

STANDARDS OF PROFESSIONAL CONDUCT¹

Effective 19th February 2007

Terms

Psychologist refers to an individual registered by the Nova Scotia Board of Examiners in Psychology.

Psychologist, Candidate Register refers to an individual who has completed his/her university training, has received a Masters or Doctoral degree, and is in the process of completing the Nova Scotia Board of Examiners in Psychology requirements to become a registered psychologist.

Registrant refers to an individual registered on either the Register of Psychologists or the Candidate Register of the Nova Scotia Board of Examiners in Psychology.

Professional governing body refers to the Nova Scotia Board of Examiners in Psychology.

Psychological services refer to services provided by or under the direction of a psychologist or psychologist, Candidate Register. Psychological services include, but are not limited to, the following:

- (a) Psychological evaluation, diagnosis, and assessment of individuals and groups.
- (b) Interventions with individuals or groups.
- (c) Teaching of and/or research in psychology
- (d) Consultation
- (e) Program development and evaluation
- (f) Supervision

Professional activities refer to activities of a psychological nature conducted by or under the direction of a registrant. Professional activities include, but are not limited to, one or more of the following:

- (a) Education and training
- (b) Scholarly activities
- (c) Administration

¹Adapted from the Standards of Professional Conduct of the College of Psychologists of Ontario (revised September 2005). The Nova Scotia Board of Examiners in Psychology expresses gratitude to the College of Psychologists of Ontario for allowing NSBEP to adapt the Ontario Standards for use in Nova Scotia.

Client includes:

- (a) Direct recipients of psychological services.
- (b) Public and private institutions, facilities or organizations receiving psychological services.
- (c) Third party purchasers- those who pay for the delivery of services but who are not the recipients of the services
- (d) Parents or guardians of children who are unable to give informed consent
- (e) Children who are able to give informed consent and who are direct recipients of psychological services.

Public statements include but are not limited to: paid or unpaid advertising, grant and credentialing applications, brochures, printed matter, directory listings, personal resumes or curricula vitae, comments for use in the media such as print and electronic transmission, statements in legal proceedings and contained in the public record, lectures and public oral presentations and published material.

Psychological records include all forms of information collected in relation to the provision psychological services regardless of the nature of the storage medium.

Principle 1

A registrant shall be open and responsive to the regulation and discipline of the Nova Scotia Board of Examiners in Psychology.

- 1.1 It is the responsibility of a registrant to conduct herself/himself so that her/his activities and those of any persons she/he supervises in providing psychological services are in compliance with the ethics and standards endorsed by the Nova Scotia Board of Examiners in Psychology (NSBEP).
- 1.2 A registrant, when requested by NSBEP, must be able to provide an account of her/his responsibilities and functions and when employed by an institution or by individuals other than psychologists, a description of the organizational and service context.
- 1.3 During the investigation of a complaint against a registrant, the registrant must promptly comply with requests for information made by NSBEP or a committee of NSBEP.
- 1.4 A registrant shall adhere to any undertaking or agreement that the registrant has made with NSBEP.
- 1.5 If requested by a client, a registrant shall provide information regarding the mandate, function, location and contact information of NSBEP, and provide information about where the client can obtain:

- a) the statutes and regulations that govern the provision of psychological services; and
- b) The NSBEP's standards, guidelines, and codes of ethics

Principle 2

A registrant shall organize and conduct his/her activities so that users shall receive appropriate and adequate psychological services.

- 2.1 In private practice settings, a registrant, whether working individually, in partnership or as a shareholder of a psychological corporation, shall assume responsibility for the planning, delivery, and supervision of all the psychological services he/she provides to a client.
- 2.2 In employment settings, a registrant shall assume responsibility for the planning, delivery, and supervision of all the psychological services he/she provides to a client. Registrants working as employees shall make reasonable efforts to ensure that their work setting adheres to the Standards of Professional Conduct in the planning, delivery, supervision and billing practices of all psychological services provided.
- 2.3 The provision of psychological services on behalf of a corporate client does not diminish a registrant's obligations and professional responsibilities to the individual client.
- 2.4 Registrants do not discontinue services without, in consultation with the client, making reasonable arrangements for the client to obtain services elsewhere.
- 2.5 A registrant shall be familiar with the standardization, norms, reliability, and validity of any tests and techniques used and with the proper use and application of these tests.
- 2.6 A registrant shall be familiar with the evidence for the relevance and utility of interventions used and with the proper use and application of these interventions.
- 2.7 A registrant shall provide professional opinions that are clear, fair and unbiased and communicate these in a manner likely to be understood by the client.
- 2.8 A registrant documents her/his sources of data.
- 2.9 A registrant uses the various guidelines i.e., Custody and Access Guidelines, Sexual Misconduct Guidelines etc., that are available through NSBEP to monitor his/her provision of services in the areas addressed by the guidelines.

Principle 3

A registrant shall conduct herself/himself so that clients will receive her/his most effective professional performance.

- 3.1 A registrant shall provide services within the boundaries of her/his competence. A registrant wishing to provide services outside her/his areas of competence shall do so only under supervision. Individuals on the Candidate Register wishing to do so shall submit a plan of action to NSBEP for approval.
- 3.2 A registrant planning to change or expand her/his professional practice to include a new area, client group or activity, beyond the registrant's existing declared competence shall undertake appropriate training, education and supervision. In the event that there are questions regarding competency, the registrant must be able to demonstrate to the Board the preparation they have undertaken. Individuals on the Candidate Register planning to expand her/his practice shall submit a plan of action to NSBEP for approval.
- 3.3 A registrant must not engage in the practice of psychology while her/his ability to perform professional services is impaired or could reasonably be expected to be, impaired due to addictions, mental, emotional, physiological, or pharmacological conditions. A registrant who becomes impaired after psychological services have been initiated shall discontinue providing services, making reasonable efforts to ensure clients are notified and assisted in obtaining replacement services.
- 3.4 A registrant is expected to maintain current knowledge of Federal and Provincial statutes, and other agencies and professional regulations relating to the delivery of her/his professional services.

Principle 4

A registrant accurately represents services and qualifications.

- 4.1 A registrant shall not make public statements that are false, misleading, or fraudulent concerning his/her psychological services or professional activities or those of persons or organizations with which he/she is affiliated.
- 4.2 A registrant shall not misrepresent directly or by implication his/her professional qualifications such as education, experience, or areas of competence.
- 4.3 A registrant shall not misrepresent his/her qualifications by listing or displaying any affiliations with an organization that might be construed as

implying the sponsorship or certification of that organization. A registrant may list or display an affiliation only if such sponsorship or certification does, in fact, exist.

4.4 A registrant in presenting his/her qualifications:

- a) shall represent himself/herself to the public as a registrant of NSBEP by the use of the title Psychologist or Psychologist, Candidate Register. This may be abbreviated to R. Psych or R. Psych, Candidate Register.
- b) may clarify areas of practice with the addition of a qualifier either to the title Psychologist or Psychologist, Candidate Register or by citing one or more areas of practice. The qualifier or citation must be consistent with one or more of the areas of practice identified in the NSBEP registration guidelines and must be consistent with the area(s) of practice identified to NSBEP by the registrant.
- c) shall not qualify his/her title by citing membership in professional associations (e.g., APNS, CPA, APA)
- d) may note diplomate or specialist status.
- e) shall specify only the highest academic degree on which registration is based
- f) shall refrain from using a title or designation unrelated to the nature of the services provided in presenting her/his qualifications e.g., MBA, CA, P.Eng.

4.5 A paid advertisement shall be identified, or clearly recognizable, as an advertisement. Registrants who engage others to create or place advertisements or public statements that promote their professional practice, products, or activities retain professional responsibility for such statements.

4.6 Advertisements, announcements, brochures, business cards, business communication listings or any form of promotional activity must be supportable by facts and reflect 4.4 above.

4.7 A registrant shall not compensate a representative of the media, in any way, in return for free publicity.

4.8 A registrant who provides information, advice or comment to the public via any medium shall take precautions to ensure that:

- a) the statements are accurate and supportable based on current professional literature or research.
- b) the statements are consistent with the professional standards, policies, and ethics currently adopted by NSBEP
- c) the individual(s) receiving this information understands that the statements made are for information only, that a professional

relationship has not been established and that there is no intent to provide a professional service.

- 4.9 A registrant shall correct other registrants who are not representing their services and qualification in a manner consistent with these guidelines. A registrant shall not represent directly, or by implications, any person to be a psychologist who is not entitled by law to use this title.
- 4.10 A registrant who employs non-psychologists to provide service must ensure clients are informed at the onset regarding the professional status, qualifications, functions and supervision of the non-psychologist provider.
- 4.11 The registrant ensures all billing practices related to the non-psychologist provider are clear and transparent.

Principle 5

A registrant shall respect the client's right to know the nature of the services provided.

- 5.1 A registrant shall obtain informed consent with respect to the delivery of all psychological services unless otherwise permitted or required by law. This includes, but is not limited to, agreeing on the general nature and extent of the services to be rendered.
- 5.2 At the onset of the provision of psychological services, or at the earliest reasonable opportunity, a registrant shall be responsible for informing clients of the limits of confidentiality maintained by the registrant and anyone he/she may employ and/or supervise.
- 5.3 A registrant fulfills the terms of the agreement with the client. Services departing from this agreement shall normally have the informed consent of the client prior to their initiation.
- 5.4 To the extent advisable and not contraindicated, a psychologist shall properly inform a person who has undergone an assessment or his/her legal representative of the conclusions, opinions and recommendations issuing from the assessment within a reasonable time.

Principle 6

A registrant shall reach an agreement with an individual, group or organization concerning the psychological services to be provided, the fees to be charged and the billing arrangements prior to providing service.

- 6.1 A registrant sets fees based on the amount of time spent and complexity of the services rendered and does not base fees on the basis of advantage or clinically significant benefits accruing to the individual receiving services.
- 6.2 Interest may be charged on an overdue account as long as the client is informed of this practice at the time of billing.
- 6.3 Prior to using a collection agency or legal option to collect fees, the registrant informs the client of this intent and provides an opportunity for payment to be made.
- 6.4 A registrant does not request advance payment for psychological services however funds may be held in trust if agreed on by the client. Trust funds are applied only to services rendered with any excess returned to the client on the termination of services.

Principle 7

A registrant shall make reasonable efforts to ensure that psychological records are complete and accessible and that their records and the records of those they supervise are secure and protected from loss, tampering or unauthorized use or access.

- 7.1 A registrant shall keep a record related to the psychological services provided by the registrant for each client, individual or corporate, who has engaged the registrant to provide psychological services or for whom such services have been authorized.
- 7.2 Individual client records will include the following:
 - a. clients name, address and phone number (if available).
 - b. clients date of birth.
 - c. the date of every relevant and clinically significant contact with the client.
 - d. the date of every clinically significant consultation, either given or received by the registrant, regarding services to the client
 - e. a description of any presenting problem(s) and history relevant to the problem.
 - f. relevant information about every clinically significant service activity related to the client that is carried out by the registrant or under the responsibility of the registrant, including but not limited to: assessment procedures; assessment findings; diagnoses; goals or plans of service; reviews of progress including any modifications to plans of service; activities related to crises or critical incidents; interventions carried out or advice given.

- g. relevant information about every clinically significant service activity that was commenced but not completed, including reasons for non-completion.
- h. all reports or correspondence about the client received by the registrant, which are relevant and clinically significant to the registrant's service to the client.
- i. all reports and communications prepared by the registrant regarding the client.
- j. a copy of every signed-consent and/or documentation of obtaining verbal consent related to the registrant's service to the client.
- k. relevant information about every referral of the client by the registrant to another professional.

Group training, emergency group services or group screening services and/or public education or prevention services do not normally require the maintenance of an individual client record. Otherwise, all information recorded and/or compiled about an individual client shall be identifiable as pertaining to that particular client and all information recorded and/or compiled shall be dated and contain the name of the person making the entry.

7.3 Corporate Client Records will include the following:

- a) the name and contact information of the corporate client
- b) the name(s) and title(s) of the person(s) who can release confidential information about the corporate client.
- c) the date and nature of each substantive service provided to the corporate client.
- d) a copy of all agreements and correspondence with the client
- e) a copy of each report that is prepared for the client

7.4 Unless otherwise required by law a registrant shall retain both individual and corporate client records for at least ten years following the last client contact. If an individual client was less than eighteen years of age at the time of last contact, the individual client record shall be retained for ten years following the date of the client's eighteenth birthday. In the case of ongoing service to a corporate client, information more than ten years old may be destroyed if it is not relevant to current services.

7.5 Billing records will include a record of fees charged to and received from clients; the payer; the recipient of services; the service provider(s); the date, nature and unit fee of the service; the total charged; and, the date of payment. Billing records are retained on the same basis as 7.4 above.

7.6 A registrant shall make reasonable efforts to ensure that the disclosure or transmission of information protects the privacy of the client record and that appropriate care is exercised when placing information in a common record in an effort to ensure that his/her recommendations are not misunderstood or misused by others who may have access to the file.

- 7.7 In a private practice setting a member who plans to or ceases to provide psychological services shall take responsibility for the maintenance and security of client records or make arrangements for another registrant to secure and maintain the client record so that clients have access to their records for the prescribed retention period. The registrant shall inform NSBEP of arrangements made at the earliest reasonable opportunity. A registrant in private practice should make advance arrangements for the security and maintenance of the client record in the event of his/her incapacity or death.
- 7.8 In an employment setting a registrant will make all reasonable efforts to ensure policy is in place that specifies the steps necessary to secure, maintain and make available, on appropriate request, all client records in the event of the registrants departure from that employment.
- 7.9 A registrant takes all reasonable steps to ensure that raw psychological data, if requested with proper authorization, is transferred to a designated registrant for interpretation rather than provided directly to a client or the client's legal representative.
- 7.10 A registrant does not release copyright clinically significant such as test questions, stimuli, manuals and protocols accept when Ordered by the Court. In such cases the registrant makes all reasonable attempts to ensure the Court is aware of the ramifications of releasing such protected information to the general public.

Principle 8

A registrant shall not undertake or continue to provide psychological services when personal, scientific, professional, legal and financial or other interests could be reasonably expected to impair objectivity, competence or effectiveness in service delivery or expose the client to harm or exploitation.

Principle 9

A registrant does not seek special benefit or advantage from relations with a client.

- 9.1 A registrant shall not have sexual relations with a client.
- 9.2 A registrant shall not have sexual relations with an individual with whom the registrant has, or might reasonably expect to have in the future, a current evaluative relationship.

- 9.3 A registrant shall not engage in sexual harassment. This is defined to include:
- a. The use of power or authority in an attempt to coerce another person to engage in or tolerate sexual activity. Such uses include explicit or implicit threats of reprisal for noncompliance or promises of reward for compliance.
 - b. Engaging in deliberate and/or repeated unsolicited sexually oriented comments, anecdotes, gestures, or touching, where the registrant knows or ought to know that such behaviours are offensive and unwelcome.
 - c. Engaging in physical or verbal conduct of a sexual nature when such conduct might reasonably be expected to cause harm, insecurity, discomfort, offence, or humiliation to another person or group.
- 9.4 Psychologists do not engage in sexual intimacies with a former therapy patient or client for at least two years after cessation of or termination of professional services.²

Because sexual intimacies with a former therapy patient or client are so frequently harmful to the patient or client, and because such intimacies undermine public confidence in the psychology profession and thereby deter the public's use of needed services, psychologists do not engage in sexual intimacies with former therapy patients or clients even after a two-year interval except in the most unusual circumstances. The psychologist who engages in such activity after the two years following cessation or termination of treatment bears the burden of demonstrating that there has been no exploitation, in light of all relevant factors, including (1) the amount of time that has passed since therapy terminated, (2) the nature and duration of the therapy, (3) the circumstances of termination, (4) the patient's or client's personal history, (5) the patient's or client's current mental status, (6) the likelihood of adverse impact on the patient or client and others, and (7) any statements or actions made by the psychologist during the course of therapy suggesting or inviting the possibility of a post-termination sexual or romantic relationship with the patient or client.

- 9.5 A registrant shall not engage in any verbal or physical behaviour of a demeaning or harassing nature in any professional context.
- 9.6 A registrant shall not use information obtained during the provision of psychological services to directly or indirectly acquire advantage over or exploit a client or to improperly acquire a benefit.
- 9.7 A registrant shall not persuade or influence a client to make gifts or contributions.
- 9.8 A registrant shall not accept a gift of more than token value.

² Section 9.4 has been adopted from the Ethical Principles of Psychologists and Code of Conduct of the American Psychological Association, 1992

