

Psychology Board of Australia Public consultation: A code of conduct for psychologists

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AISWA School Psychology Service employs a team of psychologists who support 155 Independent Schools across the state of Western Australia. ASPS additionally provides consultancy and support services to psychologists directly employed by individual schools in the independent sector. This submission contains comments from that collective group of psychologists across metropolitan, regional, rural and remote settings in WA.

Psychologists working in schools (school psychologists) work within a range of delivery models including direct, indirect and system level services to individuals, targeted groups and universal populations. Effective delivery of school psychology services in a multi-tiered approach is derived from the World Health Organisation’s (WHO) Health Promoting Schools Strategy. This approach seeks to maximise the impact of their work by balancing the provision of direct support to students most at risk with a range of indirect and preventative services. The complexity of the work of school psychologists within the education system needs to be reflected in the draft Code of Conduct.

General questions
1. Do you support the Board’s preferred option to implement a regulatory code of conduct?
Your answer: Yes – in principle, however the current draft code contains areas of significant concern.
2. Do you agree with the Board’s approach to develop the draft Psychology Board of Australia code of conduct based on the shared <i>Code of conduct</i>?
Your answer: It appears a reasonable approach – however the unique diversity of the psychology profession across the wide range of contexts and settings (especially outside of medical / private practice settings) does not seem to be fully addressed.
3. 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?
Your answer: In principle, yes. However the current draft requires significant changes to feel workable.



Content of the draft Psychology Board code

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

Your answer:

Aspects of the language appear to set an unrealistic standard and breadth of scope for psychological practice.

7.1 Risk management

Effective practice in relation to risk management includes that you:

- 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.*

The problem here is with the word 'all'. Who will establish that all steps have been taken? What if there is a difference of opinion between the psychologist and others in what constitutes all steps and what does not? This appears too subjective and too high a standard.

Professional values and qualities p. 5

- d. Psychologists have a responsibility to protect and promote the health of individuals **and the community.***

Stating that psychologists have a responsibility to keep the community safe from harm (ie. 'protect') is unrealistic. Psychologists cannot predict all types of harm and act to mitigate against this, ie. psychologists cannot know everything that might happen and act to stop it before it does. It is suggested to remove the word 'protect'.

6.3 Psychological health and wellbeing

Effective practice includes that you:

- b. participate in efforts to promote the psychological **wellbeing of the community.***

Requiring psychologists to take part in efforts to promote the psychological wellbeing of the community without consideration of their own personal circumstances and responsibilities is too onerous.

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

Your answer:

Yes

Given the complex multi-tiered framework for psychological practice across school psychology, the definition of "client" is highly relevant. This draft Code of Conduct and the current and recent draft Professional Competencies for Psychologists do not appear to reflect consistent definitions.

The recent Draft Competencies define: '*Client: A person or persons using or receiving the professional services of a psychologist. Clients may be individuals, couples, dyads, families, groups of people, organisations, communities, facilitators, sponsors, or those*

commissioning or paying for the professional activity.’ Whereas the Code of Conduct defines ‘clients’ as ‘people or bodies who are the recipients of psychological services.’

The Code needs to include acknowledgement of the consultative and organisational work a psychologist can undertake. This definition has implications for the application of Principle 4 – Working with clients. Principle 4 does not adequately address the scope of practice of psychologists working in complex organisational settings such as schools. This definition and areas outlined under 4.1 appear more aligned with the work of a psychologist working within a clinical setting and do not adequately reflect the broader scope of work that a psychologist in other settings may conduct (eg. school systems, organisational).

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

Your answer:

Yes – the main concerns are listed below

Principle 1: Safe, effective and collaborative practice

1.1e recognise and respect the rights of clients to make their own decisions about their current and future psychological services.

While later sections (3.2 and 4.2) give reference to consideration of the age, maturity and capacity of the client there is no caveat or link to those sections provided at 1.1. There is no acknowledgement of the need for adult supported decision making in the case of minors as well as the importance of considering client voice and child voice in therapeutic intervention.

4.3 Children, young people and other clients with additional needs

(c) iv recognise the role of parents, carers or guardians and, where appropriate, encourage the client to involve their parents, carers or guardians in decisions about care.

Schools have additional legal duty of care obligations. In the case of responding to allegations of child sexual abuse, suicidal behaviour (including ideation) and non-suicidal self-injury, decisions to inform parents without the student’s consent may occur.

4.7 Maintaining continuity of psychological services

*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.

These points do not consider the work of a school psychology consultancy service. In such a service, operational decisions may be made based on staffing availability, for example a different school psychologist may be allocated to a school, especially at the beginning of the school year. Hence, it may not be possible to decide with a school (as the client) when the service from one psychologist will end, or to give advance notice of this change.

4.9 Multiple Relationships

Requires acknowledgement that psychologists providing service to systems, groups or individuals using ecological models of service manage multiple relationships or multiple clients.

Principle 10.3 – Provisional psychologist and registrars

10.3e obtain clients' consent for provisional psychologists and registrars to be involved and respect their right to refuse consent.

Points 10.3 (a) through to 10.3 (d) feel reasonable and within current existing policies and procedures. However, specific additional requirements highlighting right to refuse consent to service by a provisionally registered psychologist may mislead the public into thinking that service provision for provisional psychologists is less effective than that of fully registered psychologists. Our workplace provides in-house supervision and induction processes for provisional psychologists to ensure safe and effective practice. The current wording could equally lead to schools demanding the service provide only a fully registered psychologist as their school psychologist. We currently have a severe workforce shortage of psychologists and while we wish to support the development of provisional psychologists, this wording appears to undermine public confidence in their skills. It is unclear who would be expected to provide the service if a client (school or family) refused consent to work with the provisional psychologist.

We are also aware that many independent schools directly employ provisional psychologists, often with external supervision for their practice. There is a concern that those provisional psychologists may be more vulnerable to pressure by their employer to not adhere to the code if it appeared that they were unable to perform their duties.

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

Your answer:

The language is not overly clear in many cases, that appears to result in unreasonably high standards. (eg. the use of phrases such as “ensure” or “take all reasonable steps”)

The structure is generally helpful, although as previously mentioned, some sections would be assisted with additional caveats or links to other sections (eg. particularly in relation to working with children and consent).

Community impact

8. 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.

Your answer:

If does not appear that this would be the case, however given the definition of cultural safety, this is something that only an Aboriginal or Torres Strait Islander person could truly answer.

9. 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.

Your answer:

Unable to adequately answer (as previous question).

10. Would endorsement of the draft Psychology Board of Australia code of conduct result in any adverse cost implications for health practitioners, higher education providers, employers, clients/consumers, governments or other stakeholders? If so, please describe them.

Your answer:

Time would be required to adequately communicate to stakeholders (independent schools) to ensure reasonable expectations of psychology services.

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.

11. Do you agree with the proposed transition timeframe?

Your answer:

12 at a minimum would be reasonable, however longer would be preferred to allow any adjustments to policy / procedure documents across a wide sector of schools

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

Your answer:

Yes

In the draft form, implementation of the Code will require further consideration of school contexts which primarily involve children and young people and multi-tiered services. Of relevance will be procedures involving: confidentiality, informed consent, multiple relationships, and transfer/sharing of records.

General feedback

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

Your answer:

The very limited timeframe over the school holiday period for consideration of such a complex draft document has not allowed for as thorough a consideration of this as we would have preferred.

While we understand it takes time to develop and to analyse the feedback, it feels a very short time for full consideration. Given that the APS Code of Ethics has been in place for 13 years, less than 6 weeks to seek feedback from our wide group of psychologists and schools and prepare a submission has been challenging.