

# The Ethical Code of the European Association for Psycho Organic Analysis

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## 1 Rules and Obligations

### 1.1 Preliminary

*This code of ethics for psychotherapists is related to the democratic principles of the European Union and is based on respect of human rights, democratic principles and national constitutions. Thus it is evident, that psychotherapists agree with the moral and legal standards derived from the principles the European Union is based on.*

All members of the EAPOA, whether institutions or individual members, are expected to practice their profession with a particularly sharp sense of responsibility with respect to themselves, their therapy work, their patients/clients, their colleagues and their students.

All the Foundations, National Associations, Training Institutes and Schools recognised by the EAPOA must make sure they possess a code of ethics compatible with that of the EAPOA, and pay close attention to the question of ethics and ethical professional practice.

This code must comprise rules of ethics aimed at protecting the patient/client against abusive applications of psychotherapy by practitioners or trainers that can be used as rules of conduct by their members and as a reference in case of a complaint.

*Psychotherapeutic methods have areas of application in psychotherapy as well as coupletherapy, case- and teamsupervision, and certain forms of training. Having completed a training in a psychotherapeutic method like psychoorganic analysis leads the practitioner to be aware of the specific ethical implications the method includes.*

*In this sense the term psychotherapist names any person practicing psychoorganic analysis within the named areas.*

## **1.2 Field of Application**

The rules of ethics that follow concern all members of the EAPOA, both institutions and individuals.

## **1.3 The Profession of Psychotherapist**

The profession of psychotherapist is a specific discipline in the field of human sciences (Humanities). It implies a diagnostic and a global and explicit strategy for the treatment of psychological, social and psychosomatic disorders. The methods that are used are based on scientific theories of psychotherapy.

Through interaction between one or several patients/clients and of one or several psychotherapists, the purpose of this treatment is to trigger a therapeutic process making long-term changes or evolution possible.

The profession of psychotherapist is characterised by the implication of the therapist in the realisation of the previously mentioned objectives.

The psychotherapist is expected to use his competence with full respect for the values and the dignity of his/her patient/ client, to the best of the latter's interests.

The psychotherapist must indicate his/her qualification in the speciality in which he/she has been trained.

#### **1.4 Professional Competence and Improvement**

The psychotherapist must exercise his/her profession in a competent *and responsible* manner and with respect for ethics *and in recognition of the boundaries of his/her competences and techniques*.

He/she must stay well informed of the scientific research and development in the field of psychotherapy, which implies permanent, continuing education *Psychotherapists recognize their own need for continuing education, personal development, intervention and/or supervision*.

The psychotherapist must practice the methods of treatment, in the fields of psychotherapy for which he/she is able to prove sufficient knowledge and experience *and he/she has to represent his/her competence truly*.

The fact that a psychotherapist is linked to a centre of care, to a community or that he/she belongs to social or associative structures should in no way affect the application of these rules of ethics. *Concerning new fields of activity, the psychotherapists have to ensure, that they are compatible with current activities and the rules of ethics*.

The psychotherapist exercising controls, supervisions or teaching activities in Psycho-Organic Analysis must be identified by National Associations and the Training Institutes and Schools representing Psycho-Organic Analysis.

#### **1.5 Professional Secrecy**

A psychotherapist and possibly his/her team are subject to absolute professional secrecy about everything confided to them during the practice of their profession.

*To reveal such informations to others is only allowed with a written consent of the person. It can be an exception in the case of a threatening clear danger to the person or to others, which the psychotherapist could avoid.*

*Psychotherapists inform their clients of the legal limits of confidentiality. The same obligation applies as far as supervision or other professional working circumstances are concerned. These obligations also apply beyond the period of direct cooperation.*

The same obligation applies as far as supervision is concerned.

#### **1.6 Contractual Framework**

*Psychotherapists are obliged to provide for a clear contractual framework according the different situations of their work e.g. individual therapy (with adults or minors), coupletherapy, groups, supervision and trainings.*

### **1.6.1 Therapy**

*P. attracts attention to the clients rights and specifies the conditions of the work. He/She clarifies the type of methods used, the presumed duration of therapy, the financial conditions and professional secrecy.*

*Working with minors therapists take specific care of possible influencing a third party (parents etc. paying for the therapy) may try to put on the work of the therapist. Her/his special concern is the welfare of the client.*

*Working with groups the therapist is obliged to give a clear framework by clearly indicating the level of work.*

On request, or in the case of litigation, the psychotherapist has to inform the client of the possibility of recourse.

The patient/client must be able to decide by him or herself whether or not and with whom he/she wants to undertake a treatment (free choice of the therapist).

The psychotherapist is never obliged to engage in a process of psychotherapeutic care.

The psychotherapist is under the obligation to assume his/her responsibilities, given the particular conditions of trust and dependence which are characteristic of the therapeutic relationship. There is abuse of this relationship as soon as the psychotherapist fails in his/her duty and his/her responsibility towards his/her patient/client, in order to satisfy his/her personal interest (for example on the sexual, emotional, social and economic levels). All forms of abuse represent an infraction of the various specific codes of ethics concerning the profession of a psychotherapist. The full responsibility of the abuse is incumbent on the psychotherapist. All irresponsible actions in the context of the relationship of trust and dependence created by psychotherapy constitute a serious professional misconduct.

### **1.6.2 Supervision**

*In supervision practitioners of POA get support of professional capacities. It is a situation to work on transparency of interventions and on transference and countertransference. The personal process of the supervised therapist is left to be worked with in individual therapy of the therapist. The supervisor is not simultaneously the therapist of a practitioner.*

### **1.6.3 Training in Organisations**

*Working in organisations (enterprises, public services, nonprofit organisations) with psychotherapeutic methods needs a special concern on the contractual situation. Being paid by the organisation and working with the employees creates a triangular contract (similar to working with minors). It is needed to*

*take special care of the welfare of the clients. Complete transparency of the aims and objectives of the work has to be created. Working with psychotherapeutic methods in assessment situations is unethical.*

### **1.7 Principle of extended moral obligation of reserve**

*Psychotherapists do have a moral obligation of reserve towards former clients during five years after having finished the therapy before starting any commercial relation.*

*The principle of extended moral obligation is also applicable to the work of supervisors. Exceptions can be made if the former supervised psychotherapist has passed a period of five years after the completion of his/her training.*

*The principle of extended moral obligation is also applicable to the work of trainers also. Promotion of method, cultural events and social networking are not considered as commercial.*

*Training Institutes do not take on contract former trainees as trainers within a period of five years after the end of the training. Exception can be made if the former trainee has a minimum of five years experience as practicing psychotherapist. In General training institutes do not delegate responsibilities for content or structure of the training to trainees.*

### **1.8 Obligation to Supply Exact and Objective Information**

The information given to the patient/client concerning the conditions in which the treatment will take place must be exact, objective and be based on facts.

All information to the general public (articles, publications, radio or television shows, signs, paid advertisement, lectures, pedagogical documents, etc...), must be made in a position of reserve and decency concerning the personality of the psychotherapist, the nature of the care he/she gives and the results which can be expected from the psychotherapy.

### **1.9 Professional Relation with Colleagues**

*Psychotherapists act with due regard for the needs, special competencies and obligations of their colleagues.*

*When psychotherapists know of a ethical violation by another psychotherapist, and it seems appropriate, they informally attempt to resolve the issue by bringing it to the attention of the psychotherapist – especially if the ethical violation is of minor nature. Such informal corrective efforts are made with sensitivity to any rights to confidentiality involved.*

*If the ethical violation does not seem amenable to an informal solution and if the violation is of more serious nature the psychotherapist brings it to the attention of the appropriate institution, association or ethic committee.*

### **1.10 Ethical Principles of Training**

These ethical principles also apply, by analogy, to the relationship between teachers and students.

*Teachers in training are trainers as well as therapeutic assistants or other kind of therapists working on contract with the training institute.*

### **1.11 Contribution to Public Health**

The responsibility of psychotherapists within society at large requires that they work to contribute to the maintaining and the establishment of living conditions likely to promote, safeguard and re-establish psychic health, maturation and the blossoming of the human being.

If necessary, the psychotherapist must work in an interdisciplinary fashion with representatives of other sciences, in the interest of the patient/client.

### **1.12 Research in Psycho-Organic Analysis**

In order to promote the scientific evolution of psychotherapy and the study of its effects, the psychotherapist must, as far as possible, cooperate with research work undertaken for this purpose, using notably the tools of Psycho-Organic Analysis.

The ethical principles defined here above must also be respected during this research work and their publication. The patient/client's interests always remain the priority.

### **1.13 Infraction to the Rules of Ethics**

The National Associations of Psycho-Organic Analysis and affiliated Associations are under the obligation to create institutions of appeal and arbitration for cases of litigation.

### **1.14 Obligation of Member Organizations of EAPOA**

The member organisations of the EAPOA, Associations, Institutes and Schools, must require from their practising members and trainers the establishment of rules of ethics that are compatible with the principles of this present code of ethics.

## **2 Competences and Procedures**

*All procedures and competences are structured according to the principle of subsidiarity.*

## **2.1 Competences**

*Ethical complaints referring to client-therapist and intercolleagal relations are adressed to the national ethical committee. If two nationalities are involved, then the ethic committee of EAPOA is adressed.*

*Ethical complaints among member organizations of EAPOA are adressed to the ethic committte of EAPOA.*

## **2.2 Procedures**

*A complaint adressed to the Ethic Committee is an ethical case, if a) the complaint is adressed in writing, b) the complaining person is directly involved in the conflict and c) the complaint is dealing with professional ethical issues.*

*Both involved parties have to be informed in writing about the existence of the ethical case.*

*The Ethic Committee decides on the competency with regard to procedure and personal involvement.*

*The Ethic Committee will coordinate and provide for the implementation of an appropriate procedure. This may be mediation, arbitration and revision.*

### **2.2.1 Mediation**

*The Ethic Committee proposes a mediator to the conflicting parties. Conflicting parties can refuse the mediator on grounds of personal involvement. In cases among client and therapist the result of mediation has to be confirmed by the Ethic Committee.*

### **2.2.2 Arbitration**

*The Arbitration Court is made up of three individual members of the Association. It will build itself up in such a way that each party in the conflict must name a member, whose nomination will be addressed to the Ethic Committee, within less than 28 days. Those will elect a third person unanimously, which will preside the Arbitration Court. In case of equal votes, the decision will be taken by chance draw.*

*If the nomination of the referees through the parties in conflict is not done in time, or if a Ethic Committee has not been named to the two referees within 28 days, then the association's Ethic Committee will do the nomination. The members of the Ethic Committee who are involved in the conflict do not have the right to participate in the passing of the resolution.*

*The Court of Arbitration will take its decision after having heard the parties in conflict in the presence of the totality of the members, on the mode of a simple majority of votes. It will decide to the best of its knowledge and according to*

*what it believes to be true. The Arbitration Court's resolution must be sent in a letter to all parties engaged in the conflict.*

*It is possible to use a right of appeal against the decision, by signifying one's intention to do so to the General Assembly, less than two weeks after receiving the notification of the initial decision. The written appeal must be sent to the President, with mention of the arguments motivating it. A final decision will be taken during the following General Assembly.*

### **2.2.3 Revision**

*If there are severe mistakes relevant for the result of mediation or arbitration the conflicting parties may ask the Ethic Committee for revision. The Ethic Committee may cancel decision and/or contracts and the litigation can be started again.*

## **3 Comments**

According to these Ethical Code all National Associations are obliged to provide for an ethical code comparable to these standards and an Ethical Committee.

The Association are obliged to put down into their conditions of membership the acceptance of the Ethical Code.

The appropriateness of Mediation has to be considered carefully in cases of conflict among clients and psychotherapists.

If client and therapist have a conflict about payment of sessions, then the conflict touches the level of working contract. On this level the relation can be considered to be symmetrical. Mediation may be appropriate. Nevertheless with regard to the transference situation the outcome of the mediation has to include a specific responsibility of the therapist. This may be evaluated by the Ethic Committee to accept the result of the mediation.

In case of abuse – different kinds are considered in the code – arbitration may be the appropriate procedure.