

Public Consultation: A Code of Conduct for Psychologists

**The Australian Educational & Developmental Psychology
Association (AEDPA) Submission to the Psychology Board of
Australia (PsyBA)**

Submission date: Monday 14th August 2023

General

Do you support the Board's preferred option to implement a regulatory code of conduct?

The Australian Educational and Developmental Psychology Association (AEDPA) supports the Board's decision to implement a regulatory Code of Conduct for Psychologists.

Do you agree with the Board's approach to develop the draft Psychology Board of Australia code of conduct based on the shared Code of Conduct?

The AEDPA agrees the Code of Conduct for Psychologists should be informed by the AHPRA Shared Code of Conduct with the caveat that the unique ethical, professional, and technical requirements of psychological practice with individuals and groups be taken into account, and where necessary supplement or supersede expectations set forth in the Shared Code.

Do you support the Board's proposal to adopt the draft Psychology Board of Australia code of conduct as the regulatory code for the psychology profession?

Changes are required prior to the draft Psychology Board of Australia Code of Conduct being adopted. Given the extent of changes needed, AEDPA supports a second round of public consultation prior to the formal adoption of any working drafts.

Content of the Draft Psychology Board Code

Does the draft Psychology Board of Australia code of conduct set the minimum standards expected of psychologists by their professional peers and the public?

It is our position that the language, phrasing, and terminology used in the draft code have the potential to be misunderstood. One plausible repercussion would be an interpretation that is too rigid to be practicable. Clarification of these terms is

required to facilitate adequate understanding and application of concepts. For example:

- The term “psychological literacy” (Item 3.2, C) is not commonly used and requires clarification.
- Footnotes should be clearer. E.g., for Item 4.5, superscript at the first mention of ‘adverse events’ is
- Using the word ‘notification’ (Item 4.6, D) is confusing as it has connotations with AHPRA notifications. If this is referring to both complaints made to the psychologist, and notifications to AHPRA, then clearly defining the difference, and similarities, between the two is required.

Are there any specific areas of psychological practice that are not adequately addressed in the draft Psychology Board of Australia code of conduct?

Assessment

The code covers most areas required for psychologists; however, the expectations for psychologists in the area of psychometric and psychological assessment is lacking. As Educational and Developmental Psychologists with advanced training in this area, this oversight requires attention with minimum standards needed.

Many psychologists do not go on to use psychological assessment after attaining general registration and therefore need greater guidance and clarity around the expectations that the Psychology Board of Australian has for psychologists offering these services.

Specifically, clarification of the following is needed:

- Recency of practice required to offer standardised psychological assessment
- Minimum expectations regarding gathering information to inform psychological assessment processes and reports. Specifically, informed consent must be gained that includes the nature of assessment services, specific to context. For example, when employed by an organisation, informed consent is required by the employer for the psychologist to provide services (organisation; client) and the legally responsible party for the person being assessed (also a client).
- Minimum expectations regarding the provision of written reports describing the results of psychological assessments.

- Expectations regarding the requirement to write psychological reports and documentation:
 - Using accessible language by all stakeholders,
 - That addresses primary referral question(s), and
 - Meets criteria for relevant funding bodies and processes that may be required as a result of assessment outcomes.
- Minimum expectations regarding feedback for psychological reports:
 - Are psychologists expected to do verbal feedback, or is sending a written report adequate?

It is the AEDPA's position that sending a written report to clients without verbal feedback is unethical practice. This aligns with professional expectations set for psychologists by a majority of international practice bodies.

Feedback ensures psychologists explain results, implications, next steps, and adequately respond to questions from the client (and/or their family) and clarify any misconceptions that come up from discussing the results.

Effective Communication

The code is currently ambiguous when in its reference to communication. Explicit statement outlining that the applies to all forms of communication is important for clear understanding of both professionals and the public.

Are there any sections of the draft Psychology Board of Australia code of conduct that would be unworkable for your organisation and/or stakeholders?

Yes. There are several sections within the draft code that would be unworkable in a variety of contexts:

Section 4.7

It is not always feasible for psychologists to end professional relationships with clients who do not benefit from their services, as this does not align with requirements of funding bodies, the client's individual needs, and/or autonomy to choose their health care and providers.

For example, clients accessing funding for psychological services through the NDIS communicate that the system places pressure on the client to continue using allocated funds or miss-out being re-allocated access to services at a later point in time.

There is a lack of consideration for the role of preventative work and chronic care models of disability which may not lead to immediately reported progress or benefits; instead resulting in longer term gains and impacts.

Section 4.8

Sharing personal information in the course of service provision is unavoidable at times and is different. It is unreasonable and inappropriate to expect psychologists to hide all parts of their identity, especially when many forms of self-disclosure occur by virtue of physical appearance (e.g., religious attire, cultural heritage).

At times, sharing personal information, particularly when it comes to lived experience, may be an important aspect of treatment for clients. Psychologists must reflect and consider whether their lived experiences are helping or hindering service provision, through consultation and external supervision. While the AEDPA recognises this is a complex space to navigate, the Australian public deserve the opportunity to work with professionals whose experiences and background resonate with their identity and healthcare needs. As such, the code must acknowledge the limited role, potential utility, and sensitivity required by psychologists navigating the prospect of self-disclosure. Guidance to this end is currently lacking.

Power imbalance

The AEDPA advises the following correction in relation to power differentials and client vulnerability: “recognise the inherent power imbalance in the psychologist-client relationship. It is the psychologist’s responsibility to maintain and set clear professional boundaries”. No further clarification of this point is required.

Is the language and structure of the draft Psychology Board of Australia code of conduct helpful, clear and relevant?

The AEDPA is concerned that the proposed code is both too broad and too nuanced. It attempts to straddle both a Code of Conduct and a Code of Ethics; helpful and relevant in some instances, rigid and impracticable in others.

Some concerns include:

- Rigid use of language not allowing for responsible, professional interpretation.
- Inconsistent language. For example, there are a number of times when the reference to “the psychologist” is used interchangeable with “your”; this would be confusing for the general public. Changing from a broad audience to an individual audience within a single sentence or point feels grammatically inappropriate for this type of document.

Community impact

Would implementation of the draft Psychology Board of Australia code of conduct result in negative or unintended effects for Aboriginal and Torres Strait Islander Peoples? If so, please describe them.

The AEPDA advocates for the Psychology Board of Australia to consult with Aboriginal and Torres Strait Islander Peoples to determine whether the proposed code may result in any negative or unintended effects.

Would endorsement of the draft Psychology Board of Australia code of conduct result in negative or unintended effects for other diverse groups or vulnerable members of the community? If so, please describe them.

The AEDPA has made comments throughout this document referencing the impact on some statements for the public. It is our position that further consideration be taken with regard to the impact of this code on the work of psychologists working with children and older Australians.

Transition and implementation

The Board is proposing to publish an advance copy of the draft Psychology Board of Australia code of conduct 12 months before it would come into effect. Do you agree with the proposed transition timeframe?

Should there be a requirement for a period of transition, the AEDPA feels comfortable that this can be shorter than the planned 12 months without any impact on the public or the psychology profession given longstanding ethical practice expectations adhered to by all registered psychologists to date.

Would there be any implementation issues for your organisation and/or stakeholders that the Board should be aware of?

The AEDPA does not believe there are implementation issues for our organisation or stakeholders once the issues put forth in this submission and by other members of the public have been addressed.

General feedback

Do you have any other feedback or comments about the draft Psychology Board of Australia code of conduct?

The Code of Conduct is not intended to be an exhaustive guide to professional ethics (referenced on page 3). This aligns with the AEDPA's position that a code of



conduct for the profession and a code of ethics set out by professional organisations are required for psychologists providing psychological services.

Although well intentioned, the draft code of conduct in its current form is both too complex and too simple. The AEDPA appeals to the Psychology Board of Australia to clarify whether a full Code of Ethics is needed, or if the preference is to only provide a minimum standard of conduct.

Should this decision be clarified, it would facilitate a focus on key concepts, rather than the current proposed code that attempts to account for all aspects of conduct and ethical practice. A complementary code of conduct and code of ethics would assist professionals and the public with recognising the unique aspects of the psychology profession not currently represented in the draft code.

The AEDPA also recognises that the profession should continue to access and reference more extensive codes of ethics and ethical guidelines made available by professional psychology associations to ensure the profession continues to aspire towards the highest level of ethical responsibility and professionalism.

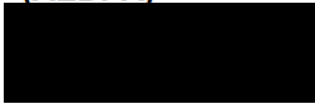
This submission does not represent all concerns present in the draft code of conduct given the limited time frame provided for consultation.

Please feel free to contact us at any time to discuss the above submission and any other matters relating to the proposed Code of Conduct for Psychologists.

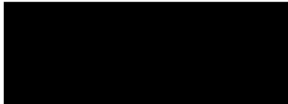
Regards,

Board of Directors

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