

Standards of Conduct, Performance and Ethics

Introduction

About us

The British Psychoanalytic Council (BPC) is a regulator set up to protect the public. We set and uphold standards of conduct, performance and ethics. We keep a register of professionals who are required to meet our standards for their professional training, knowledge, skills and behaviour. The people on our register are referred to as 'registrants'.

About these Standards

These standards set out, in general terms, how we expect registrants to behave.

We keep these standards under regular review. This version – together with separately published supporting guidance – replaces the BPC Code of Ethics and Ethical Guidelines published in 2011.

Who we regulate

We currently regulate the following professions:

- Psychoanalysts
- Jungian Analysts
- Psychoanalytic Psychotherapists
- Psychodynamic Psychotherapists
- Psychodynamic Counsellors
- Psychodynamic Organisational Practitioners.

Our registrants work with a variety of different people including adults, children and families, couples, organisations and other professionals. In this document we have tried to use terms which everyone can understand. Some terms are explained in the glossary at the end of this document.

Patients and the public

If you are a patient in treatment with one of our registrants, or a member of the public considering treatment with one of our registrants, the standards will help you to understand how they should behave towards you. On the rare occasions that something goes wrong, anyone can raise a concern through our fitness to practise process. We can take action

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when there are serious concerns about a registrant's knowledge, skills or behaviour. We use these standards of conduct, performance and ethics to help us decide in each case whether we need to take action to protect the public.

BPC registrants

If you are registered with us, you must make sure that you are familiar with the standards and that you continue to meet them. If you are applying to be registered with us you will need to complete a declaration once you are registered to confirm that you will keep to the standards.

As a registrant, you are personally responsible for the way you behave. You will need to use your judgement so that you make informed and reasonable decisions and meet the required standards at all times. You must always be prepared to explain or justify your decisions and actions. Making informed and reasonable decisions might include getting advice and support from colleagues, education providers, professional bodies, or other people. We recognise the valuable role Member Institutions play in representing and promoting the interests of their members. This often includes providing guidance and advice about good practice, which can help you maintain the standards.

We will rely on the standards when considering whether a registrant is fit to practise. If a registrant does not meet these standards, there may be sanctions imposed such as removal from our register. By upholding the standards, the BPC maintains the public confidence in the profession and ensures public safety which plays a core function in the BPC's role as a regulatory body.

Language in this document

The language used in these standards is intended to be unambiguous so that everyone can be clear about what we expect of our registrants.

In this document:

'Must' is used where the standard is compulsory.

'Should' is used where the standard would not apply in all situations and where there are exceptional circumstances outside the registrant's control that could affect whether, or how, a registrant can comply with the requirement. 'Should' is also used when we are providing an explanation of how a registrant will meet the overriding standard.

Where we consider additional guidance would be helpful to help registrants meet specific standards, we have included this in the supporting Guidance document. You can find further guidance on our website.

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The Standards

The standards are listed here and set out more fully in the text that follows. Registrants have an individual responsibility to behave professionally and follow these standards at all times. The standards set out what a registrant must do as a minimum.

As a registrant you must:

1. Act in patients' best interests.
2. Ensure a safe environment for patients.
3. Raise concerns if patients or others are at risk.
4. Not unlawfully discriminate.
5. Not engage in conversion therapy.
6. Maintain, develop, and work within your professional knowledge and skills.
7. Ensure you have appropriate supervision in place.
8. Maintain and protect patient information.
9. Work effectively with colleagues.
10. Maintain public confidence in the profession.
11. Maintain professional candour.
12. Ensure you have the appropriate Professional Trustees protocol in place.
13. Keep up to date with our guidance.

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Standard 1 – Act in the patient’s best interests

1. You must:
 - 1.1. Act in a patient’s best interests at all times.
 - 1.2. Take all reasonable steps to ensure the safety of a patient during treatment, training, or supervision, as patient welfare is paramount.
 - 1.3. Maintain professional boundaries with a patient at all times during treatment and following termination of the treatment.
 - 1.4. Not ask for, accept, or indicate a willingness to accept gifts or bequests from patients, except token gifts of nominal value.
 - 1.5. Not enter financial, commercial, or other professional relationships or arrangements with patients.
 - 1.6. Not have sexual contact or sexual relationships with patients.
 - 1.7. Not exploit or abuse your relationship with current or former patients for any purposes including your own emotional, sexual or financial gain.
 - 1.8. Mitigate, where possible, dual or multiple relationships with a patient which may adversely impact the patient.
 - 1.9. Ensure that any description of yourself or your practice contained in any publication, including online or any electronic publication, is truthful, accurate, includes a clear statement of your qualifications and is fully compliant with the Advertising Standards Authority (ASA) advertising codes.
 - 1.10. Inform prospective patients, before work commences, of the fee payable for any initial consultation(s) or preliminary meeting(s).
 - 1.11. If, after any initial consultation(s) or preliminary meeting(s), you and a patient agree to work together, obtain consent for the treatment.
 - 1.12. If, after any initial consultation(s) or preliminary meeting(s), you and a patient agree to work together, provide the patient with the following information, either orally or in writing:
 - session day, time, location;
 - fee arrangements including information on billing, cancellations, advance notice of fee adjustments, method and timing of payment;
 - arrangements for protecting data privacy; and
 - details of your registration body and how to raise a concern with the BPC.
 - 1.13. If, after any initial consultation(s) or preliminary meeting(s), you and a patient agree to work together, consider providing the following information, either orally or in writing:

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- an understanding regarding the psychoanalytic or psychodynamic nature of the treatment offered:
 - any exceptions to the duty of confidentiality; and
 - appointment of Professional Trustees and the purpose of making this provision.
- 1.14. When working in conjunction with other healthcare professionals, explain to the patient that information may be shared with them.
- 1.15. Where possible, notify a patient of any proposed changes to the therapeutic process, the practicalities of the treatment offered and/or the terms and conditions of treatment and provide the patient with a reasonable time to understand and accept the proposed changes.
- 1.16. Where possible, give patients appropriate and sufficient notice of the ending of treatment to permit a thoughtful ending phase of appropriate duration, having regard to the length and complexity of the relationship and the continuing clinical needs of the patient.

Standard 2 – Ensure a safe environment for you and your patients

2. You must:
- 2.1. Ensure a safe and private environment for patients.
- 2.2. Ensure compliance with all relevant Health and Safety legislation.
- 2.3. Only practise if your work is covered by adequate and appropriate professional indemnity insurance or, if applicable, by your employer's indemnity arrangements.

Standard 3 – Raise concerns if patients or others are at risk

3. You must:
- 3.1. Comply with legal obligations in relation to the safeguarding of children, young people and vulnerable adults.
- 3.2. Protect and safeguard children, young people and vulnerable adults from abuse by:
- being alert to signs of abuse;
 - reporting concerns to an appropriate person or organisation;
 - acting quickly to prevent further risk of harm.

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- 3.3. Promptly raise concerns about patients or colleagues with an employer, Member Institution, or other appropriate organisation(s) if patient safety is a concern.

Standard 4 – Must not unlawfully discriminate

4. You must:

4.1. Not unlawfully discriminate against actual or prospective patients, whether directly or indirectly, on the grounds of:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race, including colour, nationality, culture, ethnic or national origin
- Religion or belief
- Sex
- Sexual orientation

4.2 Make such adjustments as are reasonable to make your practice accessible to prospective patients with a disability.

4.3 When treating actual patients with a disability, make such adjustments as are reasonable to enable work to continue with such patients and, if such adjustments cannot be made, you must consult with your supervisor with a view to appropriate action including referral elsewhere.

4.4 Not let your own religious, moral, political, or personal beliefs and values prejudice or influence the treatment provided to a patient.

Standard 5 – Must not engage in conversion therapy

5. You must not offer, practise or advocate conversion therapy.

Standard 6 – Maintain, develop and work within your professional knowledge and skills

6. You must:

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- 6.1 Work within your knowledge, skill, and professional competence.
- 6.2 Not offer or accept work, which is beyond your competence and if, in the course of ongoing work, the work exceeds or is reasonably likely to exceed your competence, you must consult with your supervisor with a view to taking appropriate action including referral elsewhere.
- 6.3 Exercise clinical judgement in considering whether to seek a medical opinion about a patient.
- 6.4 Undertake Continuing Professional Development (CPD) and maintain expertise required to work competently with each of your patients. Your CPD must at least meet the BPC CPD requirements for registration.

Standard 7 – Ensure you have appropriate supervision in place

7. You must:

- 7.1 Only practise if you obtain sufficient and competent supervision or consultation with a suitably qualified supervisor or supervision peer group, having regard to:
 - your own level of competence and experience;
 - the number of patients in your practice;
 - the clinical demands of each individual patient within your practice;
 - whether the supervisory relationship has, for any reason, ceased to provide the level of challenge and depth necessary for competent work.

Standard 8 – Maintain and protect patient information

8 You must:

- 8.1 Keep a suitable written record of patients' details including name, contact information and address, for your Professional Trustees.
- 8.2 Keep a written record when reporting safeguarding concerns.
- 8.3 Where relevant, meet employer obligations on note-taking.
- 8.4 Preserve the confidentiality of personal information acquired through your professional practice and protect the privacy of individuals and organisations about whom information is held.
- 8.5 At the outset of treatment, inform patients about confidentiality and how and in what circumstances you may share personal information with others if

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relevant to their treatment (such as for supervision or with clinical trustees or within an NHS healthcare team).

- 8.6 Consider obtaining legal and ethical advice before providing information if it is required by law or directed by a court.
- 8.7 Ensure information held about a patient is held securely and protected from unauthorised access.
- 8.8 When sending patient information electronically or by other means, ensure the process is confidential and secure.
- 8.9 Comply with all applicable Data Protection and Access to Health Records legislation.
- 8.10 When sharing confidential information with another person:
 - Use anonymised information if possible and if it will serve the purpose for which it is shared;
 - not share more identifiable personal information than is necessary for the purpose for which it is shared;
 - be satisfied that the recipient understands and will respect the confidential nature of the information;
 - not share identifiable personal information without the patient's consent unless it is required or permitted by law (such as in safeguarding against the risk of serious harm to the patient or others) or is justified in the public interest;
 - tell the patient about any such disclosure unless it would undermine the purpose of the disclosure;
- 8.11 Only use personal information for training, clinical research, publication or other purposes when:
 - the patient has consented to its use in that way; or ;
 - the information is completely and effectively anonymised and the patient cannot reasonably recognise themselves or be recognised by others.

Standard 9 – Work effectively with colleagues

9 You must:

- 9.1 Work effectively and collaboratively with colleagues in the best interests of the patient.
- 9.2 Treat colleagues fairly and with respect.
- 9.3 Not bully, harass, or unlawfully discriminate against colleagues.

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- 9.4 Not make false, disparaging, or malicious statements about colleague(s) which could damage their reputation or cast doubt on their fitness to practise.

Standard 10 – Maintain public confidence in the profession

10 You must:

- 10.1 Act with honesty and integrity.
- 10.2 Only practise if you are fit to practise. You must cease to practise if you are unfit to practise for any reason including, but not limited to, poor physical, mental, or emotional health.
- 10.3 Ensure that your conduct, whether or not connected to professional practice, does not undermine public confidence in you or the profession.
- 10.4 Not provide treatment whilst under the influence of alcohol or illegal drugs.
- 10.5 Avoid conflicts of interest which may affect your professional judgement.
- 10.6 Notify the BPC immediately if you have:
- been charged with a criminal offence.
 - received a conviction or caution in the United Kingdom for a criminal offence or for an offence which, if committed in England or Wales, would constitute a criminal offence.
 - received an adverse determination (i.e a complaint has been upheld) by another professional regulatory or registration body, either in the United Kingdom or elsewhere.
 - an adverse physical or mental health condition which affects your Fitness to Practise
- 10.7 Not resign or apply to voluntarily remove yourself from the BPC whilst subject to a Fitness to Practise investigation.
- 10.8 Fully cooperate with any investigation commenced by the BPC.
- 10.9 Monitor your own health and seek professional help for any problems which may adversely affect your ability to meet the requirements of safe practice.

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Standard 11 – Maintain professional candour

11 You must:

- 11.1 Be open and honest with patients when things go wrong, taking into consideration the impact on the patient's treatment.
- 11.2 Respect a patient's right to complain and ensure that making a complaint does not impact the standard of care, service or treatment provided to the patient.
- 11.3 Respond to a patient's complaint in a professional manner.

Standard 12 – Ensure you have the appropriate Professional Trustees protocol in place

- 12. You must appoint Professional Trustees who have consented and have access to the relevant patient information when needed. There must be written instructions.

Standard 13 – Keep up to date with our guidance

- 13. You must ensure that you are familiar with and understand BPC's published policies and guidance, which are available on the BPC website and/or notified to you by email.

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Glossary

Agreeing to work together - implies consent for the treatment has been given by both registrant and patient.

Conversion Therapy – is the term for therapy that assumes certain sexual orientations or gender identities are inferior to others, and seeks to change or suppress them on that basis.

Competence – the combination of training, skills, experience and knowledge that a person has and their ability to apply them to perform safely.

CPD – Continuing Professional Development is the term used to describe learning activities that help professionals develop and grow and is on going.

Discriminate – to unfairly treat a person or group of people differently from other people. This includes treating others differently because of your views about their lifestyle, culture or their social or economic status, as well as the characteristics protected by law: age, disability, gender reassignment, race, marriage and civil partnership, pregnancy and maternity, religion or belief, sex and sexual orientation.

Dual relationships – having more than one different type of relationship with a person you have a professional role with.

Duty of Confidentiality – refers to the legal duty of confidence to keep personal identifiable or confidential information private.

Data Privacy – refers to the proper handling of data and complying with data protection regulations.

Fitness to Practise Committee – a committee or panel of professionals that come together to make judgements about a person's fitness to practise.

Impaired – there are concerns about a registrants conduct, competence or health that suggests they may not be safe to practice

Member Institutions – professional associations that are members of the BPC.

Medical opinion – to seek an opinion or advice from a medical doctor.

Peer- group supervision – is when a group of trained clinicians reflect on their own work in the group.

Professional candour – refers to being open and honest with people when things go wrong.

Professional Trustee – someone who has been named by the registrant who can be called on to communicate with the registrant's patients should the registrant become unavailable or die.

Registrant – everyone on our register

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Supervision – is a formal process of professional learning and development that enables reflection and exploration of a registrant’s work. This could be individually with a more experienced clinician, or in a group.

Safeguarding - is the action that is taken to promote the welfare of children, young people and vulnerable adults.

Sanctions – a restriction that is imposed if a registrant’s fitness to practice is impaired

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