

Czech institute of analytical psychologists

based in Dykova 26, 636 00 Brno

Code of Ethics

1. Preamble

- 1.1. This Code of Ethics governs for setting basic ethical rules adjusting analysts' behaviour, relationship with the patients and with other analysts. This Code of Ethics also sets basic rules for dealing in case of complaint for breaching the Code of Ethics.
- 1.2. All members of Czech Institute of Analytical Psychologists (hereinafter ČIAP or "Association") are responsible for conducting themselves according to the Code of Ethics.

2. Professional competence and the analyst's responsibility

- 2.1. An analyst shall use his or her qualification with dignity and respect and self-esteem of the individual and with the best interest of the patient.
- 2.2. An analyst abstains from undignified activities that may undermine the seriousness of the profession. Such as conducting criminal activities, prostitution, taking part in public actions and events damaging or undermining human dignity (in reality or in public media).
- 2.3. An analyst shall be objective, shall respect the patients and shall conduct himself/herself according to ethical standards. An analyst is obliged to protect his/her professional independency and professional objectivity. Health and welfare of the patient is the highest value.
- 2.4. An analyst shall not allow influencing the professional responsibility and standards of work in relation to him/her, or to the patient due to the race, age, gender, nationality, political affiliation, religion, position, and other outer factors.
- 2.5. An analyst shall not claim to possess qualifications which he or she does not possess.
- 2.6. Any intrusive, misleading or deceptive advertising is not allowed.
- 2.7. Information given to the patient shall be factual, objective, understandable and true. An analyst shall not use disproportionate, unrealistic or excessive claims for his or her work.
- 2.8. An analyst shall not continue to practice when impaired by use of alcohol or other substances, or by a physical or psychological illness that would in any negative way impair one's ability to practice.

- 2.9. An analyst is allowed to pursue the practice only within the range of his or her qualifications, training and professional experience. In the practice an analyst shall use only the methods and processes he or she is competent for.
- 2.10. An analyst considers responsibly admittance of a patient and does not accept candidates with whom he/she is in a relationship of such a nature that might compromise the psychotherapeutic process.
- 2.11. An analyst maintains the responsibility for avoiding the abuse of his or her patients and for not disrupting the confidentiality of the patient.

3. Analyst/Patient Relationships and General Rules of the Therapy

- 3.1. At the start of the treatment the analyst shall state clearly to the patient the terms and conditions of the treatment, e.g. times, frequency of sessions and fee arrangements. The analyst shall ensure that these terms and conditions are maintained.
- 3.2. During treatment, restraint should be exercised with regard to social contacts with a patient. After treatment one should also keep in mind the possible continuation of transference feelings and use discretion in any social contacts. Social contact with patient's relatives should be approached with great caution and should occur only with the knowledge and consent of the patient. Exceptions may be made in certain circumstances, such as when a patient is a danger to himself/herself or others, in the treatment of children, or when agreed upon treatment plan includes appointments with family or others for therapeutic or counselling purposes.
- 3.3. An analyst shall not in any way abuse his or her therapeutic relationship to a patient, above all should not enter into a sexual relationship with a patient or terminate the therapeutic relationship in order to have sexual relationship. Financial dealings shall be restricted to matters concerning professional fees (financial compensation should be restricted to the matters relating to fees for the professional services provided). An analyst shall not abuse his or her therapeutic relationship for further personal, religious, political or other ideological interests.
- 3.4. An analyst should not use physical violence against a patient. The use of adequate constraint may be made when the patient is physically dangerous and may have to be restrained. In such a case an analyst shall use adequate means and call for assistance serving to protect one's life and health, e.g. use the service of the Police of CR or to secure compulsory transfer.

4. Relationships with colleagues

- 4.1. An analyst shall not disparage, question professional qualities or depreciate professional ability of other analysts in front of a patient.

- 4.2. Whenever an analyst has evidence of colleague's misconduct in ethical treatment, he/she complains according to the procedure stated in this Code of Ethics.
- 4.3. If an analyst is asked to professionally consult a patient, whose therapy an analyst does not feel to be obliged for professional, or personal reasons, he or she shall help the patient to find other proper analyst within the means of his/her knowledge and possibilities.

5. Analyst/Supervisee Relationship

- 5.1. Supervisor shall respect the particular relationship that is established in training with a supervisee. The supervisor shall not take advantage of his/her greater authority to become sexually involved or to take advantage in any way of someone he/she is to evaluate, grade, promote, or recommend for promotion. Similar caution must be exercised after the supervisory/teaching relationship is over because of ongoing unresolved transference and projection issues which may have arisen in the course of training.
- 5.2. The rules of the therapy and relationship to the patient stated in this Code of Ethics are equally applied in the range of Analyst/Supervisee Relationship.

6. Confidentiality

- 6.1. An analyst is committed to the principle of confidentiality concerning the material he or she learnt during the therapeutic process. This is also applied in case of supervision. An analyst staff is committed to the principle of confidentiality to the same extent.
- 6.2. An analyst shall protect his/her patient's privacy, his/her notes and all the materials containing any information relating to the patient. Confidentiality and the preservation of the patient's anonymity are of primary importance. Particular care must be taken in the publication of clinical material and the presentation of clinical material only for professional and educational purposes. Discretion should also be exercised when professional consultation is utilized.
- 6.3. Exceptions may have been made when a lawsuit is threatened or when the law requires a breach of confidentiality, as in the case of child abuse, requirement to warn of danger to others, by court order, etc.

7. Arrangement of Complaint

- 7.1. The bodies of the Association included in handling of a complaint are: The General Meeting (hereinafter GM) of the ČIAP, The Ethics Committee of the ČIAP (hereinafter EC).

- 7.2. The EC consists of at least 3 and at most 5 members. The President of the EC is elected and dismissed by a majority vote of the General Assembly of the ČIAP. The President of the EC proposes a minimum of two and a maximum of four further members of the EC. The proposed members of the EC are elected by the General meeting of the ČIAP. The President of the EC has to be a Full Member of the ČIAP. Additional members of the EC can be voted from outside of the ČIAP, although they have to be experienced psychotherapists established in other renowned psychotherapy societies. Membership in the Ethics Committee is incompatible with a position in any other elected/named body of the Association. The President and Members of the EC remain in office until they resign themselves, or until the General Meeting of the ČIAP dismisses them by a majority decision.
- 7.3. The purpose of the EC is to respond in accordance with these rules to complaints against members of the ČIAP, continuously revise and propose changes and clarifications of the Code of Ethics to the General Meeting of the ČIAP. Once a year a member of the EC will inform of the activities of the EC during this period at the General Meeting.
- 7.4. Anyone may file a complaint against a member of the ČIAP for violation of the Code of Ethics or due to any other ethical misconduct. He/She may do so by writing to the President of the EC (if the complaint relates to the President of the EC, the President of the EC is dismissed from handlings in conjunction with the complaint in question. The complaint will be addressed by another member of the EC, the EC will vote a temporary president of the EC by a simple majority vote. The temporary president steps down after reaching a verdict regarding the complaint in question).
- 7.5. The proceedings should remain confidential and the identity of the complainant and the person complained against should be released only in accordance with the verdict and final repercussions to be faced by the complainant and the person complained against (if any).
- 7.6. The President of the EC will ask the complainant to supply a written permission, that the respondent, at whom the complaint is directed, can be informed about the complaint and that the respondent may supply the EC with facts of otherwise discreet nature, and can deliver materials, such as his personal notes, documentation, supervision reports, personal correspondence, e-mail communication, etc. to an extent adequate to the complaint.
- 7.7. EC shall deal with the complaint on its earliest meeting possible, at least 60 days from the complaint delivery. *EC calls on an analyst, who is reported for unprofessional conduct, to respond to a complaint by a complainant at least 14 days in advance.* Both a complainant and a respondent have the right to comment on the complaint. If they do not make a comment personally, they have the right to do so in a written form. The EC may initialize a meeting between the complainant and the respondent if deemed appropriate and both parties are in agreement. Such a meeting will be facilitated and mediated by the EC.

- 7.8. A complainant and a respondent have the right to ask for exclusion of any member of EC dealing with this matter, where there could be deemed to be a conflict of interest. Other members of the committee decide about the exclusion of the member of the committee from the proceeding. If the complaint is directed to any member of EC, he or she is automatically excluded from proceeding. If it is not clearly stated who submits the complaint or what is the matter of the complaint, the EC may set the complaint aside and may not deal with its hearing.
- 7.9. The complainant and the respondent have the right to request exclusion of any member of the EC from being included in the handlings of the complaint. Such a request has to be reasonably explained, properly justified and submitted in writing to the EC. The EC decides upon the exclusion of a member by majority vote of the remaining members of the EC. If a complaint is directed against any member of the EC, the member in question is automatically disqualified from procedures regarding the complaint.
- 7.10. Unless it is clear from the complaint what it regards and who it addresses, the EC may decide to set the complaint aside and not to pursue it.
- 7.11. The EC is to give the notion hearing on its meeting and on the basis of ascertained facts decides on further handling of the case.
- 7.12. Within its scope the EC may especially recommend this procedure to the General Meeting (more than one option can be recommended):
- a) notification about having discussed the matter with no finding of misconduct by a ČIAP member,
 - b) admonishing the ČIAP member, delivering an explanation regarding the grounds of the Code of Ethics that have been violated.
 - c) imposing the obligation of an apology
 - d) imposing the obligation for the ČIAP member, against whom the complaint is directed, to undergo supervision by an approved experienced colleague. The supervisor and the length and frequency of supervision will be set out in a ČIAP EC meeting,
 - e) imposing the obligation for the ČIAP member, against whom the complaint is directed, to seek therapy from an approved, experienced colleague or seek an independent medical or psychological examination and treatment approved by the ČIAP EC,
 - f) recommend expelling the member from the ČIAP to the General meeting The EC recommends the procedure to the General meeting with regard to the gravity of the ČIAP member's misconduct.
- 7.13. In the case of a) to e) of the preceding paragraph, the President of the EC shall present a duly reasoned verdict to the complainant, the respondent and to the President of the ČIAP. The complainant can appeal against the ruling of the EC to the GM. An appeal has to be presented in writing to the GM. Otherwise the

respondent is obliged to follow the verdict without any delay. There should be a specific time limit, in maximum of 14 days.

- 7.14. If the verdict of the EC is to expel a member of the ČIAP, or if the respondent does not follow the verdict, the President of the EC shall recommend expulsion of the member to the General Meeting of the ČIAP. The President of the ČIAP is obliged by the Constitution of the ČIAP to initiate and coordinate, without any delay, a General Meeting that will be deciding on the matter stated above.
- 7.15. Expulsion of a member of the ČIAP may be exercised in case of behavior in gross violation of the Code of Ethics of the ČIAP or in case of serious damage to the reputation of the ČIAP.
- 7.16. Expulsion of a member of the ČIAP is decided upon by two third majority vote of the General Meeting. The President of the ČIAP notifies the complainant, respondent. Decision of expulsion comes into force upon notification of the respondent.
- 7.17. If the complaint is found to be well-grounded, the General Meeting of ČIAP has a right to inform about the complaint and about the result of the examination other professional associations where the respondent is a member according to his profession/qualification. Upon expulsion of a ČIAP member, the Board of the Association report's this event to the IAAP. Expulsion from membership in ČIAP of a member who is reported for unprofessional conduct sooner than the examination is terminated does not have any impact on solving the complaint. Until the complainant takes the complaint back the General meeting shall examine it even in the case the analyst is not a member of ČIAP anymore.

8. Appeals process

- 8.1. Both the complainant and the respondent will be given notice of the right to appeal the EC's action, including the right to appeal a recommendation to expel a member.
- 8.2. In case of an EC's ruling to expel the respondent, he/she shall be denied all membership privileges pending appeal. All other imposed penalties or obligations based on the EC's ruling shall be suspended pending appeal.
- 8.3. The party wishing to appeal must file notice a written notice with the GM within 30 days of the mailing of the notice of action taken. He or she will be asked to show good cause and to submit any information which would support the appeal.
- 8.4. Grounds for overturning the decisions of the EC include procedural errors or new evidence, which brings into question the substantive validity of the EC's action. Only one appeal will be permitted.
- 8.5. The President will appoint a committee to hear the appeal. The Appeals Committee shall be composed of three senior ČIAP members, preferably from among the Past Presidents or past Ethics Committee Chairpersons. The Appeals Committee shall decide on its own procedures, but normally it will rely on the written submission of the individual making the appeal and the records of the EC. It will consider the

grounds for the appeal, and if they are found to be valid it will send the case back to the Ethics Committee for reconsideration, unless the Appeals Committee determines that the Ethics Committee would be unable to fairly decide the case, in which case it may make recommendations of its own.

8.6 In the event that the recommendations of the Appeals Committee contradict those of the Ethics Committee, both Committees' findings will be presented to the Executive Committee. A two-thirds majority of the Executive Committee shall be required to rescind or revise the Ethics Committee's recommendation. *Only one Appeal will be allowed.*