

The Hong Kong Professional Counselling Association
Code of Ethics and Practice for Counsellors (2021 version)

Table of Contents

(1) Preamble.....	4
1.1 Background	4
1.2 Major Revision.....	5
1.3 Purpose.....	5
1.4 Applicability.....	5
 (2) Definition of Key Terms.....	5
2.1. Professional Member.....	5
2.2 Counsellor.....	6
2.3 Client.....	6
2.4 Counselling.....	6
 (3) Values and Principles.....	6
3.1 Basic Values.....	6
3.2 Principles.....	7
Principle 1 : Interest of Clients.....	7
Principle 2 : Responsibility.....	7
Principle 3: Integrity.....	7
Principle 4 : Justice.....	7
Principle 5 : Respect.....	7
Principle 6 : Confidentiality.....	8
 (4) Professional Practice.....	8

4.1 Mode of Service.....	8
4.1.1 Individual Counselling.....	8
4.1.2 Group Counselling.....	8
4.1.3 Telephone Counselling.....	9
4.1.4 Online Counselling.....	9
4.2 Counselling Process.....	10
4.2.1 Intake and Informed Consent.....	10
4.2.2 Assessment and Counselling Plan.....	10
4.2.3 Record Keeping.....	10
4.2.4 Review and Evaluation.....	11
4.2.5 Continuation, Transferral, Referral or Termination.....	12
4.3 Counselling Relationship.....	12
4.3.1 Roles of Counsellors.....	12
4.3.2 Multiple Relationships.....	13
4.3.3 Multiple Clients.....	13
4.3.4. Interests of Clients.....	13
4.3.5 Self-determination.....	13
4.3.6 Confidentiality and Privacy.....	13
4.3.7 Limitations and Boundaries.....	14
4.4 Collaboration with Others.....	14
4.4.1 Collaboration with Colleagues.....	14
4.4.2 Collaboration with Other Professionals.....	14
4.4.3 Inter-disciplinary Teamwork.....	14
4.4.4 Supportive Network and Resources.....	15
(5) Professional Competence and Development.....	15
5.1 Professional Standards.....	15
5.2 Professional Competence.....	15
5.3 Supervision and Training.....	15
5.4 Continuing Professional Development.....	15

(6) Conflict of Interest.....	16
6.1 Fee-charging and Billing Practice.....	16
6.2 Bartering.....	16
6.3 Receiving Gift.....	16
 (7) Handling Ethical Issues.....	16
7.1 Professional Integrity.....	17
7.2 Conflict between Ethics and Legal or Organizational Demand.....	17
7.3 Reporting Ethical Violation.....	17
7.4 Dealing with Ethical Complaint.....	17
 References.....	18

(1) Preamble

1.1 Background

The Hong Kong Professional Counselling Association (hereinafter referred as HKPCA) was set up in 1995, in response to the need for an indigenous professional body in developing professionalism in counselling, as well as in promoting the professional standard of counselling practitioners in Hong Kong.

Being the first recognized organization representing professional counsellors in Hong Kong, HKPCA's mission is to gather local counselling practitioners in promoting the standard of practice in counselling, to build professional networks, to advance research including publication of research in the counselling field, to establish ethical standards and provide guidance for counselling education, to enhance the understanding and acceptance of counselling, as well as to develop and maintain counselling services for the promotion of mental health in society.

Over the past decade, counselling in Hong Kong has been gradually developed as an independent academic and professional discipline that has wide applications in different sectors, including education, social welfare, medical and pastoral care. The number of training programmes in counselling at Master degree level offered by local tertiary institutes and accredited by HKPCA, as well as the number of practitioners in the counselling profession, have increased significantly.

Henceforth, HKPCA's Membership and Professional Standards Committee has been entrusted by its Council to revamp the existing Code of Ethics first developed in 1996 and revised in 2011. The afore-said Code of Ethics has been renamed as Code of Ethics and Practice for Counsellors (hereinafter referred as the Code) in this 2021 revised version, so as to provide a set of updated and practical guidelines on the ethics, conduct, and service delivery of professional counsellors in Hong Kong.

1.2 Major Revision

In line with the recent development of HKPCA as well as the counselling field in Hong Kong, the Code has been re-structured into seven sections, namely, Preamble, Definition of Key Terms, Values and Principles, Professional Practice, Professional Competence and Development, Conflict of Interest, as well as Handling Ethical Issues.

Some sections in the 2011 version of the Code have been re-grouped, re-written or removed. In particular, in this newly revised version,

- (a) the applicability of the Code has been re-defined, in line with the new two-tier membership system adopted by HKPCA since 2018;
- (b) several key terms have been clearly defined;
- (c) confidentiality has been singled out as a separate principle, so as to stress on the importance of meeting the ethical as well as legal obligation on confidentiality, privacy, and privileged communication in counselling;

(d) the section on Technology Applications has been replaced by a new section named Online Counselling, in view of the recent trend in the increasingly use of information and communications technology by counsellors in providing services to their clients;

(e) the mechanism and guidelines on handling ethical complaints against Professional Members, which were developed and enforced by HKPCA in 2018, have been incorporated into the section on Handling Ethical Issues; and

(f) the requirement on Continuous Professional Development for Professional Members on renewal of their membership, which has been adopted and implemented by phases since 2017, has been added as a new section.

1.3 Purpose

The Code is intended to provide guidelines and standards of behaviour for counsellors to practice in an ethical and responsible manner. It also serves to protect clients from hazard, harm or loss due to mal-practice, misconduct, or abuse by counsellors in their work.

1.4 Applicability

The Code applies to all Professional Members of HKPCA, providing direct counselling services for individuals and groups, as well as indirect services such as consultation, supervision, and training. It is applicable to counselling and related activities across a wide variety of setting (such as school and medical setting), context (such as government departments, non-government organizations and private practice) and mode of service (such as face-to-face counselling and online counselling).

(2) Definition of Key Terms

2.1 Professional Member

HKPCA has developed and adopted a two-tier membership system since 2008, namely General Membership and Professional Membership, as a milestone of advancement towards professional accreditation in Hong Kong.

General Membership of HKPCA comprises Fellow, Associate Fellow, Member, Associate Member, Student Member and Affiliate, in accordance with the academic qualification in counselling or related field of the applicants, coupled with their experiences in counselling work.

Professional Membership of HKPCA, as a form of voluntary society-based certification for professional counsellors, is composed of Certified Counsellor and Approved Counselling Supervisor. Applicants for Certified Counsellor membership have to complete training in counselling programmes accredited by HKPCA, as well as meet specified requirement on their practicum during the afore-said training and post-qualification supervised practice. Applicants for Approved Counselling Supervisor have to meet stated requirement on post-qualification experience in providing counselling supervision as well.

Application and renewal of Professional Membership is subject to strict scrutiny conducted by HKPCA Membership and Professional Standards Committee.

2.2 Counsellor

The term Counsellor used in the Code refers to Professional Members, including both Certified Counsellors and Approved Counselling Supervisors. They may be performing different roles, such as practitioners, trainers, educators, supervisors and consultants, in the course of their work related to counselling.

2.3 Client

The term Client is used in a broad sense in the Code. It refers to those who are receiving counselling services involving professional practice, supervision and teaching. Clients may be individuals, couples, families, groups of people, communities or organizations.

2.4 Counselling

Counselling is an applied discipline with theories and methods of practice that are grounded on diverse scholarly literature from a number of academic disciplines. It is a practice based on moral values and professional ethical standard.

Counselling service refers to any service provided by a counsellor to a client, including but not confined to counselling activities, supervision, and training. It is an interpersonal and interactive process in which the counsellor builds up a helping relationship with the client, conducts purposeful and professional activities, so as to help the client grow and resolve problems.

(3) Values and Principles

3.1 Basic Values

As helping professionals, counsellors :

- (a) are committed to draw on their values, knowledge and skills in helping people in need;
- (b) strive to address and attain the well-being of those seeking help from them, with due regard to the interest of others concerned;
- (c) acknowledge the inherent dignity and self-worth of all persons;
- (d) recognize and respect diversity as well as individual differences among people;
- (e) believe that individuals have their own potentials to change and develop in pursuing self-fulfillment; and
- (f) recognize their responsibility to practice within their areas of competence, as well as the need for continuing personal and professional development.

In line with the above basic values, the following general principles have been delineated to guide and inspire counsellors toward high ethical ideals of the counselling profession.

3.2 Principles

Principle 1 : Interest of Clients

Counsellors should seek to safeguard the interest and well-being of their clients, and be alert to guard against personal, financial, social, organizational or political factors that might lead to misuse of their influence. They are expected to take reasonable precautions to protect their clients from physical, emotional, or psychological trauma.

Counsellors should be aware of the possible undesirable effect of their own physical and mental health on their competence to help their clients. They are also expected to consult with, refer to, or cooperate with other professionals and institutions to serve the best interests of their clients.

Principle 2 : Responsibility

Counsellors should be aware of their professional responsibilities to society and to the specific communities in which they work, as they establish trustful working relationship with their clients. They should uphold professional standards of conduct, clarify their professional roles and obligations, accept appropriate responsibility for their behavior, and seek to manage conflicts of interest that could lead to exploitation or harm. They are obliged to receive regular and adequate supervision so as to ensure their professional performance and accountability.

Principle 3 : Integrity

Counsellors should promote accuracy, honesty, and truthfulness in the science, teaching and practice of counselling. They should strive to maximize benefits and minimize harm in all situations. They should also ensure themselves, as well as their clients, understanding of the purpose, process and boundaries of their counselling relationship.

Principle 4 : Justice

Counsellors should recognize that all persons are entitled to fairness and justice when benefiting from the contributions of counselling. They should exercise reasonable judgment and take precautions to ensure that their potential biases, the boundaries of their competence, and the limitations of their expertise do not lead to or condone unjust practices. Justice should also be maintained in the counselling process, procedures and services being conducted by counsellors.

Principle 5 : Respect

Counsellors should respect the dignity, worth, self-determination and rights of their clients. Special safeguards may be necessary to protect the interest and well-being of persons or communities whose vulnerabilities impair autonomous decision making. They should provide professional service non-judgmentally and non-discriminatively, showing full awareness of and genuine respect to their clients' individual differences arising from age, gender identity, sexual orientation, marital status, disabilities, socio-economic status, ethnicity, religion and political stances.

Principle 6 : Confidentiality

Counsellors should strive to protect the privacy of their clients as well as other persons concerned in accordance with the existing Personal Data (Privacy) Ordinance in Hong Kong. They should take all precautions to ensure and maintain confidentiality in the course of counselling. The information disclosed by clients to their counsellors should be kept strictly confidential by counsellors, unless there are ethical or legal concerns such as in the case of a suicidal attempt. Counsellors should let their clients know the limitations to confidentiality rising from within the counselling process.

(4) Professional Practice

4.1 Mode of Service

Conventionally, counsellors conduct on-site face-to-face interviews with their clients, either individually or as a group, throughout the counselling process. This is still the most widely adopted and preferred mode.

Over the past decades, with the development of information and communications technology, technology-assisted distance counselling services such as telephone and online counselling have been developed and used.

In particular, the Covid-19 pandemic has restricted the services rendered by counsellors. Counsellors may work from home; clients may not be able to attend schools. Counsellors have increasingly used online or a mixed mode of counselling in providing service to their clients, so as to protect themselves as well as their clients from the risk of being infected.

It is understandable and acceptable for counsellors to provide telephone and online counselling services to their clients, especially in crisis situation or under circumstance in which face-to-face interviews are not feasible or advisable. Nevertheless, no matter which mode of counselling service is used, the counsellor should duly observe the basic requirements as stated in the Code.

4.1.1 Individual Counselling

As the basic mode of providing counselling service, individual counselling is conducted by a counsellor with a client, through face-to-face interviews and activities, inside an interviewing room or enclosed area to ensure privacy and confidentiality.

This mode could facilitate the counsellor to pick up non-verbal cues, to show empathy and reassurance, as well as to build up trustful working relationship with the client.

4.1.2 Group Counselling

Group counselling is another common mode used by counsellors, as a means for helping their clients to make changes in their attitude towards themselves and others, as well as their feelings and behaviours. Counsellors conduct conjoint interviews with two or more of their clients, in which group dynamics among them could be identified

and intervened. The clients involved are normally in close relationship such as a couple, or have common problems such as stress and loss.

Group counselling could be conducted to meet the needs of special populations such as children, college students and elderly persons. To the extent possible, counsellors select members whose needs and goals are compatible with the goals of the group, who will not impede the group process, and whose well-being will not be jeopardized by the group experience.

4.1.3 Telephone Counselling

Telephone or hotline counselling service has been pilot run and gradually developed by various organizations in Hong Kong since the early 1970s. Counselling is rendered over the phone in certain settings, such as territory-wide crisis centres, at certain time such as mid-night, and for certain clientele such as youth at risk.

There are unique advantages in using telephone counselling. Basically, it could facilitate persons with needs or problems to seek help and counselling, as it is more convenient, easily accessible, and free from stigma.

Yet, there are also limitations and undesirable effects in telephone counselling, especially when the client is unwilling to disclose his/her identity and/or contact means. It is not uncommon that counsellors receive fraud help-seeking and indecent calls. Difficulties in maintaining privacy and confidentiality is another familiar challenge to counsellors. Prior consent from the client has to be sought before the counselor records electronically the conversation with the client.

4.1.4 Online Counselling

Online counselling refers to the use of information and communications technology by counsellors to render professional services to their clients, in written, audio or video forms, through internet platforms and the social media. This could be a useful way for counsellors to give useful information and consultation to their clients, as well as to help them deal with less complicated psychological problems.

However, there are certain limitations on this new mode of service. Firstly, online counselling may or may not be appropriate for some clients who need more comprehensive assessment, such as new intakes and those at unstable emotional or mental state. Secondly, counsellors might not be able to make an accurate assessment through non-verbal communication, and have difficulties in providing in-depth intervention in helping clients deal with more complicated emotional or mental health problems. Lastly, counsellors might encounter difficulties in engaging and helping clients through electronic media and disembodied process in which counsellors could not have adequate control.

There are also certain potential risks in online counselling. Technical problems and system failure could occur unexpectedly at any time during the online counselling process, thus causing disruption or misunderstanding in communication. The dialogue between counsellors and clients might possibly be accessed, interrupted or misplaced by unauthorized persons. Counsellors should take precaution to ensure the access to

stable internet connection as well as normal functioning of the hardware, software, and security system being used, and have a contingency plan such as stopping and re-scheduling the session.

4.2 Counselling Process

4.2.1 Intake and Informed Consent

At the beginning of the first counselling session, counsellors should brief their clients clearly and develop a written contract with clients. Counsellors also explicitly explain to clients the nature of all services provided. Counsellors inform clients about issues such as, but not limited to, the following: the purposes, goals, techniques, procedures, limitations, potential risks and benefits of services, as well as their qualifications, credentials, and relevant experience. Counsellors take steps to ensure that clients understand the implications of diagnosis, the intended use of tests and reports, fees, and billing arrangements.

Clients should have the freedom to choose whether to enter into or remain in a counselling relationship, and need adequate information on the counselling process and their counsellors. Counsellors have an obligation to review, in writing and verbally with their clients, the rights and responsibilities of both parties. Informed consent is an ongoing part of the counselling process, and counsellors appropriately document discussion of informed consent throughout the counselling process.

When counselling minors or persons are unable or incapable to give voluntary consent to receive services, counselors should seek the consent of their guardian and include them in decision making as appropriate. Counsellors recognize the need to balance the ethical rights of clients to make choices, their capacity to give consent or assent to receive services, and parental or familial legal rights and responsibilities to protect clients and make decisions on their behalf.

Counsellors should reassure clients that the counselling process could be terminated whenever the clients feel inappropriate.

4.2.2 Assessment and Counselling Plan

Counsellors make assessment on the presenting and underlying problems of their clients. Counsellors and clients work jointly in devising counselling plans that offer reasonable promise of success and are consistent with clients' abilities and circumstances.

4.2.3 Record Keeping

Counsellors create records of their work with clients, to the extent these records are under their control with regard to dissemination, storage, maintenance, security, use, and disposal, in order to facilitate the subsequent provision of services by themselves or by other professionals, allow for replication of research; meet institutional requirements, and ensure compliance with the law particularly the Personal Data (Privacy) Ordinance in Hong Kong.

Counsellors maintain records necessary for rendering professional services and as required by law, regulations, or agency or institutional procedures. Counsellors include sufficient and timely documentation in their clients' records so as to facilitate the delivery and continuity of needed services, as well as evaluation on the appropriateness of the process used and the work done. Counsellors take reasonable steps to ensure that documentation in records accurately reflects clients' progress and services provided. If errors are made in the records, counsellors take steps to properly note the correction of such errors according to agency or institutional policies.

Counsellors maintain confidentiality in creating, storing, accessing, transferring, and disposing records under their control, whether these are written, automated, or in any other medium. If confidential information is entered into databases or systems of records available to persons whose access has not been consented to by the recipient, counselors use coding or other techniques to avoid the inclusion of personal identifiers. They obtain permission from clients or their legal representatives prior to making voice or image recording using electronic or other means.

Counsellors store records following termination of services to ensure reasonable future access, maintain records in accordance with the Personal Data (Privacy) Ordinance in Hong Kong, and dispose of client records and other sensitive materials in a manner that protects client confidentiality. They ensure that records are kept in a secure location and that only authorized persons have access to these records.

Counsellors provide reasonable access to records and copies of records when requested by competent clients in accordance with the Personal Data (Privacy) Ordinance in Hong Kong. Counsellors limit the access of clients to their records, or portions of their records, only when there is compelling evidence that such access would cause harm to the client. Counsellors document the request of clients and the rationale for withholding some or all of the record in the files of clients. In situations involving multiple clients, counsellors provide individual clients with only those parts of records that are directly related to them and do not include confidential information related to any other client.

Counsellors make plans in advance to facilitate the appropriate transfer of records. Unless exceptions to confidentiality exist, the counsellor obtains written permission from clients to disclose or transfer records to legitimate third parties. Steps are taken to ensure that receivers of these records are sensitive to their confidential nature.

Counsellors take reasonable precautions to protect confidentiality of their clients in the event of their termination of practice, incapacity, or death.

4.2.4 Review and Evaluation

Counsellors and clients regularly review the counselling plan and process to assess their continued viability and effectiveness, respecting the freedom of choice of clients. Counsellors periodically review the progress of their clients, as well as the extent to which their counselling plans have been implemented and the outcome, making appropriate modification as and when necessary.

4.2.5 Continuation, Transferral, Referral or Termination

Based on the result of the review and evaluation, counsellors assist in making appropriate arrangements for the continuation of treatment, when necessary, during interruptions such as vacations, illness, and following termination.

When counsellors transfer or refer their clients to other practitioners, they ensure that appropriate clinical and administrative processes are completed, and that open communication is maintained with both the clients and the practitioners.

In case a counsellor finds it unable to be of professional assistance to his/her client, he/she should avoid entering or continuing the counselling relationship. The counsellor is supposedly knowledgeable about culturally and clinically appropriate referral resources and could suggest these alternatives to the client. If the client declines the suggested referrals, the counsellor should discontinue the counselling relationship.

A counsellor terminates a counselling relationship with his/her client when it becomes reasonably apparent that the client no longer needs the counselling service, is not likely to benefit from, or is being harmed by continued service. The counsellor may terminate the counselling relationship when in jeopardy of harm by the client or another person with whom the client has a relationship, or when the client do not pay fees as agreed upon. The counsellor provides pre-termination counselling and recommends other service providers wherever appropriate.

4.3. Counselling Relationship

4.3.1 Roles of Counsellors

When appropriate, counsellors advocate at individual, group, institutional, and societal levels to examine potential barriers and obstacles that inhibit access and/or the growth and development of clients. Counsellors should obtain clients' consent prior to engaging in advocacy on behalf of clients to improve the provision of services and to work toward removal of systemic barriers or obstacles that inhibit clients' growth and development.

When a counsellor changes his/her role from that of the original or most recent one according to the contract made with his/her client, he or she should obtain informed consent from the client and explain the right of the client to terminate services related to that change. Examples of role changes include changing from a counsellor to a researcher role (i.e. enlisting clients as research participants), or vice versa; changing from a counsellor to a mediator role, or vice versa. Clients must be fully informed of any anticipated consequences, such as financial, legal, personal, or therapeutic implications of the role changes.

4.3.2 Multiple Relationships

Multiple relationships refer to situations in which a counsellor is in a counselling role with his/her client, and at the same time is in another role with the client or another person closely associated with the client. The counsellor should refrain from entering into a multiple

relationship if it is envisaged that such relationship would cause undesirable influences to the client, or impair the counsellor's objectivity, competence or effectiveness.

4.3.3 Multiple Clients

When a counsellor agrees to provide counselling services to two or more persons in a relationship (couples, employer and employee, etc.), the counsellor clarifies at the outset which person or persons are clients and the nature of the relationships the counsellor will have with each involved person. If it becomes apparent that the counsellor may be called upon to perform potentially conflicting roles, the counsellor should clarify, adjust, or withdraw from these roles appropriately.

4.3.4 Interests of Clients

Counsellors encourage client growth and development in ways that foster the interest and welfare of clients and promote formation of healthy relationships. The primary responsibility of counselors is to respect the dignity and to promote the welfare of clients.

4.3.5 Self-determination

Counsellors should be aware of their own values, attitudes, beliefs and behaviors, and avoid imposing values that are harmful to the client, former client, or to an individual significantly involved with the client or former client. Where unintentional harm occurs, the counselor must show evidence of an attempt to remedy such harm.

4.3.6 Confidentiality and Privacy

Counsellors take every measure to ensure and maintain confidentiality during or after the counselling process. Counsellors discuss confidential information only in settings in which they could reasonably ensure privacy of their clients. Counsellors take precautions to ensure the confidentiality of information stored and/or transmitted through the use of tele-communication technology.

At initiation and throughout the counseling process, counsellors inform clients of the limitations of confidentiality and seek to identify foreseeable situations in which confidentiality must be breached. The information disclosed by the client to the counsellor should be kept confidential, unless there are ethical or legal concerns such as suicidal attempt, domestic violence and committing a crime. In exceptional circumstance where there is sufficient evidence to raise serious concern about the safety or interests of their clients, or about others who may be threatened by the clients' behaviour, counsellors may take such steps as are judged necessary to inform appropriate third parties even without the prior consent of the clients.

Counsellors respect clients' right to privacy. Counselors solicit private information from clients only when it is beneficial in the counseling process. The privacy of the clients' personal information should also be ensured in accordance with the existing Personal Data (Privacy) Ordinance in Hong Kong. Unless prior consent from both parties has been sought, no audio/visual recording or photographs could be taken by the counsellor or the client throughout the entire counselling process.

Counsellors obtain informed consent from clients for recording, video-recording, permitting third party observation of the counselling activities, reviewing session

transcripts, or viewing recordings of sessions with supervisors, faculty members, peers, or other interested parties within the training environment.

4.3.7 Limitations and Boundaries

Counsellors should not engage in any action that violates or diminishes the civil or legal rights of their clients. They should not exploit the relationship with their clients for personal advantage. They should avoid a relationship or commitment that is in conflict with their clients' interests. Under no circumstances counsellors could engage in sexual activities with their clients.

4.4. Collaboration with Others

Counsellors are willing to collaborate with other professionals, within their own agencies or from other organizations, in order to serve their clients better or more effectively, as and when appropriate.

4.4.1 Collaboration with Colleagues

Counsellors work to develop and strengthen interdisciplinary relations with colleagues from other disciplines to best serve clients. Counsellors are respectful of other approaches to counselling services that differ from their own. Counsellors are respectful of traditions and practices of other professional groups with which they work.

When counsellors learn that their clients are in a professional relationship with another counsellor, they should obtain consent from clients in requesting for information.

4.4.2 Collaboration with Other Professionals

Counsellors recognize that the quality of their interactions with colleagues could influence the quality of services provided to their clients. They work to become knowledgeable about colleagues within and outside the field of counselling. Counsellors develop positive working relationships and systems of communication with colleagues to enhance services to clients.

4.4.3 Inter-disciplinary Teamwork

Counsellors, who are members of inter-disciplinary teams delivering multifaceted services to clients, keep a focus on how to best serve their clients. They participate in and contribute to decisions that affect the well-being of clients by drawing on the perspectives, values, and experiences of the counseling profession and those of colleagues from other disciplines.

4.4.4 Supportive Network and Resources

Counsellors recognize that support networks hold various meanings in the lives of clients and consider enlisting the support, understanding, and involvement of others, such as family members, as positive resources, when appropriate and with consent from their clients.

(5) Professional Competence and Development

5.1 Professional Standards

Counsellors behave in a legal, ethical, and moral manner in the conduct of their professional work. They are aware that client protection and trust in the profession depend on a high level of professional conduct. They hold other counsellors to the same standards and are willing to take appropriate action to ensure that these standards are upheld.

5.2 Professional Competence

Counsellors endeavor to maintain and develop their professional competence, based on their professional ethics, knowledge, skills and resources about counselling. Counsellors recognize and work within the limits of their own professional competence, as well as to identify and ameliorate conditions which restrict it. They provide services, supervise or teach in areas only within the boundaries of their competence, based on their training, supervised practice, consultation, study, or professional experience.

5.3 Supervision and Training

Whether being employed or engaged in private and independent practice, counsellors recognize the need to assure competent services and meet professional standards, as well as to seek personal and professional growth through supervision, consultation, training activities, and continuing education.

Counselling supervisors and trainers take all reasonable steps to ensure that those working under their direct supervision or guidance comply with the Code and meet professional standards.

5.4 Continuing Professional Development

Counsellors undertake ongoing efforts to develop and maintain their professional competence. Continuing Professional Development (hereinafter referred as CPD) is important for them to keep abreast of advanced knowledge and skills, as well as in developing their professional competence and quality of service.

Recognized modes of CPD activities include education, training and practice, as well as visit, publication, and community service. Different types of CPD activities carry specified CPD points under the HKPCA scheme of CPD requirement of professional members.

(6) Conflict of Interest

Counsellors avoid or refrain from taking up a counsellor role when personal, professional or other interests could be envisaged to impair their own objectivity, competence or effectiveness in performing that role, or expose the service recipients to harm or exploitation.

6.1 Fee-charging and Billing Practice

Counsellors reach an agreement with clients on the fee charges and payment arrangement before entering into a professional relationship with their clients. Counsellors should refuse a private fee or other remuneration for rendering services to persons who are entitled to such services through the counsellors' employing agency or institution. If the policy of a particular agency makes explicit provisions for agency clients to receive counselling services from members of its staff in private practice, the clients must be informed of other options open to them should they seek private counselling services from staff members in that agency.

6.2 Bartering

Barter refers to the acceptance of goods, services, or other nonmonetary remuneration by counsellors from their clients in return for counselling services. Counsellors may barter only if that counselling relationship is not exploitative or harmful and does not place the counsellor at an unfair advantage, and if the client requests it, and if such arrangement is an accepted practice among professionals in the community. Counsellors consider the cultural implications of bartering and discuss relevant concerns with clients and document such agreements in a clear, written contract.

6.3 Receiving Gift

Counsellors understand the challenges of receiving gifts from clients and recognize that in some cultures, small gifts are a token of respect and gratitude. When determining whether or not to accept a gift from his/her clients, the counsellor take into consideration the therapeutic relationship, the monetary value of the gift, the client's motivation for offering the gift, and his/her own motivation in accepting or declining that gift, as well as relevant policies of the employing agency/institution.

(7) Handling Ethical Issues

Counsellors incorporate ethical practice into their daily professional work. They are expected to understand and adhere to the Code. Lack of knowledge or misunderstanding of an ethical responsibility is not a defense against a charge of unethical conduct. When uncertain as to whether a particular situation or course of action may be in violation of the Code, counselors should consult colleagues, other counsellors, or appropriate authorities who are knowledgeable about the Code.

7.1 Professional Integrity

Counsellors should not claim or imply professional qualifications and status that exceed those they possess, and be responsible of correcting any misrepresentations by others. They only use approaches or techniques for which they are qualified by training and experience.

7.2 Conflict between Ethics and Legal or Organizational Demand

Counsellors strive to resolve ethical dilemmas with direct and open communication among all parties involved and seek advice from their colleagues and supervisors as and when necessary.

If ethical responsibilities conflict with the law, regulations, or other governing legal authority, counsellors should clarify the nature of the conflict, make known their commitment to the Code, and take reasonable steps such as seeking legal advice to resolve the conflict in congruence with the Code.

Similarly, if the demands of an organization with which they are affiliated, or for whom they are working, are in conflict with the Code, counselors should take the same steps as stated above.

7.3 Reporting Ethical Violation

When counselors have knowledge that raises doubts as to whether another counsellor is acting in an unethical manner, they take appropriate action. When they have reason to believe that the other counselor is violating or has violated an ethical standard, they should attempt first to resolve the issue informally with the other counsellor if feasible, provided such action does not violate confidentiality rights that may have been involved.

If an apparent violation has substantially harmed or is likely to harm a person or organization substantially, and it is not appropriate for informal resolution or is not resolved properly, counsellors take further action appropriate for the situation.

Counsellors do not initiate, participate in, or encourage the filing of unwarranted ethical complaints that are made with reckless disregard or willful ignorance of facts that would disprove the allegation.

7.4 Dealing with Ethical Complaint

HKPCA has developed and enforced a formal mechanism and guidelines for handling ethical complaints against its professional members since 2018. Its Membership and Professional Standards Committee has been empowered by its Council to investigate and handle these complaints.

The procedures in handling the complaints involve intake, initial investigation, pre-hearing, hearing, and appeal. Counsellors related to the complaints of unethical conduct are obliged to cooperate in the filing, investigation, proceedings, and resulting decision of HKPCA. Failure to cooperate is itself an ethical violation. However, making a request for deferment of adjudication of an ethical complaint pending the outcome of litigation does not alone constitute non-cooperation.

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