



**COLLEGE OF PSYCHOLOGISTS OF
BRITISH COLUMBIA**

CODE OF CONDUCT

*Schedule F of the College of Psychologists of B.C. Bylaws
Approved by Order-In-Council #156*

COLLEGE OF PSYCHOLOGISTS OF BRITISH COLUMBIA

CODE OF CONDUCT

TABLE OF CONTENTS

INTRODUCTION AND ACKNOWLEDGMENTS 7

1.0 DEFINITIONS/INTERPRETATION 8

1.1 Definitions 8

1.2 Meaning of “client” 8

1.3 Meaning of “sexual harassment” 9

1.4 Interpretation aids 9

1.5 Conflict between standards 9

1.6 Conflict between Code and law 9

1.7 Inconsistency between provisions of the Code 9

1.8 Use of headings 9

2.0 APPLICATION 9

2.1 Scope 9

2.2 Applicants for registration 9

2.3 Obligation to comply 9

2.4 Non-compliance 9

3.0 GENERAL STANDARDS FOR COMPETENCY 10

3.1 Responsibility 10

3.2 Incompetence 10

3.3 Limits on practice 10

3.4 Referral 10

3.5 Maintaining competency 10

3.6 Professional knowledge 10

3.7 Regulatory knowledge 10

3.8 Empirical foundation of interventions 10

3.9 Empirical foundation of assessment 10

3.10 Qualifications for tests and procedures 10

3.11 Objectivity of opinions and interventions 11

3.12 Accuracy 11

3.13 Opinion based on proper information 11

3.14 Making professional judgements 11

3.15 Basis for opinion 11

3.16 Exception to 3.15 11

3.17 Limitations on opinions 11

3.18 Presentation of perspectives 11

3.19 Clear and understandable 11

3.20 New competencies 11

3.21 Where no standards for training 11

3.22 Identifying special situations 11

3.23 Training for special situations 12

3.24 Special assessments/interventions 12

3.25 Demonstration of knowledge 12

3.26 Issue beyond competence 12

4.0	INFORMED CONSENT	12
A.	Generally	12
4.1	No services without informed consent	12
4.2	Elements of informed consent	12
4.3	Lack of capacity to give informed consent	12
4.4	Structuring the relationship	12
4.5	Supervised services	12
4.6	Innovative services	13
4.7	Avoiding misunderstandings	13
4.8	Use of understandable language	13
4.9	Information about process	13
4.10	Observing and recording	13
B.	Research participation	13
4.11	Informed consent for research	13
4.12	Research with subordinates	13
4.13	Required research participation	13
4.14	Respect for research participants	13
4.15	Research filming/recording	13
4.16	Dispensing with informed	14
5.0	RELATIONSHIPS	14
A.	With Clients	14
5.1	Obligation	14
5.2	Providing explanation of procedures	14
5.3	Disclosure of assessment results	14
5.4	No special benefits	14
5.5	No abuse of information/power	14
5.6	No use of information for own benefit	14
5.7	No attempt to influence contribution	14
5.8	No attempt to induce to solicit business	14
5.9	No misuse of influence	14
5.10	Gifts	15
5.11	No stereotyping	15
5.12	Referrals on request	15
5.13	Multiple clients	15
5.14	Identification of conflict	15
5.15	Third-party requests for services	15
5.16	Third-party conflicts	15
5.17	Prohibited dual relationships	15
5.18	Prohibited conduct	15
5.19	Extension of 5.18 prohibition	16
5.20	Prohibited relationship	16
5.21	Impaired capacity	16
5.22	Termination due to incapacity	16
5.23	No abandonment	16
5.24	Continuity of care when absent	16
5.25	Continuity of care when employment ends	16
5.26	Assistance on termination of services	16
5.27	When services to be terminated	16
B.	At work	16
5.28	Appropriate training/supervision	16
5.29	Supervision to ensure standards	16
5.30	Delegation	17

5.31	Impact of institutions	16
5.32	No exploitation or discrimination	16
5.33	Avoiding harm	17
5.34	No sexual relationships	17
5.35	No sexual harassment	17
5.36	Treatment of complaints	17
5.37	Harassment	17
5.38	Respecting others	17
5.39	Research subjects	17
6.0	CONFIDENTIALITY	17
6.1	Limits of confidentiality	17
6.2	No disclosure without consent	17
6.3	Multiple clients	18
6.4	Interested third party	18
6.5	Limited access	18
6.6	Disguising confidential information	18
6.7	Disclosure where risk of harm	18
6.8	Limits on 6.7	18
6.9	Clients without legal capacity	18
6.10	Exception to 6.9	18
6.11	Court order	18
6.12	Client access	19
6.13	Sharing with professionals	19
6.14	Writings and lectures	19
6.15	Disguised information	19
6.16	Ongoing confidentiality	19
6.17	Provision of records to College	19
7.0	PROFESSIONALISM	19
7.1	Responsive to regulation/discipline	19
7.2	Proceedings of College	19
7.3	Response to College requests	19
7.4	Inappropriate communications	20
7.5	Compliance with undertaking	20
7.6	Compliance with limitation/condition	20
7.7	Unprofessional behaviour	20
7.8	Professional cooperation	20
7.9	Recognition of personal problems	20
7.10	Seeking assistance	20
7.11	Impact of personal problems	20
7.12	Information to clients	20
7.13	Overlapping services with others	20
7.14	Exception to 7.13	20
7.15	Cooperation with others	20
7.16	Determination before offering overlapping services	21
7.17	Minimizing conflict	21
7.18	Report of Code violations	21
7.19	Context of Code violations	21
7.20	Improper complaints	21
7.21	Reporting required by law	21

7.22	Conflicts between ethics	21
7.23	Professional documentation	21
7.24	Quality assurance	21
8.0	PROVISION OF SERVICES	22
8.1	Context of professional relationship	22
8.2	Services appropriate to needs	22
8.3	Fulfilment of agreements	22
8.4	Variation of services	22
8.5	Provision of partnership services	22
8.6	Sufficient personnel	22
8.7	Accountability for supervisees	22
8.8	Obligation to advise of responsibility	22
8.9	Provision of services in sponsoring agency	22
9.0	REPRESENTATION OF SERVICES AND CREDENTIALS	22
9.1	Identification as registrant	22
9.2	Representation of credentials	22
9.3	No specialty designation	23
9.4	Misrepresentation of affiliation	23
9.5	Correction of misrepresentation	23
9.6	Representation of others as registrant	23
9.7	Requirements for credential presentation	23
10.0	ADVERTISING AND OTHER PUBLIC STATEMENTS	24
10.1	Misleading information	24
10.2	Misrepresentation of affiliations	24
10.3	Restrictions on naming associations	24
10.4	Use of name	24
10.5	Solicitation	24
10.6	Registration number	24
10.7	Public statements	24
10.8	No solicitation of testimonials	24
10.9	No misrepresentation of expertise	24
10.10	Exception to 10.9	25
10.11	No misrepresentation of registration	25
10.12	No inducement for news publicity	25
10.13	Indication of paid advertisement	25
10.14	Fair and accurate presentation	25
10.15	Media presentations	25
10.16	No false or deceptive statements	25
10.17	Professional judgement in media	25
11.0	ASSESSMENT PROCEDURES	26
11.1	Responsibility for assessments	26
11.2	Gathering information	26
11.3	Scope of assessment	26
11.4	Test construction	26
11.5	Multiple demands	26
11.6	Assessment requirements	26
11.7	Confidential	26
11.8	Communicating results	26

11.9	Interpreting results	26
11.10	Significant reservations in interpretations	26
11.11	Limitations in assessments	27
11.12	Unqualified persons	27
11.13	Test security	27
11.14	Generally accepted utility	27
11.15	Maintenance of integrity of tests	27
11.16	Assessment/interpretation services for other professionals	27
11.17	Assessment/scoring procedures for other professionals	27
11.18	Selection of services	27
11.19	Responsibility for use	27
11.20	Reliance on computer reports	27
11.21	Acknowledgment of sources	28
11.22	Obligation to provide explanation	28
11.23	Explaining assessment results	28
11.24	Provision of raw test data	28
11.25	Obsolete/outdated results/tests	28
11.26	Direct examination of individual	28
11.27	Exception to 11.26	28
11.28	Avoiding conflicting roles	28
11.29	Clarification of roles in legal proceedings	28
11.30	When to be clarified	28
11.31	Impartiality	29
11.32	Truthfulness and candor	29
11.33	Prior relationships	29
11.34	Use of parallel procedures	29
11.35	Exception to 11.34	29
11.36	Assessment methods	29
11.37	Recommendations	29
11.38	Repeat assessment	29
11.39	Explanation for repeat	29
11.40	Review of other's report	30
12.0	FEES	30
12.1	General obligation	30
12.2	No misleading	30
12.3	Early clarification	30
12.4	Fees based on	30
12.5	Inappropriate basis for fees	30
12.6	Credit cards	30
12.7	Interest on overdue accounts	30
12.8	Discretion on interest	30
12.9	Prepayment for services	30
12.10	Retainer in trust	30
12.11	Withholding records	31
12.12	Exception to 12.11	31
12.13	No payment for referral	31
12.14	Reasonableness	31
12.15	Accurate fee reports	31

13.0	MAINTENANCE OF RECORDS	31
13.1	Length of record retention	31
13.2	Legal requirements	31
13.3	Minors' records	31
13.4	Discretion to keep longer	31
13.5	Records of equipment maintenance	31
13.6	Content of records	32
13.7	Complete records	32
13.8	Supervisory records	32
13.9	Content of supervisory records	32
13.10	Record of fees	32
14.0	SECURITY OF AND ACCESS TO RECORD	32
14.1	Security of records	32
14.2	Electronic /optical storage security	32
14.3	Handling confidential records	33
14.4	Contingency planning	33
14.5	Transfer on retirement	33
14.6	Common filing system	33
14.7	Limits on common filing	33
14.8	Coding of database information	33
14.9	Research protocol	33
14.10	Exception to 14.9	33
14.11	Ownership of records	33
15.0	TEACHING	34
15.1	Design of education programs	34
15.2	Description of programs	34
15.3	Accurate descriptions	34
15.4	Accurate advertising	34
15.5	Accuracy in training	34
15.6	Training limitations	34
15.7	Assessing performance	34
15.8	Actual performance	34
16.0	RESEARCH	34
16.1	Recognized standards	34
16.2	Avoiding misleading results	34
16.3	Ethical considerations	34
16.4	Resolution of ethical issues	35
16.5	Ethical conduct of research	35
16.6	Protections of animal/human welfare	35
16.7	Offering research inducements	35
16.8	Unacceptable inducements	35
16.9	Competent research	35
16.10	Required consultations	35
16.11	Compliance with law	35
16.12	Institutional approval	35
16.13	Research in accord with protocol	35
16.14	Research agreements	35
16.15	Information to participants	35
16.16	Exception to 16.15	36

16.17	When deception acceptable	36
16.18	No deception allowed	36
16.19	Early explanation of deception	36
16.20	Appropriate interference	36
16.21	Honoring commitments	36
16.22	No false reporting	36
16.23	Errors in reporting	36
16.24	Professional reviews	36
16.25	Care of animals	36
16.26	Required training for animals	36
16.27	Minimize discomfort of animals	36
16.28	Exception to 16.27	37
16.29	Use of surgical procedures	37
16.30	Humane termination	37
16.31	Training for supervisees	37
17.0	PUBLISHING	37
17.1	Plagiarism	37
17.2	Publication credit	37
17.3	Contribution credit	37
17.4	Inappropriate basis for credit	37
17.5	Minor contributions	37
17.6	Student credit	37
17.7	Duplicate publication	37
17.8	Sharing data with others	38
17.9	Limitations on 17.8	38
18.0	COMPLIANCE WITH LAW	38
18.1	Legal compliance	38
18.2	No defence	38
18.3	Criminal offence	38
18.4	Fraud/misrepresentation/deception	38
18.5	Unauthorized assistance	38
18.6	Conflicts with legal system	38

INTRODUCTION AND ACKNOWLEDGMENTS

This Code sets out behavioural norms and standards against which the professional conduct of registrants of the College will be evaluated.

The College of Psychologists of British Columbia would like to acknowledge and thank the following organizations for granting permission to integrate and/or excerpt material from their publications into this Code.

- American Psychological Association
- Association of State and Provincial Psychology Boards
- College of Alberta Psychologists
- College of Psychologists of Ontario

1.0 DEFINITIONS/INTERPRETATION

1.1 Definitions

In this Code , unless the context indicates otherwise,

“Bylaws” means the Bylaws of the College;

“College” means the College of Psychologists of British Columbia;

“confidential information” means information revealed by a client or otherwise obtained by a registrant, where there is reasonable expectation that because of

- (a) the relationship between the client and the registrant, or
 - (b) the circumstances under which the information was revealed or obtained,
- the information must not be disclosed by a registrant without the informed written consent of the client;

“practice of psychology” includes

- (a) the provision, to individuals, groups, organizations or the public, of any service involving the application of principles, methods and procedures of understanding, predicting and influencing behaviour, including the principles of learning, perception, motivation, thinking, emotion and interpersonal relationships,
- (b) the application of methods and procedures of interviewing, counselling, psychotherapy, behaviour therapy, behaviour modification, hypnosis or research,
- (c) the construction, administration and interpretation of tests of mental abilities, aptitudes, interests, opinions, attitudes, emotions, personality characteristics, motivations and psychophysiological characteristics, and the assessment or diagnosis of behavioural, emotional and mental disorder, and
- (d) the giving of testimony as a registrant.

“professional relationship” means a mutually agreed upon relationship between a registrant and a client for the purpose of the client obtaining the registrant’s professional expertise;

“professional service” means all actions of a registrant in the context of a professional relationship with a client;

“psychological services” means a service included in the practice of psychology;

“registrant” means a person who is registered with the College under the Bylaws;

“supervisee ” means any person who performs a psychological service under the supervision of a registrant.

1.2 Meaning of “client”

In this Code, “client” means the person who is receiving psychological services. In most cases the references to “client” will mean an individual, couple, family, group or organization; however, a client may also be a corporate entity or other organization when the services are intended to primarily benefit the entity or organization rather than an individual. In the case of a minor who is not competent to give consent or a legally incompetent adult, their legal guardian is considered the client for decision making purposes except in respect of the following issues:

- (a) issues directly affecting the physical or emotional safety of the individual, such as sexual or other exploitive dual relationships, and
- (b) issues specifically reserved to the individual, and agreed to by the legal guardian before rendering psychological services, such as confidential communications in a therapy relationship.

1.3 Meaning of “sexual harassment”

In this Code, “sexual harassment” means sexual solicitation, physical advances, or verbal or nonverbal conduct that is sexual in nature, that occurs in connection with the registrant’s activities or roles as a registrant, and that

(a) is unwelcome, offensive, or creates a hostile workplace environment; or

(b) is sufficiently severe or intense to be abusive to a reasonable person in the context.

For these purposes, “sexual harassment” may consist of a single intense or severe act or of multiple persistent or pervasive acts.

1.4 Interpretation aids

Ethics codes and standards for providers promulgated by the Canadian Psychological Association, the American Psychological Association, the Association of State and Provincial Psychology Boards Code, and the practice advisories of the College may be used as an aid in resolving ambiguities which may arise in the interpretation of this Code.

1.5 Conflict between standards

Despite clause 1.4, if there is a conflict between a provision of this Code and any other professional standard, the provision of this Code prevails.

1.6 Conflict between Code and law

If there is a conflict between a provision of this Code and a requirement of law, the legal requirement prevails but the registrant must take the steps referred to in clause 18.6.

1.7 Inconsistency between provisions of the Code

Where there is a conflict or inconsistency between provisions of this Code,

(a) a provision which specifically applies to the particular circumstances of the case prevails over a provision of general application, and

(b) a provision which imposes a higher standard prevails over a provision which imposes a lower standard.

1.8 Use of headings

The headings and titles of parts and divisions of this Code are intended to assist the reader to locate information and are not intended to be used to interpret the meaning of any provision of this Code.

2.0 APPLICATION

2.1 Scope

This Code applies to all registrants providing psychological services in any context or circumstances.

2.2 Applicants for registration

An applicant for registration is expected to comply with this Code during any period of education, training and employment required for registration and failure to comply may be considered by the Registration Committee of the College as evidence of lack of fitness to practice psychology.

2.3 Obligation to comply

The Bylaws require all registrants to comply with the applicable provisions of this Code.

2.4 Non-compliance

A registrant who fails to comply with an applicable provision of this Code is guilty of professional misconduct and is subject to disciplinary action by the College.

3.0 GENERAL STANDARDS FOR COMPETENCY

3.1 Responsibility

A registrant must assume and be fully responsible for their decisions made and actions taken in the performance of psychological services.

3.2 Incompetence

Without limiting any provision of this Code, the Bylaws, or the *Health Professions Act*, a registrant is professionally incompetent if

- (a) the registrant shows a lack of knowledge, skill or judgement in the provision of psychological services to a client, or
- (b) the registrant shows disregard for the welfare of a client of such nature or extent that
 - (i) would reasonably be regarded by registrants as bringing the profession of psychology into disrepute, or
 - (ii) demonstrates that the registrant is unfit or unqualified to perform one or more of the responsibilities or core competencies of a registrant within the meaning of the Bylaws.

3.3 Limits on practice

A registrant must limit the practice of psychology and supervision of others in the practice of psychology to the areas of competence in which the registrant has gained proficiency through education, training, and experience.

3.4 Referral

A registrant must make or recommend referral to other professional, technical or administrative resources when such referral is in the best interests of the client.

3.5 Maintaining competency

A registrant must maintain competency in the areas in which the registrant practices through continuing education, consultation, or other procedures that conform with current professional standards.

3.6 Professional knowledge

A registrant must maintain current knowledge of scientific and professional developments that are directly related to the professional services the registrant renders.

3.7 Regulatory knowledge

A registrant must maintain current knowledge of all federal and provincial statutes and regulations, and other agency and professional bylaws, codes of conduct and practice advisories that relate to the performance of psychological services.

3.8 Empirical foundation of interventions

A registrant who performs interventions must

- (a) be familiar with the reliability, validity, related standardization, and outcome studies of the techniques used, and
- (b) be trained in the proper applications and uses of these techniques.

3.9 Empirical foundation of assessment

A registrant who administers, scores, interprets, or uses assessment techniques must

- (a) be familiar with the reliability, validity, related standardization, and outcome studies of the techniques used, and
- (b) be trained in the proper applications and uses of these techniques.

3.10 Qualifications for tests and procedures

A registrant must only use psychological tests and procedures the registrant is qualified to use.

- 3.11 Objectivity of opinions and interventions**
A registrant must provide professional opinions and interventions in an objective and unbiased manner.
- 3.12 Accuracy**
A registrant must ensure that their reports accurately reflect the information provided or available to them.
- 3.13 Opinion based on proper information**
A registrant must base their professional opinions on
(a) accurate representation of information provided or made available to them, and
(b) adequate and appropriate information.
- 3.14 Making professional judgements**
A registrant must rely on scientifically and professionally derived knowledge when making scientific or professional judgements or when engaging in scholarly or professional endeavors.
- 3.15 Basis for opinion**
A registrant giving a formal professional opinion about a client must do so only after direct and sufficient professional contact with or a formal assessment of that client.
- 3.16 Exception to 3.15**
If it is not possible to comply with clause 3.15 due to extraordinary circumstances such as those where there is a risk of imminent harm to self or others, a registrant must articulate the reasons for non-compliance in any report related to the opinion.
- 3.17 Limitations on opinions**
A registrant must report any limitations regarding the certainty of their opinions, including any limitations respecting diagnoses, judgements, or predictions that can be made about groups and individuals.
- 3.18 Presentation of perspectives**
When the perspectives of two or more individuals are presented in a report, a registrant must present each perspective in a clear and accurate manner.
- 3.19 Clear and understandable**
A registrant must present their professional opinions and information about clients in a form which is clear and understandable.
- 3.20 New competencies**
A registrant who is attaining competency in a service or technique that is unfamiliar or new to them or to the profession must
(a) engage in ongoing consultation with other registrants or appropriate professionals, and
(b) seek appropriate education and training in that service or technique.
- 3.21 Where no standards for training**
Where generally recognized standards for preparatory training for psychological services or techniques do not exist, a registrant must take steps to ensure their competence in those services or techniques and to protect clients, students, research participants, and others from harm.
- 3.22 Identifying special situations**
A registrant must identify situations in which particular interventions or assessment techniques or norms may not be applicable or may require adjustment in administration or interpretation because of factors such as gender, age, race, ethnicity, national origin, religion, sexual orientation, disability, language, or socioeconomic status.

3.23 Training for special situations

Where differences of age, gender, race, ethnicity, national origin, religion, sexual orientation, disability, language, or socioeconomic status significantly affect a registrant's work concerning particular individuals or groups, a registrant must obtain the training, experience, consultation, or supervision necessary to ensure the competence of their psychological services, or must make appropriate referrals.

3.24 Special assessments/interventions

A registrant who conducts specific kinds of assessments or interventions must ensure they have the necessary knowledge, training and experience to conduct assessments and interventions in that area.

3.25 Demonstration of knowledge

A registrant must be able to demonstrate that they possess current scientific knowledge and assessment and intervention skills related to the area of practice in which they are conducting assessments and interventions.

3.26 Issue beyond competence

If issues arise in a particular assessment or intervention that are outside the competence of a registrant, the registrant must refer that aspect of the assessment or intervention or the assessment or intervention in general to another qualified professional.

4.0 INFORMED CONSENT

A. Generally

4.1 No services without informed consent

A registrant must not perform psychological services without informed consent.

4.2 Elements of informed consent

Although the required elements for informed consent may vary depending upon the particular circumstances, a registrant must ensure that the following general elements are satisfied when seeking informed consent:

- (a) the client has the capacity to consent;
- (b) the client has been informed of significant information concerning the psychological services;
- (c) the client has freely and without undue influence expressed consent; and
- (d) the consent has been appropriately documented in the client records or in the registrant's practice records, as appropriate.

4.3 Lack of capacity to give informed consent

If an individual is not legally capable of giving an informed consent to a registrant, the registrant must

- (a) obtain the informed written consent from the individual's legal guardian,
- (b) provide an appropriate and understandable explanation to the individual, and
- (c) where possible obtain the individual's consent.

4.4 Structuring the relationship

A registrant must discuss with their clients as early as practicable in the professional relationship such issues as the nature and anticipated course of intervention or assessment, the fees for providing the psychological services, and the obligation of confidentiality attached to the provision of such services.

4.5 Supervised services

If supervisees or student interns will be providing the psychological services under the supervision of a registrant, the registrant must ensure that the client is informed of the supervisee's status and name of the supervisor.

4.6 Innovative services

A registrant must inform their clients of the innovative nature of any proposed psychological service or technique and of the known risks associated with the service or technique.

4.7 Avoiding misunderstandings

A registrant must make reasonable efforts to answer clients' questions and to avoid any apparent misunderstandings about the psychological services to be performed.

4.8 Use of understandable language

Whenever possible when providing information orally or in writing, a registrant must use language that is reasonably understandable to the client.

4.9 Information about process

A registrant must ensure that each participant in an assessment process is informed of the purpose, procedures and methods involved in the evaluation process.

4.10 Observing and recording

When diagnostic interviews or therapeutic sessions with a client are to be observed by a third party or recorded in any mechanical or electronic manner for audio or visual purposes, a registrant must obtain the client's informed consent.

B. Research participation

4.11 Informed consent for research

A registrant must take the following actions in order to obtain informed consent from research participants:

- (a) the registrant must inform participants of the nature of the research using language that is reasonably understandable to the participants;
- (b) the registrant must inform participants that they are free to participate or to decline to participate or to withdraw from the research;
- (c) the registrant must explain the foreseeable consequences of declining or withdrawing from the research;
- (d) the registrant must inform participants of significant factors that may be expected to influence their willingness to participate, such as risks, discomfort, adverse effects, or any limitations on confidentiality, and
- (e) the registrant must explain any other aspects about which the prospective participants inquire.

4.12 Research with subordinates

When a registrant conducts research with individuals such as students, employees or subordinates, the registrant must take special care to protect the prospective participants from any adverse consequences of declining or withdrawing from such participation.

4.13 Required research participation

When research participation is a course requirement or opportunity for extra credit, a registrant must give prospective participants the choice of equitable alternative activities.

4.14 Respect for research participants

A registrant must treat all research participants with respect.

4.15 Research filming/recording

A registrant must obtain informed consent from research participants before filming or recording them in any form, unless

- (a) the research involves simply naturalistic observations made in public places, and
- (b) it is not anticipated that the recording will be used in a manner that could result in personal identification of participants or cause harm to participants.

4.16 Dispensing with informed consent

A registrant is not required to obtain the informed consent of an individual who may be affected by or involved in research involving only anonymous questionnaires, naturalistic observations, or certain kinds of archival research but before determining that such consents are not required the registrant must consider applicable regulations, institutional review board requirements, and consult with professional colleagues as appropriate.

5.0 RELATIONSHIPS

A. With Clients

5.1 Obligation

In professional relationships, a registrant must take steps to protect or act in accordance with the client's welfare.

5.2 Providing explanation of procedures

The psychologist shall give a truthful, understandable, and appropriate account of the client's condition to the client. The psychologist shall keep the client fully informed as to the purpose and nature of any evaluation, treatment, or other procedures, and of the client's right to freedom of choice regarding services provided.

5.3 Disclosure of assessment results

To the extent advisable and not contraindicated, a registrant must within a reasonable time properly inform individuals who have undergone a psychological assessment, or their legal representatives, of the conclusions, opinions and advice generated by the assessment.

5.4 No special benefits

A registrant must not seek special benefit from relations with a client.

5.5 No abuse of information/power

A registrant must not

- (a) use information obtained during the provision of psychological services, or
- (b) use a power relationship associated with the provision of psychological services, to abuse or exploit a client or former client.

5.6 No use of information for own benefit

A registrant must not use or attempt to use information received from a client to acquire, directly or indirectly, a material advantage or other benefit.

5.7 No attempt to influence contribution

A registrant must not persuade or influence a client to make gifts or contributions to them or to institutions, organizations or charities in which they have a direct interest.

5.8 No attempt to induce to solicit business

A registrant providing psychological services to an individual must not induce that client to solicit business on the registrant's behalf.

5.9 No misuse of influence

Because a registrant's scientific and professional judgements and actions may affect the lives of others, the registrant must be alert to and guard against personal, financial, social, organizational, or political factors that might lead to misuse of their influence.

- 5.10 Gifts**
A registrant must not accept a gift of more than token value from a client.
- 5.11 No stereotyping**
A registrant must not impose on their clients any stereotypes of behaviour, values, or roles related to age, gender, religion, race, disability, nationality or sexual preference, or diagnosis which would interfere with the objective provision of psychological services to the client.
- 5.12 Referrals on request**
A registrant providing psychological services to a client must make an appropriate referral when requested to do so by the client.
- 5.13 Multiple clients**
When a registrant agrees to provide psychological services to several individuals who have a relationship, such as husband and wife or parents and children, the registrant must seek clarification at the outset of the services of the following issues:
(a) identification of the individuals who are to be considered the clients;
(b) determination of the nature of the relationships the registrant will have with each individual, including clarification of the role of the registrant; and
(c) the intended or probable uses of the services provided or the information obtained from the services provided.
- 5.14 Identification of conflict**
As soon as it becomes apparent that a registrant may be called on to perform potentially conflicting roles, such as acting as marital counsellor to husband and wife, and then acting as witness for either of them in a divorce proceeding, the registrant must clarify and adjust, or withdraw from, the potentially conflicting roles.
- 5.15 Third-party requests for services**
When a registrant agrees to provide psychological services to an individual or entity at the request of a third party, the registrant must clarify at the outset of the services the nature of the relationship with each affected party, including
(a) the role of the registrant,
(b) the probable uses of the services provided or the information obtained, and
(c) any limits to the obligation of confidentiality.
- 5.16 Third-party conflicts**
If there is a foreseeable risk that a registrant will be asked to perform conflicting roles because of the involvement of a third party, the registrant must
(a) clarify the nature and direction of their responsibilities,
(b) keep all parties appropriately informed as matters develop, and
(c) resolve the situation in accordance with this Code.
- 5.17 Prohibited dual relationships**
A registrant must not undertake or continue a professional relationship with a client when the objectivity or competency of the registrant is impaired because of the registrant's present or previous familial, social, sexual, emotional, financial, supervisory, political, administrative, or legal relationship with the client or with another relevant person associated with or related to the client.
- 5.18 Prohibited conduct**
A registrant must not
(a) engage in any verbal or physical behavior which is sexually seductive, demeaning, or harassing,
(b) engage in sexual intercourse or other physical intimacies, or
(c) enter into a potentially exploitive relationship
with a client or former client with whom the registrant has at any time within the previous 24 months provided psychological services.

5.19 Extension of 5.18 prohibition

If the client referred to in clause 5.18 is clearly vulnerable, by reason of emotional or cognitive impairment or disorder, to exploitive influence by the registrant beyond the 24 month period, the prohibition in that clause extends until such time as that vulnerability has been resolved.

5.20 Prohibited relationship

A registrant must not accept as a client an individual with whom the registrant has engaged in sexual intimacies.

5.21 Impaired capacity

A registrant must not undertake or continue a professional relationship with a client if the registrant's abilities are impaired due to medical, emotional, physiological or pharmacological conditions, or substance abuse.

5.22 Termination due to incapacity

If the circumstances described in clause 5.21 develop after a professional relationship has been initiated, a registrant must

- (a) terminate the relationship in an appropriate manner, and
- (b) notify the client in writing of the termination.

5.23 No abandonment

A registrant must not abandon their clients.

5.24 Continuity of care when absent

During foreseeable absences from their professional practice, a registrant must arrange for one or more other appropriate professionals to deal with the emergency needs of their clients, as required.

5.25 Continuity of care when employment ends

When entering into employment or contractual relationships, a registrant must make provisions, with paramount consideration for client welfare, for the transfer of responsibility for client care if the employment or contractual relationship ends.

5.26 Assistance on termination of services

When psychological services are to be terminated, a registrant must offer to help locate alternative services or assistance for the client.

5.27 When services to be terminated

A registrant must terminate psychological services when

- (a) it is reasonably clear that
 - (i) the client no longer needs the service, or
 - (ii) the client is not benefitting from the relationship, or
- (b) a potential conflict of interest or dual relationship arises.

B. At work

5.28 Appropriate training/supervision

A registrant must provide appropriate training to their employees and supervisees and must take steps to see that such persons perform psychological services responsibly, competently, and ethically.

5.29 Supervision to ensure standards

A registrant who supervises others in the provision of psychological services must ensure that the services provided meet professional standards and requirements of this Code.

- 5.30 Delegation**
A registrant may delegate to their employees, supervisees, research assistants or any other person only those responsibilities that such persons are able to perform competently on the basis of their education, training, or experience, while unsupervised or with the level of supervision being provided.
- 5.31 Impact of institutions**
If institutional policies, procedures, or practices prevent fulfillment of the obligations in clauses 5.28 to 5.30, a registrant must attempt to modify their role or to correct the situation to the extent feasible.
- 5.32 No exploitation or discrimination**
A registrant must not exploit or discriminate against an employee or supervisee, or any individual with whom they work or have a professional relationship, sexually, financially or in any other way.
- 5.33 Avoiding harm**
A registrant must take steps to avoid harming any individuals with whom they work or have a professional relationship.
- 5.34 No sexual relationships**
A registrant must not engage in sexual relationships with individuals over whom they have supervisory or evaluative influence or other authority - for example, students, supervisees, employees, research participants, and clients.
- 5.35 No sexual harassment**
A registrant must not engage in the sexual harassment of any individuals with whom they work or have a professional relationship.
- 5.36 Treatment of complaints**
A registrant must accord sexual harassment complainants and respondents with dignity and respect.
- 5.37 Harassment**
A registrant must not engage in behavior that is harassing or demeaning to individuals with whom they work or have a professional relationship where such behavior is based on factors such as the age, gender, race, ethnicity, national origin, religion, sexual orientation, disability, language, or socio-economic status of the individuals.
- 5.38 Respecting others**
In their work-related activities and professional relationships, a registrant must respect the rights of others to hold values, attitudes, and opinions that differ from their own.
- 5.39 Research subjects**
A registrant must respect the dignity and protect the welfare of research participants and must comply with all relevant laws and applicable institutional rules and guidelines and advisories issued by the College concerning treatment of research participants.

6.0 CONFIDENTIALITY

- 6.1 Limits of confidentiality**
A registrant must inform clients at the commencement of the professional relationship of the limits of confidentiality to be maintained by the registrant and any other person engaged in the provision of psychological services to them.
- 6.2 No disclosure without consent**
Except as otherwise permitted in this Code, a registrant may only disclose confidential information about a client to a third party if the client has given written consent.

6.3 Multiple clients

When psychological services are rendered to more than one client during a joint session, a registrant must at the beginning of the professional relationship

- (a) clarify for all clients the manner in which confidentiality will be handled, and
- (b) provide all clients with the opportunity to discuss and accept whatever limitations to confidentiality apply.

6.4 Interested third party

In a situation involving a third party, such as an employee assistance program or an insurance company, in which more than one party has an interest in the psychological services rendered by a registrant to a client, the registrant must, to the extent possible, before performing the services clarify the dimensions of confidentiality and professional responsibility that apply to the rendering of the services.

6.5 Limited access

A registrant must limit access to client records to preserve their confidentiality and must ensure that all persons working under their authority comply with these confidentiality requirements.

6.6 Disguising confidential information

When case reports or other confidential information are used as the basis of teaching, research, or other published reports, a registrant must exercise care to ensure that the reported information is appropriately disguised to prevent client identification.

6.7 Disclosure where risk of harm

A registrant may disclose confidential information without the informed written consent of the client if the registrant determines that disclosure is necessary to protect against a clear and substantial risk of imminent serious harm being inflicted by the client on the client or on another individual.

6.8 Limits on 6.7

Where a registrant makes a disclosure in the circumstances described in clause 6.7, the registrant must conduct themselves as follows:

- (a) the registrant must limit disclosure of the information only to those persons and to that content which would be consistent with this Code of Conduct.
- (b) if the client is an organization, the registrant must make the disclosure only after the registrant has made a reasonable and unsuccessful attempt to have the problems leading to the need for a disclosure corrected within the organization.

6.9 Clients without legal capacity

At the beginning of a professional relationship with a client who is a minor or who is under a legal disability, a registrant must inform the client of the limits that the law imposes on the client's right of confidentiality respecting communications with the registrant.

6.10 Exception to 6.9

Despite clause 6.9, if the legal guardian of a minor or person under legal disability agrees before psychological services are rendered that certain issues are not to be disclosed to the guardian, a registrant must not provide any information relating to those issues to the guardian.

6.11 Court order

Despite any other provision of this Code, a registrant must comply with a court order requiring the release of confidential information.

6.12 Client access

A registrant must provide access to and permit the reproduction and release of confidential information about a client to that client unless there is a significant likelihood that disclosure of the information would cause

- (a) a substantial adverse effect on the client's physical, mental or emotional health, or
- (b) harm to a third party.

6.13 Sharing with professionals

When rendering psychological services as part of a professional team or when interacting with other professionals concerning the welfare of a client, a registrant may share confidential information about the client if

- (a) the registrant takes steps to ensure that all persons receiving the information are informed about the confidential nature of the information in accordance with this Code of Conduct.
- (b) the registrant informs the client in advance that the client's confidential information will be shared with other members of the professional team.

6.14 Writings and lectures

A registrant must not disclose in their writings, lectures, or other public media any confidential, personally identifiable information concerning their individual clients or organizational clients, students, research participants, or other recipients of their psychological services that they obtained during the course of their work or performance of those services, unless the individual or organization has consented in writing.

6.15 Disguised information

In the scientific and professional presentations referred to in clause 6.14, a registrant must disguise confidential information concerning the individuals or organizations to prevent those individuals or organizations from being identified by others and to prevent the presentations from causing harm to those individuals or organizations who may be able to identify themselves.

6.16 Ongoing confidentiality

A registrant must continue to treat as confidential all information regarding a client after the professional relationship between the registrant and the client has ended.

6.17 Provision of records to College

A registrant is not in breach of the confidentiality obligation to their clients if the registrant provides their clinical records or other documents related to their practice to authorized persons in response to a request from the College in the course of an investigation of a complaint or a registration matter.

7.0 PROFESSIONALISM

7.1 Responsive to regulation/discipline

A registrant must cooperate with and be responsive to the regulation and discipline of the College.

7.2 Proceedings of College

A registrant must cooperate fully with the College in investigations and proceedings of the College and in any resulting requirements.

7.3 Response to College requests

A registrant must respond appropriately and promptly to all requests from the College, the registrar and College board committees for information respecting their activities.

- 7.4 Inappropriate communications**
A registrant must not communicate with or about the College or a registrant in a manner that would reasonably be regarded by registrants as rude, disparaging, disrespectful or as a discredit to the profession.
- 7.5 Compliance with undertaking**
A registrant must comply with an undertaking or consent given under section 36 (1) of the Act.
- 7.6 Compliance with limitation/condition**
A registrant must comply with a condition or limitation imposed on the registrant's registration by the College.
- 7.7 Unprofessional behaviour**
While practicing the profession of psychology, a registrant must not engage in conduct or perform an act that, having regard to all the circumstances, would be regarded by registrants as unbecoming, disgraceful, dishonourable or unprofessional.
- 7.8 Professional cooperation**
A registrant must seek to work with other professionals in a professional, cooperative manner, for the good of the client and the benefit of the general public.
- 7.9 Recognition of personal problems**
A registrant must recognize that personal problems and conflicts may interfere with their effectiveness in work-related activities and must be alert to signs of, and to obtain assistance for, personal problems at an early stage, in order to prevent significantly impaired performance.
- 7.10 Seeking assistance**
When a registrant becomes aware of personal problems that may interfere with the effective performance of their work-related duties, they must
(a) take appropriate measures, such as obtaining professional consultation or assistance, and
(b) determine whether they should limit, suspend, or terminate their work-related duties.
- 7.11 Impact of personal problems**
A registrant must refrain from undertaking a work-related activity when they know or should know that their personal problems or conflicts are likely to lead to harm to a client, colleague, student, research participant, or other person to whom they may owe a professional or scientific obligation.
- 7.12 Information to clients**
On request of a client, a registrant must provide information about the mandate, function and location of the College, and about the availability from the College of information respecting the laws, Code, and guidelines that govern the provision of psychological services.
- 7.13 Overlapping services with others**
A registrant must not provide or offer to provide psychological services to a client who is known to be or should be known to be receiving services of a related nature from another professional service provider without first notifying the other service provider.
- 7.14 Exception to 7.13**
The registrant must not notify the other service provider under clause 7.13 if the client advises the registrant that notice should not be given.
- 7.15 Cooperation with others**
In circumstances referred to in clause 7.13 and when it is indicated and professionally appropriate, a registrant must cooperate with other professional service providers in order to serve the client effectively.

- 7.16 Determination before offering overlapping services**
When deciding whether to offer or provide psychological services to a client who is already receiving services of a related nature from another professional service provider, a registrant must carefully consider the treatment issues and the potential client's welfare.
- 7.17 Minimizing conflict**
A registrant must
- (a) discuss the issues identified in clauses 7.15 and 7.16 with the client or other person who is authorized to give informed consent for the client in order to minimize the risk of confusion or conflict between services of a related nature,
 - (b) consult with the other professional service providers when appropriate, and
 - (c) proceed with caution and sensitivity to the therapeutic issues.
- 7.18 Report of Code violations**
A registrant who has reasonable and probable grounds to believe that there has been a violation of this Code by another registrant must inform the College in writing.
- 7.19 Context of Code violations**
When the grounds referred to in clause 7.18 are obtained in the context of a professional relationship, the registrant must make reasonable efforts to obtain the consent of the client to report the violation but, in any event, must report it if they believe it to be in the best interest of the client or necessary for public protection.
- 7.20 Improper complaints**
Despite clause 7.18, a registrant must not file or encourage the filing of a complaint that is frivolous or is intended to harm the responding registrant rather than to protect the general public.
- 7.21 Reporting required by law**
Nothing in this Code is intended to relieve a registrant of any obligation to make any report required by law.
- 7.22 Conflicts between ethics**
If the obligations of a registrant to an organization with which the registrant is affiliated conflict with the registrant's obligations under this Code, the registrant must
- (a) clarify the nature of the conflict,
 - (b) make known the conflicting obligation and the registrant's commitment to comply with this Code, and
 - (c) to the extent feasible, seek to resolve the conflict in a way that permits full adherence to the Code.
- 7.23 Professional documentation**
A registrant must appropriately document their professional and scientific work in order
- (a) to facilitate provision of services in the future by themselves or by other professional service providers,
 - (b) to ensure accountability, and
 - (c) to meet other legal or institutional requirements.
- 7.24 Quality assurance**
A registrant must participate fully in all mandatory aspects of the quality assurance program of the College.

8.0 PROVISION OF SERVICES

8.1 Context of professional relationship

A registrant must provide diagnostic, therapeutic, teaching, research, supervisory, consultative, or other psychological services only in the context of a defined professional or scientific relationship or role.

8.2 Services appropriate to needs

A registrant must provide psychological services which are appropriate and adequate to the client's needs and which respect the confidential nature of the professional relationship between the registrant and the client.

8.3 Fulfilment of agreements

A registrant must fulfil the terms of their agreements with a client.

8.4 Variation of services

A registrant must obtain the agreement of their clients before varying any psychological services that they have agreed to provide to them.

8.5 Provision of partnership services

Where a registrant provides their psychological services through a partnership that includes non-registrant partners, the registrant must assume responsibility for the planning, supervision and the billing practices of the psychological component of the services offered.

8.6 Sufficient personnel

A registrant must employ sufficient personnel to maintain the quality of any psychological services offered by, or under the supervision of, the registrant.

8.7 Accountability for supervisees

A registrant is responsible and accountable for the actions of any non-registrant who is providing psychological services under the registrant's supervision.

8.8 Obligation to advise of responsibility

Where a registrant supervises non-registrants in the provision of psychological services, the registrant must advise the client that the registrant has the professional responsibility and accountability for the supervised services.

8.9 Provision of services in sponsoring agency

Where a registrant offers psychological services or is directing the psychological services of others within a sponsoring institution and the registrant believes that the most appropriate service(s) to a client is not in accord with the expectations of the sponsoring institution, the supervising registrant must attempt to reconcile these differences with the administration of the institution in order to best respond to the client's needs.

9.0 REPRESENTATION OF SERVICES AND CREDENTIALS

9.1 Identification as registrant

A registrant must identify themselves to the general public as a registrant of the College of Psychologists of British Columbia at the beginning of a professional relationship.

9.2 Representation of credentials

A registrant must accurately represent and must not misrepresent their area(s) of competence, education, training, experience and professional affiliations to the College, to the general public and to their colleagues.

9.3 No specialty designation

A registrant must not hold themselves out

- (a) as having any speciality designation granted by the College, or
- (b) as having any specialty qualification based upon any areas of practice declared by the registrant for the purpose of registration, renewal of registration or otherwise with the College.

9.4 Misrepresentation of affiliation

A registrant must not misrepresent their affiliations with institutions or organizations or the consequences of such affiliations e.g. a registrant must not offer registration or fellowship in the Canadian Psychological Association, the British Columbia Psychological Association, or other associations as evidence of professional qualification.

9.5 Correction of misrepresentation

A registrant must correct any misrepresentations by others of the registrant's credentials, qualifications or affiliations.

9.6 Representation of others as registrant

A registrant must not represent or imply that an individual is a registrant if that individual is not registered with the College.

9.7 Requirements for credential presentation

A registrant must comply with the following requirements when representing themselves as a registrant, when describing their practice, or when being named in a group or multi-disciplinary practice:

- (a) The registrant's name and the registrant's title as Psychologist or Psychological Associate (or their abbreviations - R. Psych. or R. Psych. Assoc.), as the case may be, must be clearly indicated, including, if so required by the College, designating whether they are on the limited register of the College.

Examples:

John Smith, Ph.D., R. Psych.

Joe J. Jones, M.A., R. Psych. Assoc.

Frank Henry, M.A., R. Psych. Assoc. (Limited Register)

- (b) The registrant must place immediately before the professional title only the highest academic degree upon which the registrant's registration is based and where the registrant has been registered as a Psychologist on the basis of a doctoral degree, the prefix Doctor or its abbreviation Dr. may be used, but not both the degree and prefix.

Examples:

W. Johnson, Ph.D., R. Psych.

Dr. David Robson, R. Psych.

- (c) A registrant may specify other degrees or professional titles, such as MBA, P.Eng., when the area of study is relevant to the registrant's psychological practice. The area of study must also be specified unless readily apparent from the degree or title.

Examples:

W. Johnson, LL.B, PhD., R. Psych.

B. McDonald, P. Eng., M.A., Registered Psych. Associate

P. Anderson (Special Education), M.Ed., R. Psych. Assoc.

- (d) A registrant who has obtained Diplomate status with the American Board of Professional Psychology (ABPP) may indicate their status, in the manner required by ABPP, immediately after reference to their title as registrant.

Example:

Mary Simon, Ph.D., R. Psych. Diplomate in Clinical Neuropsychology., (ABPP)

- (e) A registrant may describe themselves as "Registrant of the College of Psychologists of British Columbia".

- (f) The registrant must list their titles as Psychologist and Psychological Associate, as the case may be, without a modifier which suggests a specialty. "Practice in", "Practice restricted to" or other introductions to the modification of the area of psychological service are acceptable.
- (g) Applicants for registration or registrants awaiting the awarding of a degree must not describe themselves as "candidate for degree" or "candidate for registration".

10.0 ADVERTISING AND OTHER PUBLIC STATEMENTS

10.1 Misleading information

A registrant must not include false or misleading information in public statements concerning psychological services they offer.

10.2 Misrepresentation of affiliations

In announcing or advertising the availability of psychological services or products, a registrant must not display any affiliations with an organization or individual in a manner that falsely implies the sponsorship or certification of that organization or individual.

10.3 Restrictions on naming associations

A registrant must not name their employer or professional associations, unless the psychological services are to be provided by, or under, the direct supervision and continued control of that employer or association.

10.4 Use of name

A registrant must not associate with any services or products or permit their name to be used in connection with any services or products in such a way as to misrepresent

- (a) the services or products,
- (b) the degree of their responsibility for the services or products, or
- (c) the nature of their association with the services or products.

10.5 Solicitation

A registrant must not contact or communicate with or cause or allow any person to contact or communicate with potential clients, either in person or by telephone, in an attempt to solicit business, unless the person contacted represents an organization, firm, corporate entity or community which is the potential client.

10.6 Registration number

A registrant must include their registration number from the College register on all advertisements of their practice.

10.7 Public statements

A registrant must ensure that all public statements, announcements of psychological services, advertising, and promotional activities dealing with the facilities and psychological services of the registrant or the registrant's supervisees must comply with this Code.

10.8 No solicitation of testimonials

A registrant must not solicit testimonials from clients or former clients.

10.9 No misrepresentation of expertise

A registrant must not appear in, or permit the use of their name in an advertisement that implies or could be reasonably interpreted to imply that their professional expertise is relevant to the subject matter of the advertisement.

10.10 Exception to 10.9

Clause 10.9 does not apply to scholarly reviews, to an advertisement of the registrant's own practice, or to an advertisement of a non-profit organization, provided the registrant receives no consideration for appearance or use of their name.

10.11 No misrepresentation of registration

A registrant must not permit, counsel or assist any persons who are not registrants to promote or advertise themselves as psychologists or psychological associates.

10.12 No inducement for news publicity

A registrant must not compensate or give anything of value to representatives of the press, radio, or television or other communication media in anticipation of or in return for professional publicity in a news item.

10.13 Indication of paid advertisement

A registrant must ensure that any paid advertisement be advertised as such unless it is readily apparent from the context that it is a paid advertisement.

10.14 Fair and accurate presentation

A registrant who interprets the science or the practice of psychology or psychological services to the general public must present the information fairly and accurately.

10.15 Media presentations

When a registrant provides advice or comment by means of public lectures, demonstrations, radio or television programs, prerecorded tapes, printed articles, mailed material, or other media, the registrant must take precautions to ensure that

- (a) the statements are based on appropriate psychological literature and practice,
- (b) the statements are consistent with the requirements of this Code, and
- (c) the recipients of the information are not encouraged to infer that a relationship has been established by the registrant with them personally.

10.16 No false or deceptive statements

A registrant must not make public statements that are false, deceptive, misleading, or fraudulent, because of what they state, convey, or suggest, or because of what they omit, concerning their research, practice, or other work activities or that of persons or organizations with which they are affiliated. As examples, and without limiting this standard, a registrant must not make false or deceptive statements concerning

- (a) their training, experience, or competence,
- (b) their academic degrees and credentials,
- (c) their institutional or association affiliations,
- (d) their fees,
- (e) the scientific or clinical basis for, or results or degree of success of their psychological services, and
- (f) their publications or research findings.

10.17 Professional judgement in media

When a registrant gives personal advice by means of public lectures or demonstrations, newspaper articles, radio or television programs, or similar media, the registrant

- (a) must utilize the most current relevant data,
- (b) must exercise the highest level of professional judgement, and
- (c) may refer listeners or readers to a community agency for assistance in obtaining a referral for psychological services, but may not name an individual registrant or offer their own psychological services through the media.

11.0 ASSESSMENT PROCEDURES

11.1 Responsibility for assessments

A registrant is solely responsible and accountable for the assessment process and for the information contained in the assessment report.

11.2 Gathering information

Registrants must gather assessment information in a fair and balanced manner.

11.3 Scope of assessment

As the scope of an assessment process is determined by the nature of the referral question or issue, a registrant must clarify any ambiguity related to the purpose of the assessment and ensure that the purpose of the assessment is specifically stated in the assessment report.

11.4 Test construction

A registrant who develops and conducts research with tests and other assessment techniques must use scientific procedures and current professional knowledge for test design, standardization, validation, reduction or elimination of bias, and recommendations for their use.

11.5 Multiple demands

A registrant must recognize that the responsible use of psychological tests makes multiple demands upon them as professionals, including, but not limited to,

- (a) obtaining specific training, supervision, and experience required for the proper administration, scoring, and interpretation of psychological tests,
- (b) conducting all testing as part of a comprehensive assessment strategy that encompasses the effective communication of results to various stakeholders in the assessment,
- (c) taking personal and collegial responsibility for the ethical maintenance of test materials, protocols, reports, and procedures in their own work and, to the extent appropriate to the setting, for the work of colleagues in agency or institutional environments, and
- (d) promoting responsible practices in all individuals being supervised in testing and assessment practices.

11.6 Assessment requirements

A registrant's assessments, recommendations, and reports must be based on information and techniques sufficient to provide appropriate substantiation for their findings.

11.7 Confidential

A registrant must treat all assessment results or interpretations regarding individuals as confidential information.

11.8 Communicating results

When communicating the results of an assessment to a client or to the legal guardian or other agent of a client, a registrant must use adequate interpretive aids or explanations and language that is reasonably understandable.

11.9 Interpreting results

When interpreting assessment results, including automated interpretations, a registrant must take into account the various test factors and characteristics of the individual being assessed which may affect the registrant's judgements or reduce the accuracy of their interpretations.

11.10 Significant reservations in interpretations

A registrant must indicate any significant reservations they have about the accuracy or limitations of their interpretations in any assessment report.

11.11 Limitations in assessments

A registrant must include in their report of the results of a formal assessment procedure for which norms are available, any limitations of the assessment norms for the individual assessed and any relevant reservations or qualifications which affect the validity, reliability, or other interpretation of results.

11.12 Unqualified persons

A registrant must not promote the use of psychological assessment techniques by unqualified persons.

11.13 Test security

A registrant must not reproduce or describe in popular publications, lectures, or public presentations psychological tests or other assessment devices in ways that might invalidate them.

11.14 Generally accepted utility

A registrant must not claim the utility of a test, device or procedure other than that which can be supported by the professional literature.

11.15 Maintenance of integrity of tests

A registrant must make reasonable efforts to maintain the integrity and security of tests and other assessment techniques consistent with law, contractual obligations, and in a manner that permits compliance with the requirements of this Code.

11.16 Assessment/interpretation services for other professionals

A registrant offering an assessment procedure or automated interpretation service to other professionals must

- (a) accompany this offering with a manual or other printed materials which fully describes the development of the assessment procedure or service, the rationale, the evidence of validity and reliability, and the characteristics of the normative population,
- (b) explicitly state the purpose and application for which the procedure is recommended and identify special qualifications required to administer and interpret it properly, and
- (c) ensure that any advertisements for the assessment procedure or interpretive service are factual and descriptive.

11.17 Assessment/scoring procedures for other professionals

A registrant who offers assessment or scoring procedures to other professionals must accurately describe the purpose, norms, validity, reliability, and applications of the procedures and any special qualifications applicable to their use.

11.18 Selection of services

A registrant must select scoring and interpretation services, including automated services, on the basis of evidence of the validity of the program and procedures as well as on other appropriate considerations.

11.19 Responsibility for use

A registrant is responsible for the appropriate application, interpretation, and use of assessment instruments, whether they score and interpret such tests themselves or use automated or other services.

11.20 Reliance on computer reports

A registrant must never substitute computer generated assessment reports or statements for their own professional opinion, assessment or report.

11.21 Acknowledgment of sources

A registrant who uses computer-generated interpretive statements in preparing psychological evaluations must

- (a) acknowledge the sources of such statements in a written citation that is formally included in the client report, and
- (b) formally quote, using an appropriate format, any material taken verbatim from computer-generated interpretations.

11.22 Obligation to provide explanation

A registrant must ensure that appropriate explanations of results are given to a client regardless of whether the scoring and interpretation is done by the registrant, by supervisees, or by automated or other outside services.

11.23 Explaining assessment results

In certain circumstances, where the nature of the relationship is clearly explained to the person being assessed in advance and precludes provision of an explanation of results this may not be applicable.

11.24 Provision of raw test data

A registrant must provide, within a reasonable time, the original or raw results or data of a psychological assessment to a registrant or to a provider of psychological services in another jurisdiction when requested to do so by a client or the legal guardian or agent of a client.

11.25 Obsolete/outdated results/tests

A registrant must not base their assessment or intervention decisions or recommendations on

- (a) data or test results that are outdated for the current purpose, or
- (b) tests and measures that are obsolete and not applicable to the current purpose.

11.26 Direct examination of individual

A registrant must not provide a report or give testimony respecting the psychological characteristics of an individual unless the registrant has first conducted a direct, in-person examination of the individual which is adequate to support the registrant's statements or conclusions.

11.27 Exception to 11.26

When, despite reasonable efforts, the examination required in clause 11.26 is not feasible, a registrant must clarify the impact of their limited information on the reliability and validity of their reports and testimony, and must limit appropriately the nature and extent of their conclusions or recommendations.

11.28 Avoiding conflicting roles

A registrant must avoid performing multiple and potentially conflicting roles.

11.29 Clarification of roles in legal proceedings

In circumstances where a registrant may be called upon to serve in more than one role in a legal proceeding, for example, first as a consultant or expert for one party or for the court and second as a fact witness, the registrant must clarify to the extent possible any role expectations and the extent of the registrant's obligation of confidentiality in order to avoid compromising the registrant's professional judgement and objectivity and in order to avoid misleading others regarding the registrant's role.

11.30 When to be clarified

Role clarification under clause 11.29 must be given in advance of performing psychological services, to the extent that this is feasible, and at any subsequent time when changes are anticipated in the expected role to be performed.

11.31 Impartiality

In the conduct of assessments which may effect the rights of the individual being assessed, a registrant must

- (a) be impartial and unbiased,
- (b) attempt to remain independent in order to make objective recommendations,
- (c) not act as an advocate for any party, and
- (d) be aware of any personal or societal biases that may effect the objectivity of the service provided and the recommendations made in a report.

11.32 Truthfulness and candor

In testimony and reports, a registrant must

- (a) testify truthfully and candidly,
- (b) consistent with applicable legal procedures, describe fairly the basis for their testimony and conclusions, and
- (c) acknowledge any limits of their data or conclusions when that acknowledgment is necessary to avoid being misleading to those individuals reading their reports or hearing their testimony.

11.33 Prior relationships

A prior professional relationship with a party does not preclude a registrant from testifying as a fact witness or from testifying to their psychological services to the extent permitted by applicable law but a registrant must

- (a) appropriately take into account ways in which that prior relationship might affect their professional objectivity or opinions, and
- (b) disclose the potential conflict to the relevant parties.

11.34 Use of parallel procedures

When more than one individual is being assessed on the same set of criteria, a registrant must use parallel procedures.

11.35 Exception to 11.34

If it is not possible to use parallel procedures under clause 11.34, a registrant must provide a rationale for not following this requirement and must include the rationale in the written report.

11.36 Assessment methods

A registrant must

- (a) assess the variables and factors relevant to the referral question or issue, and
- (b) use multi-method, multi-trait procedures when conducting assessments where the outcome may effect the rights of the client.

11.37 Recommendations

A registrant's recommendations must

- (a) follow logically, consistently and clearly from the information gathered throughout the assessment process and from the conclusions presented in the report,
- (b) be based on stated assumptions, the data gathered during the assessment process, appropriate interpretations of test data, and accepted professional and scientific information that is relevant to the question or issue being addressed, and
- (c) not be based on unsupported beliefs or criteria which are not represented within the body of scientific knowledge generally recognized within the practice of psychology.

11.38 Repeat assessment

A registrant must not repeat assessments for an individual if a new assessment is unlikely to produce results which are significantly different from a previously completed assessment.

11.39 Explanation for repeat

If a second assessment is conducted, a registrant must explain the reasons why it was necessary.

11.40 Review of other's report

When reviewing assessments prepared by other registrants or other professionals, a registrant must

- (a) limit their comments to aspects pertaining to the methods, procedures and process of the assessment employed by the registrant or other professional,
- (b) not state any conclusions, diagnoses or recommendations specific to the individuals assessed in the original report unless they have directly assessed them, and
- (c) restrict their comments to the sufficiency of the conclusions, recommendations or diagnoses in the original report with such comments based upon and limited to the data presented by or referred to by the registrant or other professional.

12.0 FEES

12.1 General obligation

A registrant must

- (a) respect the client's right to know what fees and charges are to be charged,
- (b) set reasonable fees and charges, and
- (c) collect these fees and charges with consideration for the welfare of the client.

12.2 No misleading

A registrant must not mislead or withhold from the client, a prospective client, or third party payor, any information about the cost of the registrant's professional services.

12.3 Early clarification

At the commencement of professional services, a registrant must ensure that full information is provided to a client about financial arrangements, including, but not limited to, fee structure, missed appointments and bill collection.

12.4 Fees based on

A registrant must base their fees on the amount of time spent in rendering professional services to the client, on the complexity of the services rendered, and on the cost associated with providing such services.

12.5 Inappropriate basis for fees

A registrant must not base their fees on the basis of material benefits accruing to the client as a result of professional services rendered.

12.6 Credit cards

A registrant must not require the use of a credit card for payment for professional services.

12.7 Interest on overdue accounts

A registrant may charge interest on an overdue account for professional services if the client is appropriately informed, before charging interest, as to the amount and method of calculating interest.

12.8 Discretion on interest

The amount of time given by a registrant for interest free payment must be guided by the circumstances, and the rates of interest charged must be consistent with current professional practices.

12.9 Prepayment for services

A registrant must not ask a client to prepay for professional services.

12.10 Retainer in trust

Despite clause 12.9, if the client and a registrant agree, the registrant may hold a retainer in trust but must only apply such trust funds to the payment of fees and charge for professional services rendered.

12.11 Withholding records

Except as otherwise provided by law, a registrant must not withhold records under their control when they are requested and imminently needed for a client's treatment if the reason for withholding them is solely because payment has not been received for professional services rendered to that client.

12.12 Exception to 12.11

Despite clause 12.11, a registrant may withhold reports due to the client's failure to pay for professional services rendered if the client was advised before the beginning of an assessment that payment in full was required before release of the report.

12.13 No payment for referral

A registrant must not

- (a) give a commission, rebate or remuneration to a person who has referred a client to the registrant, or
- (b) accept a commission, rebate or remuneration from a person to whom the registrant has referred a client.

12.14 Reasonableness

A registrant must not exploit the client or third party payor by charging a fee that is excessive for the professional services performed or by entering into an exploitive bartering arrangement in place of a fee.

12.15 Accurate fee reports

In a report to third party payors for professional services or for sources of research funding, a registrant must accurately state the nature of the research or service provided, the fees or charges, and where applicable, the identity of the provider, the findings, and the diagnosis.

13.0 MAINTENANCE OF RECORDS

13.1 Length of record retention

A registrant must ensure that all information in their professional records in respect of a client are maintained for not less than seven years after the last date that professional services were rendered to that client.

13.2 Legal requirements

A registrant must comply with all legal requirements for record retention including maintaining records for a longer period than that required in clause 13.4.

13.3 Minors' records

A registrant must keep records relating to minors for not less than seven years following the date the minor reached the age of majority.

13.4 Discretion to keep longer

A registrant must use their judgement in those circumstances where it may be appropriate to maintain their professional records for longer than seven years.

13.5 Records of equipment maintenance

A registrant must keep a record of equipment maintenance for all equipment that, if malfunctioning when used to examine, treat, or render any service to clients, could cause physical harm to a client.

13.6 Content of records

A registrant rendering professional services to a client or billing a third party for professional services must maintain records that include the following:

- (a) the name of the client and other identifying information;
- (b) the presenting problem or problems or the purpose of the consultation;
- (c) the fee arrangement;
- (d) the date and substance of each professional service, including relevant information on interventions, progress, any issues of informed consent or issues related to termination;
- (e) any test results or other evaluative results obtained and any basic test data from which the results were derived;
- (f) notations and any results of formal consults with other service providers;
- (g) a copy of all test or other evaluative reports prepared as part of the professional relationship; and
- (h) any releases or consents executed by the client.

13.7 Complete records

A registrant must ensure that the information in the records required in clause 13.6 is complete and accessible, regardless of whether the records are kept in a single file or in several files or housed at one location or at several locations.

13.8 Supervisory records

A registrant must maintain records respecting the supervision of an individual for a period not less than seven years after the last date the registrant supervised that individual.

13.9 Content of supervisory records

A registrant must maintain records of supervised sessions that include, among other information, the type, place, and general content of the session.

13.10 Record of fees

A registrant must maintain a record of fees charged to and received from a client that identifies the following information:

- (a) the recipient of the professional services;
- (b) the service provider;
- (c) the date, nature, and unit fee of the service provided;
- (d) the total charged;
- (e) the payment received;
- (f) the date and source of payment.

14.0 SECURITY OF AND ACCESS TO RECORDS

14.1 Security of records

A registrant must ensure that

- (a) their records and their supervisees' records are secured including, but not limited to, restricting access to files, locking file cabinets and providing secure storage for files, and
- (b) the privacy of their clients is assured.

14.2 Electronic/optical storage security

When information that is required to be prepared, kept or maintained under this Code is prepared, kept or maintained by electronic or optical techniques, a registrant must ensure that these techniques are designed and operated so that the information is reasonably secure from loss, tampering, interference or unauthorized use or access.

14.3 Handling confidential records

A registrant must maintain the confidentiality of all records under their control in whatever form they are maintained and at all times including while they are being created, stored, accessed, transferred or disposed of.

14.4 Contingency planning

A registrant must make plans in advance so that confidentiality of records and data is protected in the event of the registrant's death, incapacity, or withdrawal from the position or practice.

14.5 Transfer on retirement

Before resigning or withdrawing from the practice of psychology, a registrant must ensure that

- (a) each client record for which they have primary responsibility is transferred to another registrant whose identity is made known to the client, the institution or the project under whose auspices the psychological services were provided, or to the College, as appropriate, or
- (b) each client for whom they have primary responsibility is notified that the registrant intends to resign and that the client can obtain copies of the client's record.

14.6 Common filing system

A registrant employed in an interdisciplinary setting where a common filing system is used must exercise appropriate care when placing information in a common file in order to ensure that their reports and recommendations are not misunderstood by members of other disciplines.

14.7 Limits on common filing

A registrant must not maintain in a common file referred to in clause 14.6 the following records:

- (a) working notes;
- (b) test scores;
- (c) personal information on clients or others not directly related to the presenting problem;
- (d) other provisional comments and questions that might, if misunderstood, be harmful to a client.

14.8 Coding of database information

If confidential information concerning clients is to be entered into a database or system of record keeping which is available to persons whose access has not been consented to by the client, a registrant must use coding or other techniques to avoid the inclusion of personal identifiers.

14.9 Research protocol

If a research protocol approved by an institutional review board or similar body requires the inclusion of personal identifiers, a registrant must ensure that those identifiers are deleted before the information is made accessible to persons other than those about whom the client was advised.

14.10 Exception to 14.9

If the deletion required in clause 14.9 is not feasible, a registrant must take steps to determine that appropriate consent of personally identifiable individuals has been obtained before

- (a) the data is transferred to others, or
- (b) they review the data collected by others.

14.11 Ownership of records

Recognizing that ownership of records and data is governed by legal principles, a registrant must take reasonable and lawful steps to ensure that records and data remain available to the extent needed to serve the best interests of clients, research participants, or appropriate others.

15.0 TEACHING

15.1 Design of education programs

A registrant responsible for education and training programs must ensure that the programs are competently designed, provide the proper experiences, and meet the stated goals of the program.

15.2 Description of programs

A registrant responsible for education and training programs must ensure that the following is specified and made readily available to all interested parties:

- (a) a current and accurate description of program content;
- (b) training goals and objectives; and
- (c) requirements that must be met for satisfactory completion of the program.

15.3 Accurate descriptions

A registrant responsible for education and training programs must ensure that statements concerning course outlines are accurate and not misleading, particularly in respect of the subject matter to be covered, the basis for evaluating progress, and the nature of course experiences.

15.4 Accurate advertising

To the degree they exercise control, a registrant responsible for announcements, catalogues, brochures, or advertisements describing workshops, seminars, or other non-degree-granting educational programs must ensure that the publicity materials accurately describe the audience for which the program is intended, the educational objectives of the program, the presenters, and the fees involved.

15.5 Accuracy in training

When engaged in teaching or training, a registrant must present psychological information accurately and with a reasonable degree of objectivity.

15.6 Training limitations

A registrant must not teach the use of techniques or procedures that require specialized training, licensure, or expertise, including, but not limited to, hypnosis, biofeedback, and projective techniques, to individuals who lack the prerequisite training, legal scope of practice, or expertise to employ such techniques or procedures.

15.7 Assessing performance

In academic and supervisory relationships, a registrant must establish an appropriate process for providing feedback to students and supervisees.

15.8 Actual performance

A registrant must evaluate students and supervisees on the basis of their actual performance on relevant and established program requirements.

16.0 RESEARCH

16.1 Recognized standards

A registrant must design, conduct, and report research in accordance with recognized standards of scientific competence and ethical research.

16.2 Avoiding misleading results

A registrant must plan their research to minimize the possibility of misleading results.

16.3 Ethical considerations

In planning research, a registrant must take into account any applicable ethical considerations

16.4 Resolution of ethical issues

If application of an ethical issue is unclear, a registrant must seek to resolve the issue through consultation with institutional review boards, animal care and use committees, peer consultations, or other proper mechanisms.

16.5 Ethical conduct of research

A registrant is responsible for the ethical conduct of research conducted by them or by others under their supervision or control.

16.6 Protections of animal/human welfare

In research projects, a registrant must implement appropriate protections for the rights and welfare of human participants, other persons affected by the research, and the welfare of animal subjects.

16.7 Offering research inducements

If a registrant offers professional services as an inducement to obtain research participants, a registrant must make clear to the participants the nature of the professional services offered including any risks, limitations of such services.

16.8 Unacceptable inducements

A registrant must not offer excessive or inappropriate financial or other inducements to obtain research participants, particularly if such inducements tend to coerce participation.

16.9 Competent research

A registrant must conduct research competently and with due concern for the dignity and welfare of the participants.

16.10 Required consultations

As part of the process of development and implementation of research projects, a registrant must consult those with expertise concerning any special population that is under investigation or that is most likely to be affected by the research.

16.11 Compliance with law

A registrant must plan and conduct research in a manner consistent with federal and provincial laws and with professional standards governing the conduct of research, particularly those standards governing research with human participants and animal subjects.

16.12 Institutional approval

Before conducting research, a registrant must

- (a) provide accurate information about their research proposals in a research protocol to host institutions or organizations, and
- (b) obtain appropriate approval from them.

16.13 Research in accord with protocol

A registrant must conduct their research in accordance with any research protocol approved under clause 16.12.

16.14 Research agreements

Before conducting research, except research involving only anonymous surveys, naturalistic observations, or similar research, a registrant must enter into an agreement with research participants that clarifies the nature of the research and the responsibilities of each party.

16.15 Information to participants

A registrant must provide a prompt opportunity for research participants to obtain appropriate information about the nature, results, and conclusions of the research, including any information necessary to correct any misconceptions that the participants may have.

16.16 Exception to 16.15

If scientific or humane values justify delaying or withholding the information referred to in clause 16.15, a registrant must take measures to reduce the risk of harm.

16.17 When deception acceptable

A registrant must not conduct a study involving deception unless the registrant has determined that the use of deceptive techniques is justified by the study's prospective scientific, educational, or applied value and that equally effective alternative procedures that do not use deception are not feasible.

16.18 No deception allowed

A registrant must never deceive research participants about significant aspects that would affect their willingness to participate, such as physical risks, discomfort, or unpleasant emotional experiences.

16.19 Early explanation of deception

Any deception that is an integral feature of the design and conduct of an experiment must be explained to research participants as early as is feasible, preferably at the conclusion of their participation, but no later than at the conclusion of the research.

16.20 Appropriate interference

In conducting research, a registrant must only interfere with the research participants or the milieu from which data is collected in a manner that is

- (a) warranted by an appropriate research design, and
- (b) consistent with the registrant's role as scientific investigator.

16.21 Honouring commitments

A registrant must honour all commitments they have made to research participants.

16.22 No false reporting

A registrant must not fabricate or falsify research data or results.

16.23 Errors in reporting

If a registrant discovers significant errors in their published data, the registrant must take steps to correct such errors in a correction, retraction, erratum, or in other appropriate publication means.

16.24 Professional reviews

A registrant who reviews material submitted for publication, grants, or research proposal review must respect the confidentiality of the information and the proprietary rights of the submitter in that information.

16.25 Care of animals

A registrant must acquire, care for, use, and dispose of animals in compliance with current federal, provincial and local laws and with applicable professional standards.

16.26 Required training for animals

A registrant trained in research methods and experienced in the care of laboratory animals

- (a) must supervise all procedures involving animals, and
- (b) is responsible for ensuring appropriate consideration of their comfort, health, and their humane treatment.

16.27 Minimize discomfort of animals

A registrant who conducts research involving animals must treat them humanely and must make efforts to minimize their discomfort, infection, illness, and pain.

16.28 Exception to 16.27

A registrant may only use a procedure subjecting animals to pain, stress, or privation when
(a) an alternative procedure is unavailable, and
(b) the goal is justified by its prospective scientific, educational, or applied value.

16.29 Use of surgical procedures

A registrant who conducts research involving animals must ensure that
(a) any required surgical procedures are performed under appropriate anesthesia, and
(b) techniques to avoid infection and to minimize pain are used during and after surgery.

16.30 Humane termination

When it is appropriate that an animal's life be terminated, a registrant must ensure that it is done humanely, with an effort to minimize pain, and in accordance with accepted procedures.

16.31 Training for supervisees

A registrant must ensure that their supervisees who are using animals have received instruction in proper research methods and in the care, maintenance, and handling of the species being used, to the extent appropriate to the role to be played by the supervisees.

17.0 PUBLISHING

17.1 Plagiarism

A registrant must not present substantial portions or elements of another's work or data as their own, even if the other work or data source is cited occasionally.

17.2 Publication credit

A registrant must only take responsibility and credit, including authorship credit, for work they have actually performed or to which they have contributed.

17.3 Contribution credit

A registrant must ensure that principal authorship and other publication credits accurately reflect the relative scientific or professional contributions of the individuals involved, regardless of their relative status.

17.4 Inappropriate basis for credit

A registrant is not justified to take authorship credit based solely on holding an institutional position, such as Department Chair.

17.5 Minor contributions

A registrant must acknowledge, in footnotes, an introductory statement or in another appropriate manner, the minor contributors to the research or to the writing for publications.

17.6 Student credit

A registrant must identify a student as principal author on any multiple-authored article which is substantially based on the student's dissertation or thesis.

17.7 Duplicate publication

A registrant must not publish, as original data, any data which has been previously published but this prohibition does not prevent the republication of such data when it is accompanied by a proper acknowledgment.

17.8 Sharing data with others

After research results are published, a registrant must not withhold the data on which their conclusions are based from other competent professionals who

- (a) seek to verify the substantive claims of the research through re-analysis, and
- (b) intend to use such data only for that purpose.

17.9 Limitations on 17.8

Clause 17.8 only applies if the confidentiality of the research participants can be protected and any legal rights concerning proprietary data are not violated.

18.0 COMPLIANCE WITH LAW

18.1 Legal compliance

A registrant must

- (a) maintain a current working knowledge of, and
- (b) conduct themselves so that the psychological services provided by them or their supervisees comply with the laws applicable to the provision of psychological services and with the professional standards and policies of the College set out in this Code or in issued advisories or guidelines.

18.2 No defence

A registrant's lack of awareness of, or misunderstanding of, an applicable law, standard, policy, advisory or guideline referred to in clause 18.1 is not of itself a defence to a charge of professional misconduct.

18.3 Criminal offence

A registrant who is found guilty of a criminal offence that is relevant to the registrant's suitability to practice psychology is guilty of professional misconduct.

18.4 Fraud/misrepresentation/deception

A registrant must not use fraud, misrepresentation, or deception in obtaining registration status with the College, and in conducting any activity related to the practice of psychology except as provided for in Section 16 of this code.

18.5 Unauthorized assistance

A registrant must not knowingly aid or abet another individual in misrepresenting that individual's professional credentials or registration status, or in illegally engaging in the practice of psychology.

18.6 Conflicts with legal system

A registrant must be aware of the occasionally competing demands placed upon them by the standards in this Code and the requirements of the legal system, and must attempt to resolve these conflicts

- (a) by making known their obligations to comply with this Code, and
- (b) by taking steps to resolve the conflict in a responsible manner.