

## DRAFT Psychology Board of Australia code of conduct

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## Preamble

### Introduction

This code of conduct (the code) sets out the standards of professional conduct the Psychology Board of Australia (the Board) expects from registered psychologists. The standards set by this code represent the core requirements of safe and effective professional practice in Australia.

While individual psychologists have their own personal beliefs and values, there are certain professional behaviours and conduct which are common to the practice of psychology and the health profession.

The Board acknowledges the contribution of psychologists to the breadth of practice settings, including direct and indirect client care, management, administration, accreditation, policy, regulation, research and teaching, and across a diversity of contexts in public and private sectors. The values and professionalism that underpin the delivery of all psychological services are reflected in each of the code principles and followed by practical guidance on good and effective practice.

### Purpose of the code

The Board's paramount consideration for administering the National Law are public protection and public confidence in the safety of psychological services in Australia.<sup>1</sup> This code gives important guidance to all registered psychologists about the Board's expectations of their professional conduct and outlines the conduct that the public can expect from the profession. The standards set by the code represent the core requirements of safe and effective professional practice.

### Scope of the code

This code:

- provides a framework for professional conduct and supports individual psychologists to engage in safe and effective practice when fulfilling their professional roles
- helps the Board in its regulatory role by setting and maintaining principles and standards of good practice. If professional conduct varies significantly from this code, psychologists should be prepared to explain and justify their decisions and actions. Serious or repeated failure to meet the standards set by this code may lead to regulatory action to protect the public from harm, including consequences for registration as a psychologist
- is a resource that contributes to the culture of professionalism by setting consistent and evidence-based standards in the practice of psychology: for example, in education for orientation, induction and supervision of developing psychologists and students; in continuing professional development and peer consultation to guide discussions about ethics and exercising professional judgement; and by administrators and policy makers in health services and other institutions, and
- is a guide for members of the public to help them understand what behaviours they can expect from a psychologist and identify when they are not receiving safe and effective psychological services according to professional standards.

The code is also a reference for co-regulatory authorities about the standards of professional conduct expected of registered psychologists in Australia.

### What this code does not do

All psychologists must understand their legal obligations and always act in accordance with the law in their personal and professional lives. The code is not a substitute for legislation and case law, e.g. privacy, child protection, mandatory reporting and workplace health and safety laws. If there is any conflict between the code and the law, the law takes precedence. Psychologists must also be aware of and meet the other standards, guidelines and policies of the Board, which this code complements.

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<sup>1</sup> Health Practitioner Regulation National Law, as in force in each state and territory (the National Law).

This code is not intended to be an exhaustive guide to professional ethics. Underpinning the code is the expectation that psychologists will use their professional judgement to achieve the best possible outcomes in practice. There are other practice standards and requirements found in other documents issued by the Board and/or regulatory bodies.

While effective psychological practice respects the rights of clients, this code is not a charter of rights.<sup>2</sup> The focus of this code is on good practice and professional behaviour. It is not intended as a mechanism to address:

- a. disputes between professional colleagues, e.g. in relation to termination of business relationships and disputes over clients, or
- b. employment issues e.g. workplace or industrial disputes, which do not raise broader public safety concerns.

### **Professional values and qualities**

When providing psychological services, psychologists have a duty to act in the best interests of their client.<sup>3</sup> Professionalism embodies all the qualities described below, including self-awareness and self-reflection. These qualities underpin and are further explained in the guidance provided throughout the code.

- a. Psychologists need to understand the individual needs of each client so that they can work in partnership and adapt the delivery of psychological services appropriately. This includes cultural awareness: being aware of their own culture and beliefs, being respectful of the beliefs and cultures of others and recognising that these cultural differences may affect the professional relationship and the provision of services. As well as avoiding discrimination, good practice also includes being aware that differences such as gender, sexuality, age, belief systems and other attributes may influence client needs.
- b. Effective communication in all forms underpins every aspect of good practice.
- c. Psychologists must be ethical and trustworthy. The public trusts psychologists because they believe that, in addition to being competent, psychologists will not take advantage of them and will display qualities such as integrity, truthfulness, dependability and compassion. Clients rely on psychologists to protect their confidentiality as a fundamental aspect of practice when they access psychological services. Psychologists must maintain proper professional boundaries to preserve trust and confidence in the profession.
- d. Psychologists have a responsibility to protect and promote the health of individuals and the community.
- e. Psychologists are expected to engage in regular self-reflection and peer consultation on whether they are practising safely and effectively, on their relationships with patients and colleagues, and on their own health and wellbeing.
- f. Psychologists have a duty to keep their skills and knowledge up to date, refine and develop their professional judgement as they gain experience, and contribute to maintaining public confidence in the profession.
- g. Psychologists have a responsibility to recognise and work within the limits of their skills and competence.
- h. Psychologists should be committed to safety and quality in healthcare.<sup>4</sup>

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<sup>2</sup> An example of a charter of rights is the [Australian charter of healthcare](#) rights issued by the Australian Commission on Safety and Quality in Health Care (ACSQHC).

<sup>3</sup> References to 'clients' in this code also includes substitute decision-makers, e.g. for patients who do not have the capacity to make their own decisions. See relevant guardianship authorities for further guidance.

<sup>4</sup> See the ACSQHC, the [National Safety and Quality Health Service Standards](#)

## 1. Safe, effective and collaborative practice

**Principle 1:** Psychologists should practise safely, effectively and in partnership with clients and colleagues, using client-centred approaches, and informed by the best available evidence to achieve the best possible client outcomes.

### 1.1 Providing safe and effective psychological services

Providing safe and effective psychological services includes that you:

- a. select assessments and interventions based on evidence, formulation, the purpose of the psychological service and the principles of culturally safe practice
- b. facilitate coordination and continuity of care
- c. recognise and work within the limits of your skills and competence, and refer a client to another professional when this is in the best interests of the client
- d. recognise that decisions regarding psychological services are the shared responsibility of the psychologist and the client who may wish to involve their family, carers and/or others, and
- e. recognise and respect the rights of clients to make their own decisions about their current and future psychological services.

### 1.2 Safe and effective psychological services

Maintaining a high level of professional competence and conduct is essential for safe and effective psychological services.

Effective practice includes that you:

- a. ensure you maintain adequate knowledge and skills to provide safe and effective psychological services
- b. ensure that, when moving into a new area of psychological practice, you have sufficient training and/or qualifications and/or support from a professional with relevant expertise to achieve competence in that new area
- c. maintain adequate records (See also 8.5 Client records)
- d. consider the balance of benefit and risk of harm in all decisions
- e. communicate effectively with clients to ensure they have enough information to make an informed decision about their current and future care (See also 3.2 Effective communication)
- f. provide assessment and intervention options that are based on the best available information and are not influenced by financial gain and/or incentives
- g. practise within a contemporary, evidence-based and client-centred framework. Where there is an absence of evidence you should be guided by accepted best practice and/or opinion
- h. practise in a way that is consistent with the purpose of the psychological service agreed upon
- i. support the right of the client to seek a second professional opinion
- j. consult and take advice from professional colleagues when appropriate
- k. make responsible and effective use of the resources available to psychologists (See also 6.1 Use psychological services wisely)
- l. ensure that your personal views do not adversely affect the provision of psychological services
- m. regularly reflect on your professional practice, decisions and actions to provide the most effective and culturally safe psychological services, and

- n. seek advice from an experienced colleague when you identify any issues that interfere or may interfere with your ability to provide effective and culturally safe psychological services.

### 1.3 Decisions about access to psychological services

Your decisions about access to psychological services must be free from bias and unlawful discrimination.<sup>5</sup>

Effective practice includes that you:

- a. treat clients with respect at all times
- b. not prejudice the care of a client because you believe that the behaviour, mental health status or other attributes of the client have contributed to their situation
- c. not engage in, or encourage, any form of unlawful discrimination
- d. assess and treat clients based on identified needs and the effectiveness of the proposed intervention, and do not provide or encourage the unnecessary or indiscriminate use of psychological services
- e. keep yourself and others safe when providing psychological services. If a client poses a risk to safety, they should not be denied access to services if reasonable steps can be taken to ensure safety, and
- f. not allow your moral or religious views or conscientious objection to deny clients access to psychological services, recognising that you are free to decline to provide or participate in those services yourself. In such a situation, it is important to respectfully inform the client (where relevant), your employer and other relevant colleagues, of your objection and ensure the client has alternative options for psychological services.

### 1.4 Helping in emergencies

Helping clients in emergencies requires psychologists to consider a range of issues, in addition to providing best care. Effective practice means you should offer help in an emergency that takes account of your own safety, your skills, the availability of other options and the impact on any other clients under your care, and continue to help until your services are no longer needed.

## 2. Aboriginal and Torres Strait Islander health and cultural safety

**Principle 2:** Psychologists should consider the specific needs of Aboriginal and Torres Strait Islander Peoples and their health and cultural safety, including the need to foster open, honest and culturally safe professional relationships.

### 2.1 Aboriginal and/or Torres Strait Islander health

Aboriginal and Torres Strait Islander Peoples have inhabited and cared for the land as the first peoples of Australia for millennia, and their diverse histories and cultures have uniquely shaped our nation. Aboriginal health means not just the physical wellbeing of an individual but refers to the social, emotional and cultural wellbeing of the whole community in which each individual is able to achieve their full potential as a human being, thereby bringing about the total wellbeing of their community. It is a whole-of-life view and includes the cyclical concept of life-death-life.<sup>6</sup>

Understanding and acknowledging factors such as colonisation and its impact on Aboriginal and Torres Strait Islander Peoples' health, helps inform care. In particular, Aboriginal and Torres Strait Islander Peoples bear the burden of gross social and health inequity. It is for these reasons that cultural safety in the context of Aboriginal and Torres Strait Islander health needs to be specifically considered.

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<sup>5</sup> Discrimination occurs when a person, or a group of people, is treated less favourably than another person or group because of their background or certain personal characteristics. Australian Human Rights Commission (AHRC) <https://humanrights.gov.au/quick-guide/12030>

<sup>6</sup> National Aboriginal Health Strategy Working Party 1989, National Aboriginal Health Strategy, Canberra.

## 2.2 Cultural safety for Aboriginal and Torres Strait Islander Peoples

Supporting good practice and the health of Aboriginal and Torres Strait Islander Peoples also includes cultural safety. For Aboriginal and Torres Strait Islander Peoples, the National Registration and Accreditation Scheme's (the National Scheme) definition of cultural safety is as follows:

*Cultural safety is determined by Aboriginal and Torres Strait Islander individuals, families and communities.*

*Culturally safe practice is the ongoing critical reflection of health practitioner knowledge, skills, attitudes, practising behaviours and power differentials in delivering safe, accessible and responsive healthcare free of racism.*

To ensure culturally safe and respectful practice, you must:

- a. acknowledge colonisation and systemic racism, social, cultural, behavioural and economic factors which impact individual and community health
- b. acknowledge and address individual racism, your own biases, assumptions, stereotypes and prejudices and provide care that is holistic, free of bias and racism
- c. recognise the importance of self-determined decision-making, partnership and collaboration in healthcare which is driven by the individual, family and community
- d. foster a safe working environment through leadership to support the rights and dignity of Aboriginal and Torres Strait Islander people and colleagues.

See the [National Aboriginal and Torres Strait Islander Health Plan 2021-2031](#) and the [National Safety and Quality Health Services Standards User guide for Aboriginal and Torres Strait Islander health](#).

### 3. Respectful and culturally safe practice for all

**Principle 3:** Respectful, culturally safe practice requires psychologists to have knowledge of how their own culture, values, attitudes, assumptions and beliefs influence their interactions with people and families, the community and colleagues. Psychologists must contribute to a respectful and safe culture for all, communicate with all clients in a respectful way and meet their privacy and confidentiality obligations including when communicating online.

#### 3.1 Cultural safety for all communities

Australia is a culturally and linguistically diverse nation. Section 2 (above) defines cultural safety for Aboriginal and Torres Strait Islander Peoples specifically for their status as First Nations Peoples. Culturally safe and respectful practice is important for all communities.

To ensure culturally safe and respectful practice, good practice includes that you:

- a. understand that only the client and/or their family can determine whether or not the psychological service is culturally safe and respectful
- b. respect diverse cultures, beliefs, gender identities, sexualities and experiences of all people
- c. acknowledge the social, economic, cultural, historic and behavioural factors influencing health – at the individual, community and population levels
- d. adopt practices that respect diversity, avoid bias, discrimination and racism, and challenge beliefs based upon assumption (for example, based on gender, disability, race, ethnicity, religion, sexuality, age or political beliefs)
- e. support an inclusive environment for the safety and security of the individual client and their family, carers and/or significant others, and
- f. create a positive, culturally safe work environment through role modelling, and support the rights, dignity and safety of others, including clients and colleagues.



### 3.2 Effective communication

Positive professional relationships are built on effective communication between a psychologist and clients.

Effective practice includes that you:

- a. communicate, respectfully, compassionately and honestly with clients, their nominated partner, substitute decision-maker, carers, family and friends
- b. consider the age, maturity and intellectual capacity of people and other groups that may have additional needs, and provide information in a way that they can understand
- c. are aware of psychological literacy issues, and take this into account when communicating with people
- d. take all practical steps to meet the specific language, cultural, and communication needs of clients and their families, including by using translating and interpreting services where necessary, and being aware of how these needs affect understanding
- e. use interpreters, where reasonably possible, from an accredited service provider who abides by the Australian Institute of Interpreters and Translators (AUSIT) Code of ethics and Code of conduct
- f. check to confirm a client understands any information communicated to them
- g. encourage and support clients to be well-informed about their health and wellbeing, and respect the right of clients to choose whether to participate in a service or accept advice
- h. clearly and accurately communicate relevant and timely information about the client to colleagues, within the bounds of relevant privacy requirements
- i. do not refer to people in a non-professional manner, including refraining from behaviour that may be interpreted as bullying or harassment and/or culturally unsafe, and
- j. explain to all parties involved in the psychological services:
  - i. the nature of the relationship with each party
  - ii. the psychologist's role
  - iii. the likely uses of information obtained through the psychological services
  - iv. the limits to confidentiality, and
  - v. the financial arrangements relating to the psychological services.

(See also 3.3 Privacy and confidentiality, 4.2 Informed consent, 8.12 Conflicts of interest and 8.13 Financial and commercial dealings)

### 3.3 Privacy and confidentiality

You have ethical and legal obligations to protect the privacy of clients. Clients have a right to expect that you will hold information about them securely and in confidence, unless the release of information is required or authorised by law, or is required to facilitate emergency care.<sup>7</sup>

To protect privacy and confidentiality:

- a. you must seek informed consent in relation to information handling. Effective practice includes:
  - i. At the beginning of a professional relationship and thereafter as necessary, clients should be adequately informed about the limits of confidentiality and likely uses of the information generated during the professional relationship.
  - ii. Before collecting information from clients, they should be adequately informed about how their personal information will be recorded, stored and used.

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<sup>7</sup> See also the [Australian Privacy Principles](#).

- iii. Before disclosing information from clients, they should be adequately informed about the nature and purpose of the disclosure (See also the [Australian Privacy Principles](#)).
  - iv. Before collecting information from associated parties, clients should be adequately informed about the nature and purpose of the information to be collected and how the information will be recorded, stored and used.
  - v. Before collecting information from associated parties, consent should be obtained from them by explaining the nature and purpose of the information to be collected and how it will be recorded, stored and used.
- b. engage with and obtain agreement from clients who are unable to provide informed consent, following the process for informed consent as far as reasonably possible
  - c. formally document the outcome of the consent and/or agreement process where possible
  - d. provide surroundings to enable private and confidential consultations and discussions, particularly when working with multiple people at the same time, or in a shared space. If private surroundings are not available, psychologists should consider their obligations under 1.2 Safe and effective psychological services and 4.2 Informed consent
  - e. never access records when not professionally involved in the care of the client and/or authorised to do so
  - f. ensure that all staff are aware of the need to respect the privacy and confidentiality of clients, and refrain from discussing clients in a non-professional context
  - g. be aware of the requirements of the privacy and/or health records legislation that operate in the relevant states or territories, and apply them to information held in all formats, including electronic information
  - h. be aware that you may have legislated obligations if there is unauthorised access to or disclosure of personal information<sup>8</sup>
  - i. do not disclose, transmit, share, reproduce or post any person's information or images, even if the person is not directly named or identified, without first getting written and informed consent<sup>9</sup> (See also 4.8 Professional boundaries and 8.12 Conflicts of interest)
  - j. recognise that clients generally have a right to access information contained in their records and help them access this information when they are entitled to do so under relevant legislation and/or local policy, and
  - k. facilitate arrangements for the transfer or management of all records in accordance with relevant legislation governing privacy and health records, when closing or relocating a practice.

(See also 4.2 Informed consent and 8.5 Client records)

#### 4. Working with clients

**Principle 4:** Basing relationships on respect, trust and effective communication enables psychologists to work in partnership with clients. Psychologists should maintain effective and professional relationships with their client and provide explanations that enable clients to understand and participate in their care, recognise that some clients have additional needs and be open and honest when adverse events happen.

##### 4.1 Professional relationships

An effective professional relationship between you and your client requires high standards of personal conduct.

<sup>8</sup> See also the [Office of the Australian Information Commissioner](#).

<sup>9</sup> See also the Board's [Social media guidance](#)

Effective practice includes that you:

- a. be respectful, compassionate and honest
- b. treat each client according to their specific needs and circumstances
- c. support clients to be engaged and informed about their wellbeing, and to use this information in their decisions about psychological services, and (See also 4.2 Informed consent)
- d. recognise that there is a power imbalance in the psychologist–client relationship, and do not exploit clients physically, emotionally, sexually or financially.

(See also 4.8 Professional boundaries and 8.13 Financial and commercial dealings)

#### **4.2 Informed consent**

Informed consent is a person’s voluntary decision about psychological services that is made with knowledge and understanding of the benefits and risks involved.

Effective practice includes that you:

- a. provide information to clients in a way they can understand before asking for their consent (See also 3.2 Effective communication)
- b. check to confirm a client understands any information communicated to them
- c. give the client enough time to ask questions and make informed decisions
- d. act according to the client’s capacity for decision-making and consent, including when caring for children and young people, based on their maturity and capacity to understand, and the nature of the proposed care, and consider the need for the consent of a parent, carer, guardian or other substitute decision-maker or other legal representative
- e. get informed consent from the client or where the client does not have the capacity, from their substitute decision-maker and taking into account any advance care directive (or similar) before carrying out any assessment, intervention (this may not be possible in an emergency), or involving clients in teaching or research, including providing information on material risks and expected outcomes
- f. attempt to engage with and obtain agreement from clients who are unable to provide informed consent, following the process for informed consent as far as reasonably possible
- g. inform your client of the period for which consent will be relied on in the absence of significant changes
- h. re-visit consent when the period of time referred to above has passed or there has been a significant change to the psychological service or another aspect of the professional relationship
- i. inform your client that they may withdraw their consent at any time and discuss any potential implications of withdrawing consent
- j. obtain financial consent by discussing fees in a manner appropriate to the professional relationship and addressing the costs of all required services and get general agreement about the level of treatment to be provided, preferably before the service starts
- k. inform your clients of the benefits, as well as associated costs or risks, when referring them for further investigation or treatment, which they may wish to clarify before proceeding, and
- l. document consent appropriately, including obtaining written consent for assessments and/or procedures that involve physical contact with clients (See also 4.8 Professional boundaries)

### 4.3 Children, young people and other clients who may have additional needs

Some clients have additional needs. These clients may include for example, children and young people, older people, those living with physical and/or cognitive disability, those with impaired decision-making capacity and those who are at higher risk, for example from family violence.

Effective practice includes that you:

- a. identify clients with additional needs and attend to their interests and wellbeing and meet the relevant mandatory reporting legislation imposed to protect groups particularly at risk, including reporting obligations about the aged, child abuse and neglect
- b. be aware that psychologists have a responsibility to help clients address inequities and that increased advocacy may be necessary to ensure just access to psychological services, and
- c. ensure when communicating that you:
  - i. treat the client with respect and listen to their views
  - ii. encourage questions and answer those questions to the best of your ability
  - iii. provide information in a way the client can understand
  - iv. recognise the role of parents, carers or guardians and, when appropriate, encourage the client to involve their parents, carers or guardians in decisions about care, and
  - v. remain alert to clients who may be at risk, and notify appropriate authorities as required by law.

### 4.4 Relatives, carers and partners

Effective practice includes that you:

- a. be considerate to relatives, carers, partners and others close to the client, and respectful of their role in the care of the client, and
- b. with appropriate consent, or where otherwise permitted, be responsive in providing information. (See also 3.2 Effective communication)

### 4.5 Adverse events and open disclosure

When a client is harmed by psychological services (adverse events), psychologists have a responsibility to be open and honest in communication with the client to review what happened and to report appropriately.<sup>10</sup>

When a client is harmed, effective practice includes that you:

- a. act immediately to rectify the problem, if possible, including seeking help and advice and referring the client if needed
- b. report the incident to the relevant authority, comply with relevant policies and procedures and seek advice if you are unsure about your obligations
- c. communicate respectfully with clients and associated people as necessary, applying the principles and processes of open disclosure,<sup>11</sup> and
- d. ensure clients have access to information about the processes for making a complaint or raising a concern (notification), for example through the relevant Health Complaints Commissioner or National Board or Australian Health Practitioner Regulation Agency (Ahpra) website. (See also 7.1 Risk management)

### 4.6 Complaints

Clients have a right to raise concerns about their psychological services.

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<sup>10</sup> From the Australian Commission on Safety and Quality in Healthcare's Australian Open Disclosure Framework: 'Adverse event' means an incident in which a person receiving healthcare was harmed.

<sup>11</sup> See [Australian Commission on Safety and Quality in Health Care's Australian Open Disclosure Framework](#).

When a concern is raised, effective practice includes that you:

- a. acknowledge the client's right to raise concerns
- b. provide information about complaints systems
- c. work with the client to resolve the issue, locally where possible
- d. ensure the complaint (notification) does not adversely affect the client's psychological services. In some cases, it may be advisable to refer them to another professional
- e. when notified of a complaint or notification made to a regulator such as the Board/Ahpra, work cooperatively with the regulator to provide a prompt, open and constructive response including an explanation, and
- f. comply with relevant complaints (notifications) legislation, policies and procedures.

For additional guidance see the [Concerns about practitioners](#) page on Ahpra's website.

#### **4.7 Maintaining continuity of psychological services**

Psychologists should only provide psychological services clients benefit from and should end professional relationships with clients who do not benefit from their services.

When concluding professional relationships with clients, psychologists should minimise the negative effects on them and safeguard the continuity of services from other professionals.

Effective practice includes that you:

- a. make arrangements for other professionals to continue providing services to clients during emergencies or periods of your foreseeable absence
- b. make reasonable plans for the continuity of service to clients in the event you become unavailable, for example due to your relocation, illness or death
- c. make reasonable plans for the continuity of service to clients when the professional relationship must end, including helping identify alternative service providers and passing on relevant information with clients' consent
- d. where practical, inform clients as early as possible if you need to end the professional relationship
- e. do not end the professional relationship prematurely or abruptly but, where possible, decide with clients when it will be appropriate to end the professional relationship
- f. give advance notice, if possible, to all relevant parties as early as possible, of plans to close or relocate your practice, or when you move between practices, and
- g. facilitate arrangements for the continuing care of all current clients, including the transfer or appropriate management of all client records in accordance with the law governing privacy and health records in the jurisdiction where you practise.

#### **4.8 Professional boundaries**

Professional boundaries allow you and your client to engage safely and effectively in a professional relationship. Professional boundaries mean the clear separation that should exist between professional conduct aimed at meeting the psychological needs of clients and your own personal views, feelings and relationships which are not relevant to the professional relationship.

Professional boundaries are integral to an effective psychologist–client relationship. They promote effective care for clients and protect both parties. Breaching professional boundaries may be viewed as unethical, and even unprofessional conduct or professional misconduct that can lead to cancellation of registration as a psychologist.

Effective practice includes that you:

- a. recognise the inherent power imbalance in the psychologist–client relationship. The client is always the vulnerable party in the psychologist–client relationship, and it is the psychologist’s responsibility to maintain professional boundaries
- b. be clear about the professional boundaries that must exist in professional relationships for objectivity in care, and avoid conflicts of interest, as well as under-or over-involvement
- c. recognise that physical contact with clients is only indicated in exceptional circumstances and when it is in the best interests of the client. There are risks associated with assessments and interventions that involve physical contact with clients
- d. ensure any assessment and/or intervention that involves physical contact with a client has a clear, evidence-based indication. The reasons for, process of and outcomes of the physical contact must be recorded in the relevant records
- e. obtain written consent for any assessment and/or intervention that involves physical contact with a client (See also 4.2 Informed consent)
- f. recognise that it is mostly inappropriate to share your personal information with clients and/or associated parties, and before doing so, you should consult an experienced colleague to determine whether your purpose for such disclosure is appropriate
- g. never establish or pursue a sexual, exploitative and other personal (including financial and commercial) or otherwise inappropriate relationship with a client or an associated party
- h. recognise that sexual and other personal (including financial and commercial) relationships with people who have previously been your clients are mostly inappropriate, depending on factors including the extent of the professional relationship and the vulnerability of the client
- i. recognise that sexual and other personal (including financial and commercial) relationships with associated parties of previous clients, are mostly inappropriate, depending on factors including the extent of the professional relationship and the vulnerability of such people
- j. recognise that your professional obligations continue even after the professional relationship has ended, and
- k. do not express personal beliefs to clients in ways that exploit their vulnerability, and/or that are likely to cause them distress.

#### 4.9 Multiple relationships

Psychologists frequently find themselves in situations where they enter, or risk entering, into **multiple relationships** (see *Definitions* section) that might compromise, or be perceived to compromise, their objectivity and/or the safety and effectiveness of the psychological service. Multiple relationships may also expose clients, former clients, or other parties to a psychological service to the risk of exploitation.

Psychologists discontinue, or avoid, multiple relationships unless they hold a reasonable belief that they are ethically, legally or organisationally obliged to continue or enter into such relationships. If you decide to continue or enter into multiple relationships, effective practice includes that you:

- a. make contemporaneous records of the factors that demonstrate your reasonable belief
- b. make contemporaneous records of how you intend to protect the interests of clients, former clients and other parties to the psychological service
- c. inform all parties to the multiple relationship that there is potential for conflicts of interest and explain the possible implications of this situation, and
- d. monitor and take reasonable steps to protect the interests of clients, former clients and other parties to the psychological service.

#### 4.10 Simultaneous psychological services

If you provide the same psychological service to two or more clients together (such as in group, couples and family work) you must consider and record why this mode of intervention is appropriate to all the clients involved.

Effective practice includes that you:

- a. ensure all clients provide consent free from undue influence by other clients
- b. ensure this method of providing the service will not compromise the safety and effectiveness of psychological services to any client
- c. provide safe and effective psychological services to all clients, and
- d. respect and maintain the privacy and confidentiality of all clients as required under other provisions of this code of conduct.

(See also 3.3 Privacy and confidentiality, 4.2 Informed consent, 4.9 Multiple relationships and 8.12 Conflicts of interest)

### 5. Working with other professionals

**Principle 5:** Effective relationships with colleagues and other professionals strengthen the psychologist–client relationship, collaboration and enhance client service. Effective relationships must be free of discrimination, bullying and harassment.

#### 5.1 Respect for colleagues and other professionals

Effective psychological services are enhanced when there is mutual respect and clear communication between all professionals involved in the care of the client.

Effective practice includes that you:

- a. communicate clearly, effectively, respectfully and promptly with colleagues and other professionals caring for the client
- b. acknowledge and respect the contribution of all professionals involved in the care of the client
- c. behave professionally and courteously to colleagues and other professionals at all times, including when using electronic communication such as social media, and
- d. refrain from exploiting your relationships with your colleagues and other professionals, for example, through your commercial arrangements.

#### 5.2 Teamwork and collaboration

Many psychologists work closely with a wide range of other professionals.

Effective collaboration is a fundamental aspect of good practice and teamwork. Good client care requires coordination between all professionals. Wellbeing is improved when there is mutual respect and clear, culturally safe communication, as well as an understanding of the responsibilities, capacities, constraints and ethical codes of each other's professions. Working in a team or collaboratively does not alter your personal accountability for professional conduct and the services you provide.

When working in a team or collaboratively, effective practice includes that you:

- a. understand your role and the role of other team members and attend to the responsibilities associated with that role
- b. advocate for a clear delineation of roles and responsibilities, even though services within the team may be provided by different professionals from different professions
- c. communicate effectively with other team members or professionals, including to support continuity of service

- d. inform clients about the roles of team members or other professionals, and be clear about who has ultimate responsibility for coordinating the client's services
- e. act as a positive role model for team members, and
- f. support students and professionals receiving supervision, and others within the team.

### 5.3 Discrimination, bullying and harassment

There is no place for discrimination (including racism), bullying and harassment, including sexual harassment, within the provision of psychological services. Psychologists are expected to contribute to a culture of respect and safety for all.<sup>12 13 14</sup> Discrimination, bullying and harassment adversely affect individual psychologists, increase risk to clients and compromise effective teamwork. Respect for all peoples is an essential feature of constructive relationships between psychologists, their peers, colleagues and with clients.

Effective practice includes that you:

- a. never engage in, ignore or excuse discrimination, bullying and harassment
- b. recognise that bullying and harassment takes many forms, including behaviours such as sexual harassment, physical and verbal abuse, racism, discrimination, violence, aggression, humiliation, pressure in decision-making, exclusion and intimidation directed towards colleagues and other people
- c. understand social media and other types of electronic communication are sometimes used as a mechanism to bully or harass, and you should not engage in, ignore or excuse such behaviour
- d. do or say something about discrimination, bullying or harassment by others when you see it and report it when appropriate
- e. take appropriate action if you are in a leadership/management role
- f. escalate your concerns if an appropriate response does not occur
- g. refer concerns about discrimination, bullying or sexual harassment to the Board/Ahpra when there is ongoing and/or serious risk to clients, students, trainees, colleagues or healthcare teams (in addition to mandatory reporting obligations), and
- h. support colleagues who report bullying and harassment.

For additional guidance see the [Australian Human Rights Commission Fact sheet](#).

### 5.4 Delegation, referral and handover

Psychologists who refer or hand over are transferring responsibility for the service to another professional. This is distinct from delegating which is when a psychologist directs another person to perform tasks related to the service, under the responsibility of the psychologist.

Effective practice includes that you:

- a. take reasonable steps to ensure that any person to whom you delegate, refer or hand over to has the qualifications and/or experience and/or knowledge and/or skills to provide the services needed

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<sup>12</sup> Discrimination occurs when a person, or a group of people, is treated less favourably than another person or group because of their background or certain personal characteristics. Australian Human Rights Commission (AHRC) <https://humanrights.gov.au/quick-guide/12030>.

<sup>13</sup> Bullying is when people repeatedly and intentionally use words or actions against someone or a group of people to cause distress and risk to their wellbeing. Australian Human Right Commission (AHRC) <https://humanrights.gov.au/our-work/commission-general/what-bullying-violence-harassment-and-bullying-fact-sheet>.

<sup>14</sup> Sexual harassment is broadly defined as unwelcome sexual conduct that a reasonable person would anticipate would offend, humiliate or intimidate the person harassed (AHRC, 2014).



- b. understand that, your responsibility for the service being provided continues until the referral or handover is accepted
- c. understand that, as delegating psychologist you remain responsible for the service being provided and for the decision to delegate, and
- d. always communicate sufficient information about the client to enable safe continuation of the service.

## 6. Working within systems

**Principle 6:** Psychologists have a responsibility to contribute to the effectiveness and efficiency of the systems in which they work.

### 6.1 Use psychological services wisely

It is important to use psychological services wisely.

Effective practice includes that you:

- a. ensure the psychological services you provide are appropriate and necessary
- b. uphold the right of clients to gain access to the necessary level of psychological services, and, whenever possible, help them to do so
- c. support the transparent and equitable allocation of psychological services, and
- d. understand that your use of resources can affect the access other clients have to psychological services.

### 6.2 Equity and opportunity

There are significant inequities in health status and the educational and employment opportunities for various groups in the Australian community. These inequities result from social, cultural, historic, geographic, environmental, physiological, psychological and other factors. Some groups who experience inequities include Aboriginal and Torres Strait Islander Peoples; people with disabilities; those who are gender or sexuality diverse; and those from socially, culturally and linguistically diverse backgrounds, including asylum seekers and refugees.

Effective practice includes that you use your expertise and influence to promote good health and educational and employment opportunities for individuals, communities and populations.

### 6.3 Psychological health and wellbeing

Psychologists have a responsibility to promote the health and wellbeing of the community.

Effective practice includes that you:

- a. understand the principles of psychological wellbeing, including education and promotion, and use the best available evidence in making practice decisions, and
- b. participate in efforts to promote the psychological wellbeing of the community.

## 7. Minimising risk to and by clients

**Principle 7:** Client safety, which includes cultural safety, and managing the risk clients pose to themselves and other others, are very important. Psychologists should minimise risk by maintaining their professional capability through ongoing professional development and self-reflection and understanding and applying the principles of professional governance, risk minimisation and management in practice.

### 7.1 Risk management

Effective practice in relation to risk management includes that you:

- a. practise cultural safety as detailed in sections 2 and 3

- b. understand the importance of professional governance and your obligations, where relevant to your practice<sup>15</sup>
- c. participate in quality assurance and improvement systems where available
- d. develop and implement risk management processes that identify and minimise risk to reduce harm to clients and/or to respond to adverse events, if you practise in a setting where local systems are not in place
- e. participate in systems for surveillance and monitoring of adverse events and 'near misses', including reporting such events to the relevant authority as appropriate
- f. ensure systems are in place for raising concerns about risks to clients, if you have leadership/management responsibilities
- g. work in practice and within systems to reduce error and improve the safety of clients
- h. support colleagues who raise objectively valid concerns about the safety of clients
- i. take all reasonable steps to address the risk if there is reason to think that the safety of clients may be compromised, and
- j. if you reasonably believe that a client poses a serious threat to others, take all reasonable steps to address the risk, acting in accordance with the *Privacy Act* or other relevant legislation.

## 7.2 Psychologist performance

The welfare of clients may be put at risk if a psychologist is performing below the standard expected of them.

If there is a risk, effective practice includes that you:

- a. recognise and take steps to minimise the risks, including complying with relevant state and territory occupational health and safety legislation
- b. follow the guidance in 9.1 Your health and wellbeing, if you know or suspect that you have a health condition that could adversely affect your judgement or performance
- c. take steps to protect clients from being placed at risk of harm by a colleague's conduct, practice or ill health (See also 9.2 Other practitioners' health and wellbeing)
- d. comply with legislative obligations, including mandatory reporting requirements under the National Law
- e. take appropriate steps to support a colleague to get help if you have concerns about their performance or fitness to practise, and
- f. seek advice from an experienced colleague, your employer/s, professional indemnity insurers or a professional organisation if you are not sure what to do.

## 7.3 Maintaining and developing professional capability

Maintaining and developing appropriate and current knowledge, skills and professional behaviour are core aspects of effective, culturally safe practice, requiring self-reflection and participation in relevant professional development, practice improvement and performance-appraisal processes to continually develop professional capabilities. These activities must continue through a psychologist's working life as science and technology develop and society changes.

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<sup>15</sup> See [Australian Commission on Safety and Quality in Health Care's Australian Open Disclosure Framework](#).

## 7.4 Continuing professional development (CPD)

Development of knowledge, skills and professional behaviour must continue throughout a psychologist's working life. Effective practice involves you keeping knowledge and skills up to date to ensure that you continue to work within your competence and scope of practice. The National Law requires psychologists to do CPD. You should refer to the Board's [registration standard](#) and [guidelines](#) on CPD for details of these requirements.

## 8. Professional behaviour

**Principle 8:** Psychologists must demonstrate a standard of professional and personal behaviour that warrants the trust and respect of the community and their peers. This includes complying with their professional obligations and practising ethically and honestly.

### 8.1 Reporting obligations

Psychologists have a statutory obligation under the National Law to report certain matters to the Board/Ahpra. Please refer to the Board's guidelines on mandatory reporting and sections 130 and 141 of the National Law. Psychologists also have professional obligations to report to the Board/Ahpra and their employer/s if they have had any limitations placed on their practice.

Practising ethically and honestly includes that you:

- a. are aware of these reporting obligations
- b. comply with any reporting obligations that apply to your practice, and
- c. seek advice from the Board, your professional indemnity insurer or other relevant bodies if you are unsure about your obligations.

For additional guidance see the [Mandatory notifications](#) page on Ahpra's [Concerns about practitioners](#) webpage.

### 8.2 Vexatious notifications (concerns)

A [vexatious notification](#) (concern) is one without substance, made with an intent to cause distress, detriment or harassment to a practitioner named in the notification. Legitimate complaints (notifications) are motivated by genuine concerns about public safety.

Effective practice includes that you:

- a. raise genuine concerns about risks to public safety to the appropriate authority (locally and/or the relevant National Board) and comply with mandatory reporting requirements, and
- b. do not raise concerns (notifications) that are vexatious and/or not in good faith about other health practitioners. These claims may be viewed as unprofessional conduct or professional misconduct and the Board may take regulatory action.

### 8.3 Integrity of assessment methods and techniques

Psychologists protect the integrity of assessment methods and techniques and do not disclose their contents to individuals unqualified to receive such information.

### 8.4 Public behaviour and statements

Psychologists recognise that they have an obligation to enhance and protect the profession's reputation by refraining from professional and personal behaviour that might bring the profession in to disrepute and/or reflect on their ability to practise as psychologists.

Psychologists should be aware that statements intended to be private may become public and can affect the public standing of the profession. (See also the Board's [Social media guidance](#))

When making public statements of any kind, including on social media, effective practice includes that you:

- a. use respectful language, respect the privacy of others and maintain proper boundaries, and
- b. make informed comments using contemporary, peer-reviewed research findings and/or your demonstrated experience and expertise.

### **8.5 Client records**

Maintaining clear and accurate client records is essential for the continuing good care of clients and good governance.

Effective practice includes that you:

- a. keep accurate, up to date, factual, objective and legible records that report relevant details of history, findings, assessments, investigations, case formulations, information given to clients, interventions and other management in a form that can be understood by other professionals
- b. ensure that records are held securely and are not subject to unauthorised access. This includes protecting the privacy and integrity of electronic records (See also 3.3 Privacy and confidentiality)
- c. ensure that records show respect for clients and individuals close to clients, and do not include demeaning or derogatory remarks
- d. ensure that records are sufficient to facilitate continuity of care
- e. make records at the time of events or as soon as possible afterwards
- f. recognise the right of clients to access information contained in their health records and facilitate that access, and
- g. promptly facilitate the transfer or management (including disposal) of health information in accordance with legislation on privacy and health records when requested by clients, or when closing or relocating a practice.

### **8.6 Insurance**

You have a statutory requirement to ensure that you have appropriate professional indemnity insurance arrangements in place when you practise (See also the Board's [Professional indemnity insurance arrangements registration standard](#).)

### **8.7 Advertising**

Advertisements for services can provide useful information to clients. However, advertising should not be false, misleading or deceptive, use testimonials about clinical aspects of a regulated health service, create an unreasonable expectation of benefit or encourage the indiscriminate or unnecessary use of regulated health services. Advertising that offers a gift, discount or other inducement to attract someone to use the regulated health service or business must state the offer's terms and conditions in plain language.

Effective practice involves complying with the National Law (explained in the National Boards' [Guidelines for advertising regulated health services](#)) and relevant Commonwealth, state and territory legislation on consumer protection, fair trading and therapeutic goods advertising, and ensuring that any promotion of therapeutic products is ethical.

### **8.8 Legal, insurance and other psycho-legal assessments**

When third-parties contract with psychologists to conduct a psycho-legal assessment of a person who is not their client for legal, insurance or other reasons, the usual psychologist–client relationship does not exist. In this situation, effective practice includes that you:

- a. apply the standards of professional behaviour described in this code to the assessment, in particular, be respectful and alert to the concerns of the person
- b. explain to the person your role and the purpose, nature and extent of the assessment to be conducted and your reporting obligations

- c. anticipate and seek to correct any misunderstandings the person may have about the nature and purpose of your assessment and report
- d. explain to the person what the implications could be if consent to do the assessment is refused and specifically indicate that such refusal will be reported to the third-party
- e. obtain the person's explicit consent to proceed with the assessment and provide a psycho-legal report or record the reasons provided if such consent is not given
- f. provide an impartial report (See also 8.9 Reports, certificates and giving evidence), and
- g. recognise that if you discover an unrecognised, serious health issue during the assessment, you have a duty of care to inform the person or their treating practitioner.

### **8.9 Reports, certificates and giving evidence**

The community places a great deal of trust in psychologists and consequently they should only make verbal or written statements that they know, or reasonably believe, are true and objective.

Effective practice includes that you:

- a. warn clients or other recipients of information of the reasonably foreseeable risks that the information contained in your reports, certificates or evidence might hold for clients
- b. if agreed, prepare or sign documents and reports within a reasonable and justifiable timeframe
- c. be honest about your qualifications, experience and the limitations of your competence when you provide information in person or in a document
- d. make clear the limits of your knowledge and do not give opinion beyond those limits when giving evidence, whether in person or in a document
- e. take reasonable steps to verify the content before you sign a report or certificate, and do not omit relevant information deliberately
- f. be honest, unbiased and not misleading when writing reports and certificates, and only sign documents believed to be accurate
- g. give honest and unbiased reports and evidence when legally obliged to provide information to the legal system
- h. recognise and attempt to resolve any conflict between the requirements of the legal system and your obligations to your client. You should inform your client what your commitments to the legal system are and take reasonable steps to resolve such conflict in a responsible manner
- i. recognise that your conduct as a witness in court is determined by legal rules and it is your responsibility to behave in accordance with the expectations and limitations of the court, and
- j. recognise how your previous relationship with a client might affect your professional objectivity or opinion as a witness and disclose the potential conflict.

### **8.10 Your work history**

When providing information about your work history, effective practice includes that you:

- a. provide accurate, truthful and verifiable information about your work history, experience and qualifications, and
- b. do not misrepresent by misstatement or omission your work history, experience, qualifications or position. (See also 10.2 Assessing colleagues).

### **8.11 Investigations**

Psychologists have responsibilities and rights relating to any legitimate investigation of their practice or that of a colleague. In meeting these responsibilities, it is advisable to seek legal advice and/or advice from your professional indemnity insurer.

Effective practice includes that you:

- a. cooperate with any legitimate inquiry into your practice and with any complaints procedures that apply to you
- b. disclose to anyone entitled to ask for it, information relevant to an investigation into your own, or a colleague's conduct, performance or health
- c. cooperate with any legitimate investigation into alleged offences under the National Law, and
- d. help the coroner when an inquest or inquiry is held into the death of a client by responding to the coroner's enquiries and by offering all relevant information.

### **8.12 Conflicts of interest**

Clients rely on the independence and trustworthiness of psychologists for any advice or service offered. A conflict of interest in practice arises when a psychologist, entrusted with acting in the interests of a client, also has financial, professional or personal interests or relationships with third parties which may affect the psychological service.

Multiple interests are common. They require identification, careful consideration, appropriate disclosure and accountability. When these interests compromise or might reasonably be perceived by an independent observer to compromise the psychologist's primary duty to the client, psychologists must recognise and resolve this conflict in the best interests of the client.

Effective practice includes that you:

- a. recognise potential conflicts of interest that may arise while delivering psychological services to clients
- b. act in the interests of your clients when making referrals, and when giving or arranging services
- c. inform your clients, those you report to and other parties to the psychological service what your professional obligations are so that there is mutual understanding by all parties involved in the psychological service
- d. do not ask for or accept any inducement, gift or hospitality that may affect or be seen to affect the way you provide psychological services for clients
- e. do not offer inducements to colleagues or enter into arrangements that could be perceived to provide inducements
- f. do not allow any financial or commercial interest to adversely affect the way in which clients are treated. When you, your immediate family or those you associate with have such an interest and that interest could be perceived to influence the service provided, you must inform your clients, and
- g. avoid performance targets, quotas and business practices that are inconsistent with your obligations under this code. Where psychologists identify such a conflict, they should seek a constructive resolution that is consistent with this code.

### **8.13 Financial and commercial dealings**

Psychologists must be honest and transparent in financial arrangements with clients.

Effective practice includes that you:

- a. do not exploit the vulnerability or lack of knowledge of clients when providing or recommending services

- b. do not influence clients to give, lend or bequeath money or gifts or to undertake services that will benefit you directly or indirectly
- c. do not influence clients to provide benefits such as making donations or provision of services to other people or organisations
- d. do not accept gifts from clients other than tokens of minimal monetary and non-sentimental value and if you do accept a token gift, make a file note or inform a colleague if possible
- e. do not give gifts to clients
- f. do not become involved financially with clients, for example, through loans and investment schemes, and
- g. be transparent in financial and commercial matters relating to work, including dealings with employers, insurers and other organisations or individuals, and in particular:
  - i. declare any relevant and material financial or commercial interest that you or your family might have in any aspect of the care of the client, and
  - ii. declare to clients any professional and financial interest in any product or service you might endorse or sell from your practice, and do not make an unjustifiable profit from the sale or endorsement.

#### **8.14 Non-monetary compensation**

Psychologists should avoid accepting goods, services or other non-monetary compensation from clients in return for psychological services. If you reasonably believe that you are culturally or ethically obliged to accept non-monetary compensation, effective practice includes that you:

- a. inform all relevant parties of potential conflicts of interest and explain the possible implications of the situation
- b. establish the fair value of the non-monetary compensation
- c. monitor and take reasonable steps to protect the interests of the client, and
- d. make contemporaneous records of your management of the situation.

### **9. Proactive management of health, wellbeing and work-related psychological risk factors**

**Principle 9:** It is important for psychologists to maintain their own health and wellbeing and to support their colleagues' health and wellbeing. This includes seeking an appropriate work–life balance and proactively managing work-related psychological risk factors.

#### **9.1 Your health and wellbeing**

Effective practice includes that you:

- a. seek expert, independent, objective advice when you need healthcare, and be aware of the risks of self-diagnosis and self-treatment
- b. understand the importance of immunisation against communicable diseases and take reasonable and effective steps to prevent the transmission of communicable diseases
- c. recognise the impact of personal and work-related psychological risk factors on your health and ability to provide services to clients, and
- d. do not rely on your own assessment of the risk you pose to clients if you know or suspect that you have a health condition or impairment that could adversely affect your judgement, performance or the wellbeing of clients. In this case:
  - i. consult a medical or other practitioner as appropriate about whether, and in what ways, you may need to modify practice, and follow the treating practitioner's advice, and

- ii. be aware of your responsibility under the National Law to notify the Board/Ahpra in relation to certain impairments.

## 9.2 Other practitioners' health and wellbeing

Psychologists have a responsibility to help their colleagues maintain health and wellbeing.

Effective practice includes that you:

- a. give practitioners who are clients the same quality of care provided to other clients
- b. take action, including a mandatory or voluntary notification to Ahpra, if you know or reasonably believe that a registered health practitioner is putting the public at risk of harm by practising with an impairment. The [Ahpra website](#) has further information on raising concerns about a practitioner via a [voluntary notification](#), and the thresholds for making a mandatory notification in the [Guidelines: Mandatory notifications about registered health psychologists](#), and
- c. recognise the effect of stress on the health of colleagues, including those under supervision, and encourage colleagues who are adversely affected by stress to seek professional support.

## 10. Teaching, supervising and assessing

**Principle 10:** Psychologists should support the important role of teaching, supervising and mentoring psychologists, registrars and provisional psychologists to develop the psychology workforce.

### 10.1 Teaching and supervising

In teaching and supervision roles, effective practice includes that you:

- a. seek to develop the skills, attitudes and practices of an effective and culturally safe teacher and/or supervisor
- b. oversee the professional behaviour of those you supervise and give appropriate feedback and guidance to them as required
- c. avoid any potential for conflict of interest in teaching or supervision relationships that may impair objectivity and/or interfere with the supervised person's learning outcomes or experience. For example, do not supervise someone with whom you have a pre-existing non-professional relationship
- d. recognise that there is a power imbalance in teaching and/or supervision relationships
- e. model professional and ethical behaviour and maintain appropriate boundaries in teaching and/or supervision relationships. The responsibility to maintain appropriate boundaries rests with the teacher/supervisor, and
- f. as supervisor, recognise that you must provide supervision at the standard reasonably expected of a supervisor and that you might be held responsible for the conduct of the supervisee should you fail to meet this standard.

### 10.2 Assessing colleagues

Assessing colleagues is an important part of making sure that the highest standards of practice are achieved.

Effective practice includes that you:

- a. are honest, objective, constructive and culturally safe when assessing the performance of colleagues, including provisional psychologists and registrars, and do not put clients at risk by inaccurate or inadequate assessment, and
- b. provide accurate and justifiable information promptly and include all relevant information when giving references or writing reports about colleagues.



### 10.3 Provisional psychologists and registrars

Provisional psychologists and registrars are learning how best to care for clients. Creating opportunities for learning improves their psychology practice and nurtures the future workforce.

Effective practice includes that you:

- a. recognise that there is an inherent power imbalance in the relationship between psychologists and provisional psychologists and registrars that might make them vulnerable
- b. model professional and ethical behaviour and maintain appropriate boundaries with provisional psychologists and registrars. The responsibility to maintain appropriate boundaries rests with the psychologist
- c. treat provisional psychologists and registrars with respect and patience
- d. make it clear to provisional psychologists and registrars what the scope is of their role in providing care to clients, document this and explain the situation to clients, and to other people involved with clients when appropriate, and
- e. obtain clients' consent for provisional psychologists and registrars to be involved and respect their right to refuse consent.

## 11. Ethical research

**Principle 11:** Psychologists should recognise the vital role of ethical and evidence-based research, conduct research ethically and support the decision-making of research participants.

### 11.1 Research ethics

Research in Australia is governed by guidelines issued in accordance with the *National Health and Medical Research Council Act 1992 (Cth)*. If you are carrying out research, you should familiarise yourself with and follow these guidelines.

Research involving animals is governed by legislation in states and territories and by guidelines issued by the National Health and Medical Research Council (NHMRC).

Being involved in the design, organisation, conduct or reporting of research, or activities that others might consider research, brings responsibilities for psychologists.

Effective practice includes that:

- a. you ensure the research does not compromise the psychologist–client relationship or the care of clients
- b. if your research comes under the governance of the National Health and Medical Research Council (NHMRC), you should comply with guidance issued by the NHMRC, and
- c. if your research does not come under the governance of the NHMRC, you should comply with guidance issued by the NHMRC as far as relevant and the provisions of this code such as those regarding informed consent and the prevention of harm.

### Definitions

**Associated parties** are people or bodies psychologists interact with whilst providing a psychological service, who are not a client or third party. They include but are not limited to:

- a. clients' carers, employers, employees, friends, guardians, partners, relatives and spouses
- b. other health professionals, and
- c. spokespeople representing bodies or communities.

**Bullying** is repeated unreasonable behaviour by an individual towards a worker which creates a risk to health and safety. (Australian Human Rights Commission)

### **Cultural safety**

This definition of cultural safety was developed for use in the National Scheme by the Aboriginal and Torres Strait Islander Health Strategy Group in partnership with the National Health Leadership Forum.

#### **Principles:**

The following principles inform the definition of cultural safety:

- Prioritising the Council of Australian Government's goal to deliver healthcare free of racism supported by the National Aboriginal and Torres Strait Islander Health Plan 2021–2031.
- Improved health service provision supported by the Safety and Quality Health Service Standards User guide for Aboriginal and Torres Strait Islander health.
- Provision of a rights-based approach to healthcare supported by the United Nations Declaration on the Rights of Indigenous Peoples.
- Ongoing commitment to learning, education and training.

#### **Definition:**

Cultural safety is determined by Aboriginal and Torres Strait Islander individuals, families and communities.

Culturally safe practise is the ongoing critical reflection of health practitioner knowledge, skills, attitudes, practising behaviours and power differentials in delivering safe, accessible and responsive healthcare free of racism.

**Clients** are people or bodies who are the recipients of psychological services.

**Discrimination** occurs when a person, or a group of people, is treated less favourably than another person or group because of their background or certain personal characteristics. (Australian Human Rights Commission)

**Electronic** means any digital form of communication, including email, online meeting technologies, internet, social media, etc.

**Handover** is the process of transferring all responsibility for a service to another professional.

**Harassment** is treating a person less favourably on the basis of certain personal characteristics, such as race, sex, pregnancy, marital status, breastfeeding, age, disability, sexual orientation, gender identity or intersex status. (Australian Human Rights Commission)

**Multiple relationships** include situations where psychologists provide, or intend to provide, a psychological service to a client:

- a. with whom they have, or previously had, a non-professional association
- b. to whom they are providing a different psychological service (for example, the psychologist acts as both a treating practitioner and a forensic assessor)
- c. where they have, or previously had, a non-professional association with people associated with the client
- d. where they currently provide, or previously provided, a psychological service to people associated with the client
- e. together with people associated with the client
- f. together with one or more other clients, and
- g. who currently provides or had previously provided a service to the psychologist.

**Notification** (complaint) is the way to raise a concern about a registered practitioner's conduct, performance, or health. More detailed information is published on Ahpra's [Concerns about practitioners](#) page.

**Providing care** includes, but is not limited to, any care, treatment, examination, advice, service or goods provided in respect of the physical or mental health of a person, whether remunerated or pro bono.

**Practice** means any role, whether remunerated or not, in which the individual uses their skills and knowledge as a practitioner in their regulated health profession. For the purposes of this code, practice is not restricted to the provision of direct clinical care. It also includes using professional knowledge in a direct non-clinical relationship with patients, working in management, administration, education, research, advisory, regulatory or policy development roles and any other roles that have an impact on safe, effective delivery of health services in the health profession.

**Racism** includes prejudice, discrimination or hatred directed at someone because of their colour, ethnicity or national origin.

**Referral** involves one professional sending a client to obtain an opinion or treatment from another professional. Referral usually involves the transfer (in part) of responsibility for the service, usually for a defined time and a particular purpose, such as a service that is outside the referring professional's expertise or scope of practice.

**Registered health practitioner** means an individual who is registered under the National Law to practise a health profession, other than as a student; or who holds non-practising registration in a health profession under the National Law.

**Sexual harassment** is broadly defined as unwelcome sexual conduct that a reasonable person would anticipate would offend, humiliate or intimidate the person harassed (Australian Human Rights Commission, 2014).

**Social media** describes the online and mobile tools that people use to share opinions, information, experiences, images, and video or audio clips, and includes websites and applications used for social networking. Common sources of social media include, but are not limited to, social networking sites such as Facebook and LinkedIn, blogs (personal, professional and those published anonymously), business search and review sites such as Word of Mouth and True Local, microblogs such as Twitter, content-sharing websites such as YouTube and Instagram, and discussion forums and message boards. For more information see [Social media: How to meet your obligations under the National Law](#).

**Third parties** are people or bodies towards whom psychologists have professional responsibilities because they have a direct interest in the psychological service provided.

**Vexatious notification** is a notification without substance, made with an intent to cause distress, detriment or harassment to a practitioner named in the notification. Vexatious notifications can come from anyone including clients, members of the public and other professionals