 10.1 Any disclosure should be either by consent from the client or authorised by law.



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- 10.2 The police have powers to seize confidential files if they have obtained a warrant from a circuit judge. Obstructing the police in these circumstances may be an offence.
- 10.3 A Counsellor should seek legal advice if they are in any doubt about their legal rights or duties.

### **11 ADVERTISING AND PUBLIC STATEMENTS**

- 11.1 When soliciting clients for Emotional Therapeutic Counselling, a Counsellor should restrict written information to some or all of the following: name, relevant qualifications, address, telephone number, hours available and a brief description of Emotional Therapeutic Counselling.
- 11.2 All promotional announcements should be accurate in every detail.

### **12 RESEARCH**

- 12.1 The use of personally identifiable material gained from clients or by the observation of their therapy may only be used after the relevant clients have given their consent. The Counsellor must ensure that consent was informed and was given freely.
- 12.2 A Counsellor conducting research should use their data accurately and restrict their conclusions to those compatible with their methodology.

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## **PART FOUR SCHEDULE**

### **EQUAL OPPORTUNITIES**

#### **EQUALITY ACT 2010 – RATIONALE**

The Equality Act 2010 became law in October 2010. This Act has brought together, extended and strengthened protection against discrimination (direct, indirect, by perception or by association), harassment or victimisation for all people under protected characteristics. These protected characteristics are:

- Age
- Disability
- Gender Reassignment
- Marriage and Civil Partnership
- Pregnancy and Maternity
- Race
- Religion or Belief
- Sex
- Sexual Orientation

#### **POLICY STATEMENT:**

**The Foundation recognises the importance the Equality Act and is:**

- (a) committed to the achievement of equality of opportunity in its dealing with Members and trainees. It is also committed to ensuring equality of opportunity in the professional training and to users of its services ('clients').

The Foundation aims to ensure that no Member or client receives less favourable treatment than another and that no Member or client is disadvantaged by terms or requirements which cannot be shown to be justified.

- (b) The Foundation is committed to a programme of action designed to make this Policy effective and has a specific Code of Conduct dealing with the subject of harassment, discrimination and victimisation.
- (c) The Foundation shall ensure that it has in place appropriate procedures, which can be used by individual Members of the Management Council, Trainers, Supervisors, Members and clients if they feel that they have been unfairly treated in respect of this policy.
- (d) Members have an individual responsibility to ensure that they comply with this Policy. Specific responsibilities fall on the Management Council of the Foundation for Emotional Therapeutic Counselling.
- (e) Members should ensure that they are aware of relevant equal opportunities legislation as contained within the Equality Act 2010 and how it applies to Emotional Therapeutic Counselling. They must also regularly review the ways in which they carry out their work in order to ensure that standards of practice are being applied fairly to all clients and that accessible complaints and feedback procedures are provided.

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- (f) The Management Council, all committees, Trainers and Supervisors shall endeavour to ensure that they reflect their constitution in terms of the aims of the Equality Act 2010.
- (g) The Foundation's training course should be reviewed on a regular basis to ensure that issues relating to equality and inequality receive sufficient coverage. Trainers should seek to identify and utilise relevant expertise in subjects relating to equal opportunities (e.g. in other professions, users of services) and in ethical standards of Practice.
- (h) The Foundation will review this policy on an annual basis to ensure that it remains appropriate to its aims. The Foundation will aim to raise awareness and improve knowledge of equal opportunities issues amongst its Members.