

Guidelines on co-ordinated disaster response, pro bono, or voluntary psychological services

Introduction

1.1. There are many ways in which members can demonstrate their social responsibility; providing pro bono psychological services is one of them. There is no expectation that members must provide pro bono psychological services but, should they choose to do so, these Guidelines can be used to assist that process. When deciding whether such pro bono services are being provided, it is important to distinguish voluntary work as a member of the public from that provided as a psychologist.

1.2. From time to time there is the opportunity for members to contribute professionally to individual and community wellbeing under circumstances that do not involve normal fee-for-service arrangements or the delivery of professional services as part of one's regular agency employment. Such opportunities mainly take the form of pro bono work, voluntary work, or community work of a psychological nature. Examples of such opportunities have included provision of voluntary professional support for asylum seekers and their families, pro bono services for victims of terrorist acts, and coordinated responses by the Society and its constituent units for the purpose of assisting victims of natural disasters. The Society believes that it is desirable and, indeed, important for its members to respond professionally in such circumstances when the need arises, and that such contributions are demonstrable examples of a social responsibility that the Society in particular and the profession at large have in fostering individual and community wellbeing. Such activities also constitute a socially just response by members in particular and the profession at large to what is often a desperate individual or community need.

1.3. Although such contributions are not necessarily part of members' regular professional employment or fee-for-service professional practice, it is important for members engaged in pro bono, voluntary, and community service work of a professional nature to realise that such work must be undertaken in accordance with the Society's *Code of Ethics* (2002) (the *Code*) and accompanying Ethical Guidelines. It is important to understand that persons who are the direct beneficiaries of such services are, by definition, clients – *Client means a direct recipient of psychological services* (the *Code*, Definitions). Therefore, they are entitled to expect the same quality of service and ethical standards as fee-for-service or agency clients might expect, which are set down in the Society's *Charter for Clients of Psychologists*. These Guidelines are designed to assist members to apply the *Code* and the Ethical Guidelines when engaging in such work. The following parts of the *Code* are particularly relevant in these circumstances.

2. Responsibility

Refer to the *Code of Ethics*, General Principle I(a):

Members are expected to be cognisant of the reasonably foreseeable consequences of their actions and to ensure that their services are being used appropriately.

Refer to the *Guidelines regarding financial dealings and fair trading*.

2.1. In particular, it is important for members to be dutiful and watchful in respect to their current and future legal responsibilities. Therefore, when engaged in pro bono, voluntary, or community services of a psychological nature:

2.1.1. Only members who are registered in the relevant State or Territory should allow themselves to be described as psychologists or their services as psychological services.

2.1.2. Members should have professional indemnity insurance that provides them with insurance cover during and following their engagement in such work.

2.1.3. Members should have a realistic estimation of the commitment, time, and effort involved in providing such a service so that the service they provide is of the highest quality, and so that they balance their involvement with their other professional obligations.

3. Propriety, confidentiality and record keeping

3.1. It is important for members to anticipate the future implications of their engagement with recipients of pro bono, voluntary or community services. By virtue of the very nature of the events leading up to clients' distress, there is a reasonable chance that clients might at a later date seek compensation through the courts from other parties for their pain and suffering and/or financial loss. Thus, members who provide these services may be called upon in future by a court to provide information or evidence that testifies as to the client's level of suffering or loss. Therefore:

3.1.1. Members must ensure that clients are informed about the limits of confidentiality in accordance with General Principle III(a) of the *Code*: *Members must respect the confidentiality of information obtained from clients in the course of their professional work. They may reveal such information to others only with the consent of the person or the person's legal representative ... Members must inform their clients of the legal and other limits of confidentiality. They must also be familiar with the Guidelines on confidentiality (including working with minors).*

3.1.2. In addition, if a court makes a legitimate demand on information pertaining to the client, the member must ensure that such information is available for the court. Therefore, members must be cognisant of their responsibilities in relation to record keeping. In particular, *Members must make and keep adequate records for a minimum of seven years ... unless legal requirements specify otherwise* (Clause B2 of the *Code*); and *Members must not refuse any reasonable request from clients, or former clients, for the release of data for which they have professional responsibility* (Clause B4 of the *Code*).

3.1.3. *Information obtained in consulting relationships, or evaluative data concerning clients, may only be communicated for professional purposes and only to persons legitimately concerned with the case and with the informed consent of the client* (Clause B1 of the *Code*). Members must exercise the same level of caution about disclosing information about clients with whom they work on a voluntary or pro bono basis as they exercise over information about any other client. In social or other professional settings members should be particularly careful about revealing details of their voluntary work with clients. If they are members of a coordinated team responding to a particular set of circumstances or event in the community, they should not reveal client information to other team members without the client's permission and without such disclosures being expressly for professional purposes.

4. Competence and referrals

4.1. Although the obvious and underlying needs of recipients of pro bono, voluntary or coordinated professional responses are likely to be similar in nature to those of fee-for-service or agency clients, the circumstances that give rise to those service needs may be such that there are heightened levels of distress and desperation upon presentation. Moreover, those levels of distress may in the first instance mask underlying long-term psychological issues or psychopathology of these clients. Because of the potentially complex nature of the presenting problems and resultant service requirements, it is important that:

4.1.1. Members have a clear understanding of their own areas and levels of competence in accordance with General Principle II(b) of the *Code*: *Members must refrain from offering advice or undertaking work beyond their professional competence; and When there is evidence of a problem or a condition with which the member is not competent to deal, the member must make this clear to the client and must refer the client to an appropriate source of expertise* (Clause B20 of the *Code*).

4.1.2. In accordance with this principle, and in view of the circumstances surrounding pro bono, voluntary, or coordinated professional services, members must be particularly sensitive to clients' affective states and to any tendencies that clients might have towards acts of self-harm, including suicide, or toward acts of retribution. Members engaging in such work must be competent to deal with such tendencies. If they perceive that self-harm is intended by a client, they must be cognisant of, and act in accordance with, the *Guidelines relating to suicidal clients*. If harm to others is intended, they must be cognisant of their responsibilities under General Principle III(a). Notwithstanding the need to maintain confidentiality in relation to the information they obtain from clients, *in those unusual circumstances*

where failure to disclose may result in clear risk to the client or to others, the member may disclose minimal information necessary to avert risk. Members must inform their clients of the legal and other limits of confidentiality. In order that they might clearly understand the potential difficulties of maintaining confidentiality, while at the same time exercising a duty of care to the client and other parties, members should be acquainted with, and act in accordance with, the *Guidelines on confidentiality (including working with minors)* and the *Guidelines on reporting child abuse and neglect, and criminal activity*.

4.1.3. Before commencing such work, members should seek information regarding the appropriate, available services to whom clients may be referred, should the need arise, or should a member decide that the services required are beyond the member's areas or levels of competence. This may be necessary if the client's level of distress or tendency to do harm is greater than it first appeared to be, or if unanticipated, underlying psychological needs emerge as service delivery progresses. If members' areas and levels of competence are exceeded in such a manner, *they must terminate a consulting relationship when it is reasonably clear that the client is not benefiting from it. They must offer to help the client locate alternative sources of assistance* (Clause B19 of the Code).

4.1.4. Where members or constituent units of the Society engage in a coordinated professional response to a community need, part of the planning for that response should include identifying experienced team members who might provide professional support and supervision for less experienced team members, or who are available to accept referrals from less experienced team members. Planning should also identify external professionals or agencies available to receive referrals, should the need to make such referrals arise. Such planning is designed to lessen the likelihood of members engaging in services that are not within their areas or levels of expertise.

4.1.5. In cases where a client is referred by another professional or agency to the member(s) offering pro bono or voluntary services, or forming part of the coordinated response team, it is essential that the member(s) receiving the referral *assume(s) the responsibility of clarifying the nature of the relationship with all parties concerned* as per Clause B13 of the Code, including the client, referrer, and where relevant other team members, before service delivery commences.

5. Boundary maintenance and objectivity

5.1. By virtue of the circumstances surrounding members' engagement in disaster response work, members should be watchful for heightened levels of affect on the part of the client or themselves that might, if left unchecked, interfere with their ability to function effectively as a psychologist, be detrimental to their own mental health, or result in the development of an inappropriate, informal, non-professional relationship between the client and member.

5.2. In accordance with Clause B7 of the Code, *Members must avoid dual relationships that could impair their professional judgement or increase the risk of exploitation*. This applies not only to existing non-professional relationships, such as *employees, students, supervisees, close friends or relatives*, but also to the development of prospective non-professional relationships with persons who are clients. Members must be aware of the vulnerabilities of clients, and the importance of professional boundary maintenance, and hence should acquaint themselves, and act in accordance, with the *Guidelines for managing professional boundaries and multiple relationships*.

5.3. Members working in the aftermath of trauma should ensure that they have adequate supervision and support, regardless of their level of experience.

6. Terms and conditions of service provision

6.1. Pro bono and voluntary service, by definition, does not involve the exchange of fees for service. Nevertheless, members are not exempted from carefully explaining the terms and conditions of the services they provide in a pro bono or voluntary capacity. *Members must make advance financial arrangements that safeguard the best interests of and are clearly understood by clients. They must avoid financial arrangements which may, currently or subsequently, influence deleteriously the psychological services provided* (Clause B14 of the Code).

6.2. Members offering these services must therefore as soon as is practicable explain to clients:

- 6.2.1. that the service is a free service;
- 6.2.2. the approximate number of consultations covered by, and/or the approximate duration of, the free service;
- 6.2.3. presenting problems and/or issues that will be addressed as part of the free service, as well as presenting problems and/or issues that will not be dealt with as part of the free service. The explanation is particularly important if the client presents with chronic, underlying problems that are separate from, but possibly exacerbated by, the particular circumstances that have caused the member to offer services on a pro bono or voluntary basis;
- 6.2.4. any financial conditions and arrangements that might apply beyond the duration and professional limits of the free service, if such limits exist;
- 6.2.5. alternative services that are available and to which the client might be referred, if the limits of the free service are reached;
- 6.2.6. time is available for considering the offer of the free service before deciding whether to consent to the service; and
- 6.2.7. the range of other services, both public and private, that might be available.

6.3. Members who are part of a coordinated professional response to community need along with other members or constituent units of the Society, and who are providing those services on a fee-for-service basis, must be cognisant of other services that are available for clients with whom that coordinated response might bring them in contact. *Members must not receive private fees, gratuities or other remuneration for professional work with persons who are entitled to the member's services through an agency or institution unless the client chooses to consult the member privately (Clause B15 of the Code). Members must not actively solicit private consultations from clients who receive or are entitled to receive the member's services through an agency or institution (Clause B16 of the Code).*

6.4. Members must be cognisant of other professional services offered by psychologists and other professionals that might be available to, or be used by, clients for whom these pro bono, voluntary, or coordinated services are available. *Members must act with due regard for the needs, special competencies and obligations of their colleagues in psychology and other professions (Clause H1 of the Code); and they must not solicit business from any client in a similar existing relationship with another professional in pursuit of [their own professional] gain (Clause H3 of the Code).*

7. Public statements about pro bono, voluntary, or coordinated services

Refer to the *Code of Ethics*, Section H 'Members' Relationships with Professionals':

H1: Members must act with due regard for the needs, special competencies and obligations of their colleagues in psychology and other professions.

H4: If a member is approached by a person who is already receiving similar services from another professional, the member must carefully consider all the implications of becoming involved and must discuss these with the prospective client. The welfare of the client must be paramount in these considerations and the member must proceed with caution and sensitivity towards all parties concerned.

7.1. When members are offering pro bono or voluntary services, or participating in a coordinated professional response to community need, particularly if a fee-for-service is involved for the latter, it is important to respect the services that are also available from other professionals and agencies.

7.2. They should avoid: *any statement [about the service to be offered] claiming or implying superiority for the member over any or all other members (Clause G1(iii) of the Code); or any statement intended or likely to create false or unjustified expectations of favourable results (Clause G1(iv) of the Code); or any statement intended or likely to appeal to the client's fears, anxieties or emotions concerning the possible results of failure to obtain the offered services (Clause G1(v) of the Code).*

7.3. In particular, they should be careful not to claim or imply that services they are offering, or coordinated services of which they might be part, are superior to, or more effective than, similar professional services available from other practitioners and agencies, just because they are free or coordinated in some fashion. They should be careful not to make statements that may cause persons to use the service for fear of the consequences of not seeking treatment.

8. Termination of services and concerns for the continuing welfare of clients

8.1. Cessation of the free service or de-escalation of coordinated services that are put in place in response to a particular set of circumstances or event does not obviate members from their responsibility to ensure that the ongoing needs of clients are being met. *In terminating relationships with clients, members shall have due regard for the psychological processes inherent in the services being provided and the psychological wellbeing of the client* (Clause B18 of the Code).

8.2. Therefore, members must ensure upon completion of the pro bono, voluntary or coordinated professional service that clients' ongoing service needs are catered for. Clients may be referred to a suitably trained and experienced service provider, or if the clients choose, the member may continue to provide services for them under a different service arrangement. Continuing service arrangements, including advance financial arrangements, should be made clear to clients as part of the initial service agreement (see Clauses 6.2.4. and 6.2.5. above).

References

Australian Psychological Society (2002). *Code of Ethics*. Melbourne.



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