

# Code of Ethics

## "Code of Ethics as Teaching Tool"

by Larry Eberlein

The counsellor training program at the University of Alberta offered a course in professional ethics again last November. For the second time, the new Code of Ethics for Canadian Psychologists provided the course focus (CPA, 1986; Eberlein, 1986b). As important to the course as the Code itself, however, was the process by which the Code was developed. This process was explored as an example of a useful decision-making model for solving ethical dilemmas.

There are four basic principles in the new CPA Code: Respect for the Dignity of Persons, Responsible Caring, Integrity in Relationships, and Responsibility to Society. These principles were integrated with the four major topic areas considered in the course: Privacy, Confidentiality and Record Keeping; Psychological Testing and Assessment; Ethics in Therapy; and Dual-role Relationships and Conflicts of Interest.

All Master's level students in the counselling practicum were provided with 14 hours of in-class instruction time plus home-work assignments and exams. Extensive case material was provided for practice in ethical dilemmas, and a thoughtful consideration of all the alternatives and consequences of each.

### Text Materials

This approach required a philosophical and value-oriented background and an understanding of the decision-making process. It was therefore expected that students would have read the main paper-back text, Ethics in the Practice of Psychology (1985), prior to class. This new book, written to assist in the interaction between philosophers and professional psychologists, covers ethical theories as well as the decision-making process. It is recommended reading for any professional in the helping area.

Common problems in ethics which encompass all four CPA Code basic principles are Consent, Confidentiality and Competence. These are dealt with at length in the text, along with issues of teaching, testing, consulting, and research. Special groups such as children, prisoners and those in institutions are also discussed, together with the right to receive or refuse treatment.

A second handbook, Ethics in Psychology (1985), was also recommended. This is an excellent, comprehensive guide to the understanding of the American Psychological Association (APA) Ethical Principles of Psychologists (1981). These principles served as the basis for the former CPA code and were the forerunner of the new Code.

The authors, Patricia Keith-Spiegel and Gerald Koocher, are both former members of the APA Ethics Committee with experience in applying the APA Ethical Principles and in the handling of ethical complaints. Their book presents a full range of contemporary ethical issues in psychology. It has extensive documentation using actual cases from the files of various ethics committees, or actual incidents known to the authors.

This latter book is unusual in that it carefully documents the inner workings of an ethics committee, an unknown process for the average psychologist. In addition, the text discusses some of the dilemmas facing psychologists in the marketplace, including a whole chapter on money matters related to the private practice of psychology. Topics also covered include scholarly publishing, teaching, and relationships with colleagues and students, items often ignored in other books dealing with ethical issues. Nevertheless the authors admit that, "many specific situations are, in fact, so complicated that no ethics code, policy guideline, or law can deftly point the way to a satisfactory and 'correct' resolution" (p. xiv).

### A Problem-Solving Approach

The lack of "correct" resolution emphasizes the need for more than just learning a set of rules. When there are several possible responses (and on many issues even experts disagree), the key to choosing the best alternative is a thoughtful consideration of the rights and responsibilities of the individual and/or groups that are affected by the decision of the psychologist.

In the professional ethics course, dilemmas without an obvious, ethical solution were presented. The CPA Ethics Committee problem-solving approach was used as the basis for considering this case material. Since peer consultation is always important in reaching a difficult ethical decision, small groups of students were asked to consider each case. The students indicated the individuals and/or groups that needed to be considered in reaching an ethical decision. They explained in detail the consideration owed to each, especially in light of the respective rights and responsibilities involved. Only then were alternative courses of action discussed and a decision suggested by the group.

### Current Developments in the Ethics Literature

Ethical codes change as new ideas are considered by the profession or as legal requirements change. The two issues of "duty to warn" and advertising offer good examples. In the first, the California Supreme Court in the 1976 Tarasoff decision indicated that psychologists had a legal duty to warn if a client was dangerous to another individual (Eberlein, 1980). This forced a change in the APA Ethical Principles. There is now an exception in Principle 5 on confidentiality permitting disclosure where "not to do so would result in clear danger to the person or to others."

Advertising ethics have changed dramatically in recent years. Professionals often operated under a uniform fee schedule and were forbidden by their professional body to advertise fees and services. Some saw this as a way to "protect the public"; others saw this as "restraint of trade."

While a brief announcement was permitted when a professional began practice, general advertising was considered undignified, unprofessional and unethical.

Consumer advocate groups and government anti-trust lawyers challenged these professional restrictions. Over the last decade, all professional groups have been forced to accept advertising as an appropriate way to find new clients and advise the public of their services. Psychological associations now consider this type of publicity acceptable as long as the psychologist adheres to a few basic guidelines. The issues now relate to misleading or inappropriate forms of advertising.

There are current disputes in psychology which will likely affect future ethical concerns. Some of these relate to client rights, minority counselling, marital and family counselling, media exposure, assessments using computer technology, and the commercial aspects of private practice.

Students, as well as established psychologists, should be encouraged to read contemporary articles dealing with developing ethical issues. A bibliography of almost 200 recent books and articles is available (Eberlein, 1986a) and students in the University of Alberta course were requested to prepare a written critique of one such article. Some of these critiques were later shared during class discussion.

### The Individual as a Decision Maker

An ethical decision requires individuals to accept the consequences of their decision-making process. If a psychologist has a fuller understanding of that process, this should lead to a better prediction of those consequences. The decision process recommended in the course encouraged the individual to look at his or her own moral philosophy and value system when reaching a decision, as well as receiving appropriate code provisions.

Because the individual psychologist is ultimately the primary decision-maker in ethical conflict situations, the final exam in the University of Alberta course posed several ethical problems. Each student was asked to make an individual decision. A psychologist can be guided by the CPA Code or some other code, but few cases fit the idealized expectation as to the attitude and solution hoped for by code authors, and often no ideal answer seems appropriate. The evaluation of a student's response, therefore, focused on the adequacy of the problem-solving process, rather than just the final answer.

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## Conclusion

The new CPA Code provides a useful guide that is different, if not better, than the American Psychological Association Ethical Principles previously adapted for Canada. The Code is certainly more useful for teaching purposes. This is true because of the way in which the Code is structured. It is better organized, more coherent and more directly related to the underlying principles which psychologists need to consider.

Because of the extensive value-oriented discussion following each of the four principles, there is a Philosophical basis for understanding the standards which follow. This is especially important when there are conflicting rights and responsibilities, a situation always existing when an ethical dilemma is being considered. A common example is the one of dual relationships which face a school counselor or psychologist. The child has an ethical right to confidentiality; the parent has a legal right to know what is happening; the school has a responsibility for the education and care of a student while acting in loco parentis. A balancing of these rights and responsibilities is essential when seeking an appropriate solution to the dilemma of when and whether to break confidentiality.

Many public institutions are holding in-service sessions. Other professional groups are using ethics as a theme for a meeting or conference, as psychologists attempt to wrestle with an increasing number of difficult ethical dilemmas. Some of the considerations that went into the University of Alberta course in ethics can be utilized in workshops elsewhere in Canada. Individuals interested in ethics are urged to utilize the new materials now available for ethics education.



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