

1. **Registrants must at all times act in a way that they reasonably believe to be in the best interests of their patients. At all times the welfare of the patient must be paramount and every care taken to ensure that the patient is not exploited in any way.**
 - a) The welfare of the patient must always be foremost in the registrant's mind, and taking account of obligations under law, all reasonable steps must be taken to ensure the safety of participants in treatment and training.
 - b) Professional boundaries should be maintained at all times including after the end of the treatment. The vulnerability of patients must always be respected and they should not be exploited or abused in any way financially, physically, sexually or emotionally, either during the course of the treatment or at any time after its termination.
 - c) The registrant must neither use violence nor threats towards a patient, although it may be necessary on occasion to restrain a patient physically.
 - d) If a registrant is unsure of the appropriateness of any existing or proposed relationship or conduct that might affect either a patient or supervisee, a senior colleague or the ethics committee should be consulted for advice.
 - e) There must be no financial dealings with a patient except with regard to agreed fees.

2. **Registrants must take all reasonable steps to preserve the confidentiality of information acquired through their practice and protect the privacy of individuals and organisations about whom information is held.**
 - a) Registrants must treat all knowledge of the patient confidentially, and not pass on any information without the patient's prior consent, except if the safety of the patient or others is threatened.
 - b) In rare circumstances, if for other clinical or legal reasons a registrant considers a breach of confidentiality a necessity, it is preferable that the patient's permission is sought, prior to divulging any information. In this event, the information divulged should be kept to a useful minimum and it would be good practice to seek the advice of a senior colleague.
 - c) Registrants must take all reasonable steps to preserve the confidentiality of any information gained about other individuals or organisations through their practice.

- d) Registrants must keep to the conditions of any relevant data-protection legislation and follow best practice for handling confidential information relating to their patients and must be particularly careful not to reveal, deliberately or accidentally, confidential information that is stored on computers.

3. Registrants must conduct themselves and their professional activities in such a way that does not damage the interests of their patients or participants in their training.

- a) Registrants are expected to maintain conduct becoming of a psychotherapist and not to behave in any way detrimental to the profession of psychotherapy.
- b) Registrants shall conduct themselves in their professional activities in a way that does not damage the interest of the recipients of their service, and does not undermine public confidence in their ability to carry out their professional duties.
- c) Registrants shall take all reasonable steps to be aware of current law and shall seek professional advice when there is a serious conflict of interest between the rights of those in receipt of their services and other members of the public.
- d) If convicted of a criminal offence that involves one or more of the following, continued registration as a psychotherapist would be unlikely i.e. violence, abuse, sexual misconduct, supplying drugs, serious offences involving dishonest and criminal offences resulting in a prison sentence. (*This list is not exhaustive.*)

4. If a member is convicted of a criminal offence in any court in the UK, or elsewhere, or has any proceedings commenced against him, civil or criminal, or has proceedings commenced against him by any professional body, he must inform the Chair of the Ethics Committee of the BPC. Similarly, registrants have a duty to inform the Chair of the BPC Ethics Committee of such information pertaining to a fellow registrant.

- a) If proceedings are brought against a registrant by another professional organisation they have a duty to inform the BPC.
- b) Registrants have a duty to inform the BPC if a complaint is found against them by another organisation
- c) If convicted for a criminal offence or undergoing civil action pertaining to their professional work registrants have a duty to inform the BPC
- d) If registrants suspect misconduct by a professional colleague which cannot be resolved or remedied by discussion with the colleague concerned, they must take steps to bring that misconduct to the attention of the BPC.

5. Registrants may not resign from the BPC (or from their constituent institution) while they are under investigation for an ethical complaint. Any such resignation will not be

accepted by the BPC and the constituent institution. A registrant under investigation must undertake not to impede the process of investigation

- a) Registrants are expected to co-operate with any investigation or formal inquiry into their professional conduct or the conduct of other registrants.
- b) If under investigation for an ethical complaint, registrants may not resign from the BPC (or their constituent society) until the outcome of the investigation is complete.

PERFORMANCE

6. Registrants have a duty to maintain a satisfactory standard of professional competence by meeting the appropriate requirements for CPD and undertaking any necessary further education or training.

- a) Registrants are required to make sure that their knowledge, skills and performance are up to date and of a high standard.
- b) Registrants will do whatever they can to maintain their ability to practice competently and to take steps to ensure that they are doing so with clinical supervision or further personal analysis as necessary.
- c) Registrants shall take steps to monitor, maintain and develop their own competence and consultation with appropriate colleagues will normally be a part of the process.
- d) Registrants are expected to meet the requirements for CPD as set out by BPC, however it is important to remember that these are the minimum possible standards and that many people will surpass these minima.
- e) There will be monitoring which consists of a rolling programme of checks to ensure that these requirements are being met and appropriately documented.

7. Registrants must restrict their practice within the limits of their own competence and seek professional consultation or supervision in any situation which may reach this limit. As a matter of good practice, registrants should exercise clinical judgement in considering whether to seek a medical opinion about a patient.

- a) Registrants must restrict their practice to within the limits of their competence. Registrants should seek professional consultation or supervision on any case which is particularly challenging for them and, especially, where the registrant has any concern that the case could develop beyond their competence. Registrants have a duty of care towards their patients and if the registrant is concerned that the case is beyond their competence, the patient should be referred on.
- b) Registrants should, as a matter of good practice, exercise clinical judgement in considering whether to seek a medical opinion about a patient.

- c) When accepting the referral of a patient, registrants must make sure that there is a firm understanding between themselves, the referrer and the patient as to what the registrant is competent to supply.
- d) Where applicable, registrants must make clear to patients or referrers whether or not they have undertaken specific training relevant to a particular situation. Where further specific training is necessary or highly appropriate for a case which the registrant has accepted, the registrant should undertake the training. Where applicable, the fact of further training may be conveyed to the patient or referrer. If further training by the registrant is deemed necessary, the registrant should only accept the case if it is safe to do so during their training period.
- e) When offering services which combine applied psychoanalytic thinking with methods of work not included in the training of psychoanalytic therapists/psychoanalysts, registrants should be able to show competence in the use of the additional methods which can be conveyed to any relevant parties e.g. patients, referrers or employers. "Competence" is defined here as meaning that the registrant is able to make use of these additional methods of work to that minimum standard which would be expected by any reasonable body of other practitioners practising in the same field of expertise.

8. Registrants must, at the beginning of treatment, make clear to the patient, or whoever holds legal parental responsibility for a child in treatment, the principles and practicalities of the treatment offered and assure that as far as possible they are maintained.

- a) Registrants are expected to provide information to their patients or those with parental responsibility for the child in treatment, about the necessary practical arrangements and other expectations of the therapeutic setting at the beginning of the therapy.
- b) Where changes have to be made in the practicalities or the therapeutic process, the patient must be informed of any changes and given as much time as possible to assimilate the proposed changes.
- c) Where working with a patient in conjunction with other professional colleagues, it is important that the patient understands the boundaries of communication and what can and cannot be passed to another colleague.

9. Registrants shall take all reasonable steps to ensure that those working under their direct supervision adhere to this code and do not attempt to practise beyond their competence.

- a) Registrants must take all reasonable steps to ensure that anyone working under their direct supervision does so in accordance with their level of competence and does not attempt to practise beyond this competence.

- b) When supervising other psychotherapist colleagues, registrants must ensure that they are aware of and adhere to, this code at all times.
- c) Registrants in their role as clinical supervisor with trainees or junior colleagues of their own or other BPC constituent institutions must maintain the highest level of professional behaviour at all times. The limits and / or extent of reporting on the trainee's or junior colleagues progress to a training body must be explicit and adhered to at all stages.

10. Registrants must convey the Terms and Conditions of practice at the outset of therapy, so that the patient or whoever has legal parental responsibility for a child can understand the nature of the treatment and agree to it.

- a) Except in an emergency, registrants must, at the beginning of treatment endeavour to explain clearly to the patient the particular terms and conditions of the treatment offered and as far as possible ensure that they are maintained.
- b) Registrants should give as much notice as possible to patients of any changes in the registrant's situation that will have a major bearing on the therapy.
- c) The terms on which services and trainings are offered shall be accurately advertised and made clear at the outset and any revisions of these terms shall be communicated to the patient in advance of change.

11. Registrants should be familiar with the Access to Health Records Act of 1991 and the Data Protection Act and their implications for practising psychotherapists. Registrants must refer to the BPC guidelines on Notes and Records if requests for access to notes or records occur.

- a) Registrants must take all reasonable steps to safeguard the security of any records they make, including those held on computer and where they have limited control over access to records they make, exercise discretion over the information entered on the records.
- b) Registrants must take all reasonable steps to ensure that records over which they have control remain personally identifiable only as long as is necessary in the interests of those to whom they refer.
- c) Registrants should render anonymous any records under their control that no longer need to be personally identifiable for the above purposes.
- d) Registrants are expected to adhere to the BPC guidelines on records and note taking.

12. Registrants must limit their work, or refrain from practice when their physical or psychological health is seriously impaired or if in doubt about their ability to perform competently must seek appropriate advice.

- a) Registrants must take responsibility for their own physical and mental health
- b) If in doubt about their ability to perform competently as a psychoanalytic psychotherapist registrants must seek appropriate advice.
- c) Should a registrant have to change their mode of practise because of medical advice, they must inform the Chair of the BPC of this in confidence.
- d) Registrants must not offer treatment to patients when rendered unfit to do so, or when their judgement is impaired by reason of physical or mental illness.
- e) Registrants must refrain from practice when they are not capable of exercising adequate skill or judgement as a result of alcohol, drugs, illness, infirmity or the effects of personal stress.
- f) Registrants must not work professionally when under the influence of intoxicating drink or drugs.
- g) Registrants must not work professionally if convicted of a criminal offence that casts doubt on their ability to practice.
- h) Registrants have a duty to be mindful of their individual responsibility to the public and the profession to discuss any information or concerns about a colleague's fitness to practise informally with a member of the Ethics Committee of the relevant MI, who may take the issue to their Committee. Where this Committee has any uncertainty about the seriousness of the situation it has a duty to inform the Chair of the BPC Ethics Committee.

ETHICS

13. Registrants must carry out their duties in a professional and ethical way and maintain appropriate and professional boundaries with patients at all times, so that they are not exploited in any way.

- a) Registrants must, in all their dealings seek to establish and maintain the highest ethical standards in their work.
- b) Registrants are required to maintain appropriate and professional boundaries with patients at all times.
- c) It is the responsibility of the registrant to maintain this professional relationship with the patient in all respects during the treatment and for as long as is necessary in the interests of the patient, after the treatment has formally ended.
- d) Registrants must not exploit their patients financially, sexually or emotionally.

- e) There must be no financial dealings with patients other than those concerning professional fees.
- f) Registrants must conduct themselves in a professional manner that will not undermine public confidence in their ability to carry out their professional duties.
- g) Registrants must not abuse in any way the potential vulnerability of the patients in the therapeutic situation.
- h) Registrants shall conduct themselves in their professional activities in a way that does not damage the interests of the recipients of their services.
- i) Registrants shall take all reasonable steps to be aware of current law and shall seek professional advice when there is a serious conflict of interest between the rights of those in receipt of their services and other members of the public.

14. Registrants shall, in all their professional work value integrity, impartiality and respect for patients and seek to establish the highest ethical and clinical standards in their work.

- a) Registrants must, in all their professional work, value integrity, impartiality, truth and respect for persons irrespective of any variables including age, gender, race, creed and sexual orientation.
- b) Registrants must not attempt to secure or accept from those receiving their services, any significant financial or material benefit beyond that which has been contractually agreed.
- c) Registrants must not exploit the special relationship of trust and confidence with their patients to gratify their personal desires.
- d) Registrants are expected to fulfil the obligations laid down in this code and failure to do so might result in the commencement of disciplinary procedures, the final outcome of which might be the withdrawal of registration.

15. If advertising, registrants shall confine such advertising to a statement of name, relevant qualifications, address, telephone number and a brief statement of the service offered. Such statements must be descriptive and not evaluative.

- a) Registrants will adhere to customary professional constraints in relation to advertising. Care must be taken that no therapeutic advantage is claimed for the individual practitioner himself.
- b) Registrants who advertise must ensure that any statements made are accurate and descriptive and not in any way evaluative.
- c) Registrants must ensure that any information that appears is factual and includes registration details.

- d) Registrants must not make comparisons with other professionals or professional services.
- e) Registrants who choose to advertise as part of a group must consider whether their association with the others in the group could have an adverse or misleading effect on the public's perception of their profession and professional expertise.

16. Registrants must conduct themselves in such a manner as not to bring the profession, colleagues or themselves into disrepute, and must maintain fitting levels of respect and courtesy with colleagues and members of their own and other professions and with their employer if employed and also with the public.

- a) Registrants must refrain from any conduct that would bring themselves, colleagues, their institution, or their profession into disrepute.
- b) Registrants are expected to conduct their relationships with colleagues both within and outside of the profession with appropriate respect and courtesy.
- c) Registrants shall not act to further their own interests (or the interests of others) to the detriment of colleagues or the profession.
- d) Registrants must at all times be considerate to members of the public, fellow professionals and members of other organisations and institutes.
- e) Registrants must not falsely or maliciously speak ill of a colleague or colleagues in such a way as to damage their personal or professional reputation.

GENERAL

17. If publishing or presenting clinical or supervisory material either orally, written or film/video form, registrants must make every effort to ensure the anonymity of patients and where clinically appropriate seek the patient's permission. If doing research, the nature, purpose and conditions of any research involving clinical material must be fully explained to the patient and informed consent must be obtained.

- a) Registrants must always assume that where clinical material is used, the patient will have access to the published material and that every effort must be made to ensure that patients are written about with dignity and respect.
- b) When publishing clinical material, registrants are expected to consider very carefully whether patient material needs to be included. If including patient material, every effort must be made to preserve the anonymity of the patient and the confidentiality of the material, and the material disguised if necessary.
- c) Registrants must also ensure that dignity and respect are afforded to the family and friends of patients when material relating to them is used.

- d) Where clinically appropriate, registrants must seek the permission of the patient to use clinical material.
- e) The interests of the patient must always take precedence over other considerations, even if this means that some material cannot be published.
- f) When doing research, registrants must ensure that they clarify with the patients the nature, purpose and conditions of any research project in which the patients will be involved. Informed consent must be obtained from the patient prior to his inclusion in the research.
- g) For scientific events, whether or not open to the general public, precautions advised under (a) to (e) above must be observed.

18. Registrants who take part in any media or other public event must exercise caution, particularly with regard to confidentiality.

- a) When participating in a professional capacity in media events, such as film, television or radio, or in any other event which is open to the general public, registrants should be aware that the potential audience is unlimited. Therefore, in unscripted or live public interactions, special care is necessary when giving a psychoanalytic opinion about identifiable individuals, living or dead. Registrants must always make it clear that any examples used to illustrate a psychoanalytic viewpoint are imaginary and are not based on patient material, so that no ambiguity or impression about breaches of confidentiality can arise. Registrants should also make it clear that they do not represent the BPC or any of its member institutions unless that is their specific remit.
- b) When registrants are participating in media or other public events, patient material should never be used, no matter how disguised or anonymised. It is recommended that when possible all such events have a pre-written script. The use of actors is strongly recommended to further protect confidentiality. If registrants have concerns about the advisability of any material to be used in a public event it is recommended that they discuss this with the BPC Ethics Committee.
- c) Guidance for scientific events which are open to the general public is included under Section 17 of this Code.
- d) Registrants must ensure that respect and dignity are afforded to any individual, organisation or profession directly or indirectly addressed or commented upon during the course of a public event.
- e) These considerations do not apply to giving a psychoanalytically informed opinion of historical figures/events which are already in the public domain.

19. All registrants must be covered by professional indemnity insurance.

- a) Registrants must ensure that they are fully covered by their employer's Insurance if working in an institution.
- b) If a Registrant does any work in a private capacity, they must ensure that they have a policy which covers them fully for any professional risks.

20. Registrants must nominate two colleagues to hold a list of their patients and supervisees in confidence, in the event of death or an inability to work. The names of these nominees must be lodged with the constituent societies.

- a) Annually, Registrants must confirm in writing to their association the name(s) of colleague(s) who are holding their patient/Supervisee lists.
- b) Registrants must clarify with the named colleague(s) how they will get access to the list if it becomes necessary to do so.

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