

COUNSELLING SUPERVISION

LECTURE 10

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LECTURE 10: ETHICAL ISSUES IN COUNSELLING SUPERVISION

Topic contents:

- What is Ethics?
- Ethical principles.
- Ethical issues in counselling supervision.
- Best practice in counselling supervision.
- Ethical decision making

INTENDED LEARNING OUTCOMES

By the end of this lecture, you should be able to:

- Discuss the various ethical issues in counselling supervision.
- Identify the best practice in counselling supervision.
- Describe the ethical decision making process.

WHAT IS ETHICS?

- Ethics is a philosophical discipline that is concerned with human conduct and moral decision making; focusing on principles and standards that govern relationships between individuals such as those between counsellors and clients or counsellors and their supervisors.
- Any counsellor is faced with ethical dilemmas on a regular basis. These dilemmas are exacerbated for a beginning counsellor.

ETHICS

- The counsellor's ability to cope with these issues is dependent, to a large degree, on their ability to make a moral and principled decision.
- The code of ethics adopted by the American Counselling Association (2005) sees these values as deeply ingrained in the counsellor and developed out of personal dedication, rather than the mandatory requirement of an external organization.

ETHICAL PRINCIPLES

- Kitchener (1999) identified five moral or ethical principles which form the cornerstone of ethical guidelines.
- Beneficence—the obligation to help others and do good through all our professional decisions and actions.
- Nonmaleficence—the need to avoid exploitation and harm of others in our professional activities and relationships.

ETHICAL PRINCIPLES

- Fidelity—our obligations to others that can be explicit such as are articulated in the informed consent agreement, and implicit obligations of all mental health professionals such as to be honest and caring.
- Autonomy—to promote each client or supervisee's independent functioning over time and to not engage in actions that will promote their dependence on us.

ETHICAL PRINCIPLES

- Justice—the fair and equitable treatment of all and providing all individuals with equal opportunities for and access to needed care.
- Self-care—the need to take adequate care of ourselves on an ongoing basis. So that we can prevent burnout and resultant problems with professional competence. This is needed to be able to effectively implement the first five ethical ideals (Barnett and Molzon, 2014).

ETHICAL ISSUES

- The American Counseling Association and the Association for Counselor Education and Supervision developed ethical guidelines for counselling supervisors where they addressed;
 - Informed consent.
 - Supervision agreements.
 - Supervisor competence.
 - Confidentiality concerns.

ETHICAL ISSUES

- Documentation and record keeping,
- Client welfare and rights,
- Supervisory role and responsibilities,
- Due process,
- Multiple roles (Borders and Brown 2005).

ETHICAL ISSUES

- The greatest ethical challenge of supervision is that the supervisor must attend to the best interests of the client and supervisee simultaneously.
- Therefore a need to balance the rights of clients, the rights and responsibilities of supervisees and the responsibilities of supervisors to both supervisees and their clients.

ETHICAL ISSUES

- Supervisors must discuss the rights of supervisees from the beginning of the supervisory relationship in much the same way the rights of clients are addressed early in the therapy process.
- The supervisee is invited to express expectations, empowered to make decisions and encouraged to become an active participant in the supervisory process.

SUPERVISORS COMPETENCE

- It is essential that supervisors have the education and training to adequately carry out their supervisory roles.
- The provision of counselling supervision requires competence both in the specific areas of counselling practice and in the practice of supervision.
- Supervisors without specific training in supervision may lack needed competencies and be at risk for harming supervisees and their clients (Barnett & Johnson, 2010).

COMPETENCE

- Supervisors not only need specialized training in methods of supervision but also need to have an in-depth knowledge of the specialty area in which they will provide supervision.
- It is unethical for supervisors to offer supervision in areas beyond the scope of their practice (Barnett, Cornish, et al., 2007).

COMPETENT SUPERVISORS ARE;

- Trained in supervision and periodically update their knowledge and skills on supervision topics.
- Have the education, training and experience necessary to be competent in the area(s) of clinical expertise in which they are providing supervision.
- Have effective interpersonal skills and be able to work with individuals in supervision and with counsellors with a range of clinical experience.

COMPETENT SUPERVISORS

- Flexible and able to assume a variety of roles and responsibilities in supervision.
- They have a broad knowledge of laws, ethics, and professional regulations that may apply in a variety of situations that could arise in supervision of clinical cases.
- They stay focused on the fact that a primary goal of supervision is to monitor clinical services so that the welfare of the client is protected.

COMPETENT SUPERVISORS

- They are willing to serve an evaluative function with supervisees and provide feedback about their performance on a regular basis.
- They document supervision activities in a timely and accurate fashion.
- They empower supervisees, assist them at both problem solving in current situations and developing a problem-solving approach that they can apply in future.

MODELING CONFIDENTIALITY

- Supervisors must make supervisees aware of clients' rights to privacy and confidentiality in the counseling relationship (Maki & Bernard, 2007). Thus explaining the parameters of confidentiality in the supervisory relationship.
- Supervisees need to know what information from the supervision sessions may be divulged to other professionals and what will be kept completely confidential.

CONFIDENTIALITY

- Supervisees should discuss confidentiality with their clients in relation to the supervisory relationship.
- Supervisors should model and maintain the rules of confidentiality in all types of supervision including group, audio-taped and live supervision.
- Supervisors have responsibilities for their supervisees' clients, one of which is to respect the confidentiality of client communications.

CONFIDENTIALITY

- Supervision involves discussion of client issues and review of client materials, and supervisees must respect their clients' privacy by not talking about clients outside of the context of supervision.
- Supervisors have a responsibility to model for supervisees appropriate ways of talking about clients and keeping information protected and used only in the context of supervision (Bernard & Goodyear, 2009).

INFORMED CONSENT

- Supervisees must receive comprehensive information about the process of supervision before consenting to the relationship.
- Supervisors are also responsible for ensuring supervisees give their clients the same opportunity for informed consent, including detailed information concerning the supervisory relationship.

INFORMED CONSENT

During the initial supervision session, it is important to clearly inform the supervisee of the parameters of the supervisory process (Bernard & Goodyear, 1998).

Early in the supervisory relationship, supervisor should discuss with supervisees their professional training and experiences, theoretical orientation to counselling, and the model of supervision that they will use.

DOCUMENTATION AND RECORD KEEPING

- Clinical documentation is required in each mental health profession's code of ethics, laws and regulations, practice guidelines, and institutional policies (e.g., APA, 2007, 2010).
- Timely, thorough, and effective documentation of the services provided by the supervisor can serve a number of important purposes (Falender & Shafranske, 2004). This documentation can;
- Help reduce the chance of misunderstandings occurring,

DOCUMENTATION

- Help increase accountability on the part of the supervisee,
- Be an excellent aide for both parties when reviewing it to track progress both of the supervisee's clients and the supervisee's professional development,
- Serve an important risk management role in providing a tangible record of what has transpired in supervision and the supervisor's reasonable good faith efforts to provide high-quality counselling supervision (Barnett and Molzon, 2014).

DUE PROCESS

- Supervisors follow a process necessary to fully protect and inform their supervisees of all aspects of supervision. This includes
 - Informed consent (clarifying requirements, expectations, rules and roles).
 - Assessment, evaluation and the implications of a negative evaluation.
 - The process of appeal.
 - Supervisors need to also ensure that their supervisees are following due process with their clients.

DUE PROCESS

- The informed supervisor certainly will be familiar with due process, a legal concept that allows individuals to expect certain rights and liberties within a given situation.
- As a supervisor, one is responsible for ensuring that the supervisee is familiar with the objectives of supervision, the assessment procedures, criteria for evaluation and the parameters of supervision.

DUAL RELATIONSHIPS

- According to Corey, Corey, and Callanan (1998) dual roles can be defined as the combination of distinct relationship roles wherein the professional role or even one's professional judgment might become impaired.
- It is common that supervisors and supervisees will participate in dual professional relationships with one another.

DUAL RELATIONSHIP

- Important ethical considerations concerning these relationships are;
 - The likelihood that the dual relationship will impair the supervisor's judgement.
 - The risk of exploiting the supervisee.
- The following are the types of dual roles; social role, sexual attraction, and therapeutic role.

SOCIAL ROLE

- University supervisors have overlapping social roles such as;
- The lecturer, academic advisor and work as the internship placement coordinator.
- The supervisors need to refrain from any form of social interaction which might lead to a loss of objectivity regarding their supervisees' skills and abilities.

SEXUAL ATTRACTION

- Sexual attraction may or may not be a transference or countertransference reaction to a supervisee.
- Given similarities in interests, values, and sometimes age, just as with feelings of friendship, genuine sexual attraction may occur.
- Because acting on an attraction poses serious ethical dilemmas, addressing the attraction in supervision or through consultation with other professionals is vital.

THERAPEUTIC DUAL ROLES

- Personal issues are often addressed in counselling supervision.
- Use of counselling skills within the supervisory relationship can be appropriate when encouraging supervisee self awareness as a means of impacting professional functioning.
- Supervisors must be on their guard against allowing the relationship to become more therapeutic than supervisory.

DIRECT LIABILITY

- Direct liability would be charged when the actions of a supervisor were themselves the cause of harm to a supervisee or a client (for instance, if a supervisor suggested an intervention that was determined to be the cause of harm).
- The supervisor does not have to actually carry out the intervention, but if the supervisee follows the suggestion of a supervisor and this results in harm – this is direct liability.

VICARIOUS LIABILITY

- It is being held liable for the actions of the supervisee when these were not suggested, or even known, by the supervisor.
- Therefore, if a supervisory relationship exists, the supervisor can potentially be held liable for any negligent actions of the supervisee.
- It should be obvious that the supervisor is very invested in the actions of his/her supervisee – and must take the responsibility of supervision very seriously.

CONSULTATION

- A supervisor may want to consult with peers on a regular basis in order to achieve and maintain quality in counsellor training and supervision.
- Consulting with peers will help one maintain objectivity when a supervisory issue makes one feel stuck or frustrated with a supervisee.
- The peer's different perspective can provide a clearer picture of what might be going on, and help the supervisor think about their supervisee in a new way.

BEST PRACTICE IN SUPERVISION

- Supervisors are responsible for ensuring compliance with relevant legal, ethical, and professional standards for clinical practice (ACES, 1993, 1995).
- The main purposes of ethical standards for clinical supervision are to provide behavioral guidelines to supervisors, protect supervisees from undue harm or neglect, and ensure quality client care (Bernard & Goodyear, 2009).

BEST PRACTICE

- Barnett, Cornish, et al. (2007) noted that effective supervisors understand the importance of serving as ethical role models to their supervisees and attend to the following areas of ethical practice in supervision:
 - Assessing the supervisee learning needs from the outset;
 - Reaching an agreement with each supervisee at the outset of supervision about the supervisory relationship;
 - Offering timely and meaningful feedback;

ETHICAL PRACTICE

- Maintaining appropriate boundaries;
- Maintaining clients' and supervisees' confidentiality, and when required to breach confidentiality, doing so in an appropriate manner;
- Limiting one's supervision to one's areas of competence;
- Engaging in wellness practices to ensure one remains effective.

TEACHING SUPERVISEES HOW TO MAKE ETHICAL DECISIONS

- Identify the Problem or Dilemma; gather as much information as possible that sheds light on the situation. Clarify whether the conflict is ethical, legal, professional, or moral.
- Identify Potential Issues Involved; list and describe the critical issues and discard the irrelevant ones. Evaluate the rights, responsibilities, and welfare of all those who are affected by the situation.
 - Consider the ripple effect on everyone who may be touched by the situation at hand.
 - Part of the process of making ethical decisions involves identifying competing values.

REVIEW RELEVANT ETHICS CODES;

- Ask yourself whether the standards or principles of your professional organization offer a possible solution to the problem.
- Consider whether your own values and ethics are consistent with or in conflict with the relevant codes.
- Encourage your supervisee to do the same.

KNOW APPLICABLE LAWS AND REGULATIONS

- Keep up-to-date on relevant laws and regulations that apply to ethical dilemmas. This is especially critical in matters of keeping or breaching confidentiality, reporting child or elder abuse, dealing with issues pertaining to danger to self or others, parental or guardian rights, record keeping, testing and assessment, diagnosis and the grounds for malpractice.

OBTAIN CONSULTATION

- One should consult with colleagues to obtain different perspectives on the problem.
- Do not limit the individuals with whom you consult to those who share your orientation. If there is a legal question, seek legal counsel.
- Document the nature of the consultation, include the suggestions provided by consultants.
- It is an attempt to adhere to community standards by finding out what ones colleagues would do in the same situation.

CONSIDER POSSIBLE AND PROBABLE COURSES OF ACTION

- Brainstorming is useful at this stage of ethical decision making.
- As one think about the many possibilities for action, one should discuss these options with the client, your supervisee and with other professionals.

ENUMERATE THE CONSEQUENCES OF VARIOUS DECISIONS

- Consider the implications of each course of action for the client, for others who are related to the client, for your supervisee and for you as the supervisor.
- A discussion with the client about the consequences for him or her is most important and you and your supervisee may decide to act as therapists when this discussion is initiated.

DECIDE THE BEST COURSE OF ACTION

- In making the best decision, carefully consider the information you have received from various sources.
- The more obvious the dilemma, the clearer is the course of action; the more subtle the dilemma, the more difficult the decision will be.
- Once you have made what you consider to be the best decision, do what you can to evaluate your course of action.

SUMMARY

- In this lecture, we have explored the meaning of ethics,
- We discussed the various ethical issues in counselling supervision and identified the best practice in supervision.
- We described the ethical decision making process in the context of counselling supervision.

REFERENCES

- American Counselling Association (2005) Code of ethics and standards for practice: Alexandria, VA.
- Baltimore, M. L., Crutchfield, L. B., Gillam, S. L., & Lee, R. W. (2001). Ethics in supervision: Process, practice, and guidelines for the helping professions. Columbus, GA.
- Barnett, J. E., & Johnson, W. B. (2008). Ethics desk reference for psychologists. Washington, DC: American Psychological Association.

REFERENCES

- Barnett, J. & Molzon, C. (2014). Clinical supervision of psychotherapy: Essential ethics issues for supervisors and supervisees. *Journal of Clinical Psychology: Vol. 70(11)*, 1051–1061.
- Barnett, J. E., Wise, E. H., Johnson-Greene, D. J., & Bucky, S. F. (2007). Informed consent: Too much of a good thing or not enough? *Professional Psychology: Research and Practice*, 38, 179 -186.
- Bernard, J. M., & Goodyear, R. K. (2013). *Fundamentals of supervision* (5th ed.). Toronto: Pearson.

REFERENCES

- Borders, L & Brown, L. (2005). The New Handbook of Counselling Supervision. Lawrence Erlbaum Associates, Inc. London.
- Corey, G., Corey, M., & Callanan, P. (2007). Issues and Ethics in the Helping Professions. (7th Ed.). Belmont: Thompson Brooks/Cole.
- Falendar, C.A., & Shafranske, E. P. (2008). Casebook for Clinical Supervision: A Competency Based Approach. Washington, DC: APA.

REFERENCES

- Falls, L. (2006) Ethics in Addiction counselling: Journal of Rural Community Psychology; Vol E9, No.1, Spring.
- Forester-Miller, H., & Davis, T. E. (2016). Practitioner's guide to ethical decision making (Rev. ed.). Retrieved from <http://www.counseling.org/docs/default-source/ethics/practitioner's-guide-to-ethical-decision-making>.
- Kitchener, K. S. (1999) Foundations of Ethical Practice, Research, and Teaching in Psychology: Lawrence Erlbaum Associates.

NEXT LECTURE

Research issues in counselling supervision.