

**3 ETHICAL CODE, PROFESSIONAL PRACTICE GUIDELINES AND ETHICS COMMITTEE.**

3.1 Deontological Guidelines

3.2 Professional Practice Guidelines

3.2.1 Titles

3.2.2 Basic principles of advertising

3.2.3 Trademark policy and guidelines for use of the TA logo

3.2.4 Recommendations on professional etiquette

3.3 The EATA Ethics Advisor Role

3.4 Procedures for Advice, Mediation and Arbitration

3.4.1 Procedure for Advice

3.4.2 Procedure for Mediation

3.4.3 Procedure for Arbitration

### **3 ETHICAL CODE, PROFESSIONAL PRACTICE GUIDELINES AND ETHICS COMMITTEE.**

#### **3.1 Deontological Guidelines**

These deontological guidelines have been drawn up on the basis of the EATA's and ITAA's codes of ethics and other relevant declarations and they inform members of affiliated associations about the ethical criteria expected of them when practising their profession. These guidelines also inform the public about the ethical behaviour that is expected of EATA members. The complete EATA code of ethics is available on the EATA website <http://www.eatanews.org/eata-2/ethics/>

Membership or the member's training contract can be suspended by the affiliated association if his/her behaviour does not correspond to the basic principles laid down in the guidelines and/or if he/she is not willing to change this behaviour after confrontation by colleagues or the affiliated association.

Additional requirements may exist in the ethics codes of affiliated and regional organisations and the candidate should be aware of any that apply to them.

#### **EATA DEONTOLOGICAL GUIDELINES**

A. An EATA member acknowledges the dignity of all human beings. Members of EATA are expected to conduct themselves in such a way that they neither promote nor passively agree with any form of discrimination or oppressive behaviour.

B. EATA members shall in their public statements refrain from derogatory statements or innuendoes that disparage the standing, qualifications or character of other members, bearing in mind their responsibility as representatives of EATA and transactional analysis. On the other hand, direct personal and objective criticism is welcome.

C. It is the primary protective responsibility of EATA members to provide their best possible services to the client and to act in such a way as to cause no harm intentionally or by negligence.

D. EATA members should strive to develop in their clients an awareness of and functioning from a position of dignity, autonomy and personal responsibility.

E. The ethical practice of transactional analysis involves entering an informed contractual relationship with the client, which the client as well as the EATA member should have the competence and intent to fulfil. When a client is unable or unwilling to act responsibly within this contractual relationship, the EATA member must resolve this relationship in such a way as to bring no harm to the client.

F. An EATA member will not exploit professional relationships in any matter, including, but not limited to, financial and sexual matters. Sexual relationships between EATA members and their clients, supervisees or trainees are prohibited.

G. EATA members will not enter into or maintain a professional contract where other activities or relationships between EATA members and clients might jeopardise the professional contract.

H. The professional relationship between an EATA member and the client is defined by the contract. This professional relationship ends with the termination of the contract. However, certain

professional responsibilities continue beyond the termination of the contract. They include, but are not limited to, the following:

- maintenance of agreed-upon confidentiality
- avoidance of any exploitation of the former relationship
- provision for any needed follow-up care.

I. EATA members will operate and conduct services to clients and/or trainees with full responsibility to, and knowledge of, existing laws of the state and/or country in which they work.

J. In establishing a professional relationship, EATA members assume responsibility for providing a suitable environment for the client, including such things as specifying the nature of confidentiality observed, providing for physical safety appropriate to the form of activity involved and obtaining informed consent for possible high-risk procedures.

K. If EATA members become aware of the fact that personal conflicts or medical problems might interfere with their ability to carry out a contractual relationship, they must either terminate the contract in a professionally responsible manner, or ensure that the client has the full information needed to make a decision about remaining in the contractual relationship.

L. EATA members accept responsibility to confront a colleague whom they have reasonable cause to believe is acting in an unethical manner, and, failing resolution, to report that colleague to the appropriate professional body.

M. EATA members who apply transactional analysis in their professions will demonstrate a commitment to keep up-to-date in their fields of application through activities such as conferences and seminars, professional writing and reading, as well as to be constantly informed about the TA associations' interests.

### **3.2 Professional Practice Guidelines**

The following guidelines have been approved by ITAA and EATA.

#### **3.2.1 Titles**

A. Certified Transactional Analysts can bear the following titles:

- Certified Transactional Analyst (Counselling)
- Certified Transactional Analyst (Educational)
- Certified Transactional Analyst (Organisational)
- Certified Transactional Analyst (Psychotherapy)

B. Certified Transactional Analysts who are qualified to instruct and/or supervise in TA, or are in training for such qualification, may hold the following titles respectively:

- Teaching and/or Supervising Transactional Analyst
- CTA Trainer
- Provisional Teaching and/or Supervising Transactional Analyst

The field of application will also be specified.

### **3.2.2 Basic principles of advertising**

A. Those who have signed training contracts can use the following terms: “In TA training as a transactional analyst” (Counselling / Educational / Organisational / Psychotherapy). These terms may also be used on printed material. Other terms may not be used.

B. The words “Transactional Analysis group”, “Transactional Analysis Treatment / Counselling / Psychotherapy” and other words of similar meaning shall not be used unless the provider of services is a Certified Transactional Analyst.

C. Membership status and levels of certification on printed material (brochures, etc.) are to be written out rather than abbreviated with initials which are hardly understandable to people who are not familiar with membership categories. Examples of recommended usage are: “Trainee Member (of the respective national organisation)” or “Certified Transactional Analyst” or “Provisional Teaching and Supervising Transactional Analyst”.

D. The terms “Transactional Analyst (Counselling / Educational / Organisational / Psychotherapy)”, “Provisional Teaching and/or Supervising Transactional Analyst”, “CTA Trainer” and “Teaching and/or Supervising Transactional Analyst (Counselling / Education / Organisations / Psychotherapy)” may only be used by members who have qualified and thus have acquired the corresponding status.

E. Only Provisional Teaching and/or Supervising Transactional Analysts, CTA Trainers and Certified Teaching and/or Supervising Transactional Analysts can offer TA training leading up to recognition as a Transactional Analyst within the national organisation, EATA or ITAA.

F. Statements implying endorsement or approval by a particular trainer shall not be made; the use of a trainer's name to enhance one's status is not considered professional behaviour.

G. Association with someone in another membership category may not be used (e.g. on printed material) to imply one's own certification in that category. To ensure adherence to the guidelines, trainees having a contract must check their advertising with their Principal Supervisors.

H. Members shall not produce advertisements that make claims such as “TA will change your life” as this is an exaggerated promise.

I. The associations (EATA, ITAA, national organisations) endorse individuals, not products. Therefore, announcements regarding products (e.g. books, tapes, T-shirts, etc.) should be kept separate from announcements concerning teaching and training and statements about one's membership status.

J. The words, “transactional analysis”, may not be used in a way that suggests that one of the associations has granted an individual or organisation a special privilege or exclusive application of transactional analysis.

### **3.2.3 Trademark policy and guidelines for use of the TA logo**

- The TA logo - the three stacked circles - is the trademark of the Interaffiliated Transactional Analysis Association. The logo indicates certified membership of the ITAA, EATA, or other organisations within the interaffiliated framework of mutual recognition. Only certified members may use the logo on stationery, business cards, brochures, etc.

- All three circles are to be of the same diameter and vertically stacked.
- When the circles include print, they shall contain only the capital letters P, A, C (reading from top to bottom) or the words Parent, Adult, Child (reading from top to bottom). It is allowed to translate these letters and words in national languages.
- No other words starting with P, A, C shall be shown as extending from the circles.
- The TA logo may not be combined with other symbols that have a religious, political, philosophical or other meaning.

### 3.2.4 Recommendations on Professional Etiquette

- Trainers are not to accept training contracts with trainees who are under contract with another trainer without going through a proper process of negotiation and contract transfer.
- Members are not to solicit trainees or clients from other members.
- Members are to maintain clear, above-board contracts with their clients and fellow members.
- Titles should be in the form specified in the EATA Professional Practices Guidelines. This refers to all *advertisements* or *letterheads*, or other advertising used by a TSTA, CTA Trainer, PTSTA or CTA. Other titles should not be used; any combination of titles should not be used. If a Principal Supervisor has a training candidate in a category other than the one in which he or she has been certified, this should be mentioned separately, and any Exception which was granted by ITAA or EATA should be mentioned separately from their official title.

### 3.3 The EATA Ethics Advisor Role

All complaints will be managed directly by the affiliated organisations. EATA is the umbrella organisation of the affiliated organisations and individuals are members through their affiliated organisation. EATA affiliated organisations have their own ethics committees, codes and procedures. Affiliated organisations have the responsibility for resolving their own breaches of ethics and professional practice. The EATA Ethics Advisor's role is to offer advice and assistance on ethical issues and in exceptional circumstances directly resolve breaches of ethics and professional practice in affiliated organisations. He/she can be contacted through the EATA office.

#### The EATA Advisor Role:

- One of EATA's Ethics Advisor roles is to secure the proper implementation of the professional ethics guidelines at the affiliated association's level.
- defines **Ethical Principles**
- describes the **charter for the procedures and principles** which are **binding** for the affiliated organisations

The EATA Ethics Advisor role focuses on **prevention and education**, like discussions on difficult themes, conference workshops, information and articles.

EATA Ethics Advisor role offers **assistance** to their members (affiliated associations). Upon request of the affiliated organisations, the EATA Ethics Advisor or his/her representative may provide:

- advice, supervision, mediation and arbitration.
- support for an affiliated organisation to find enough unbiased people for to investigate a case.
- support for an affiliated organisation to build up an ethics committee.

- EATA Ethics Advisor will also **confront** its affiliated associations in the case a process has not been clear or correct.

Individual members can ask the EATA Ethics Advisor for information concerning ethical issues. If necessary, the EATA Ethics Advisor will indicate the appropriate procedures to follow.

All ethical matters directly concerning EATA or affiliated organisations will defer to the finding of the civil court and – if necessary – formulate sanctions (like dispense, exclusion e.g.).

### **3.4 Procedures for Advice, Mediation and Arbitration**

All procedures will be handled confidentially. If there is a need to make something public all parties will be asked for their agreement.

#### **3.4.1. Procedure for Advice**

Affiliated associations and individual members can contact the EATA Ethics Advisor if they have questions concerning ethics and ethics procedures. The Ethics Advisor will give the advice or nominate a representative to deal with the matter. Any such advice is held within the boundary of confidentiality.

#### **3.4.2. Procedure for Mediation**

1. The member or association contacts the EATA Ethics Advisor by letter, email or telephone and explains the situation.
2. The EATA Ethics Advisor helps the member or association to clarify the situation and to find out which next steps are appropriate.
3. If necessary, the EATA Ethics Advisor also gets in contact with the other party for clarification with permission of the member/association asking for advice. This can be the case, when, for instance, there is a lack of information or misunderstandings and rumours.
4. In exceptional circumstances EATA may involve itself in mediation and only if all sides agree. Usually the task for enabling mediation will rest with the affiliated organisation.
5. When EATA has a direct involvement the Ethic Advisor will suggest a mediator. Both parties have to agree on the choice of the mediator.
6. The EATA Ethics Advisor will not take the role of mediator.
7. Both the parties, the mediator and the EATA Ethics Advisor, will negotiate a clear contract about aim, time frame, frequency and division of costs.
8. Once the process of mediation is completed, involved parties and the mediator will inform the EATA Ethics Advisor by letter about the outcome (one letter signed by all parties and mediator).
9. In case the aim of the mediation process cannot be reached in the scheduled time, the mediator will inform the EATA Ethics Advisor about the current situation of the process. He or she may make to the EATA Ethics Advisor a proposal for further steps (e.g. an extension of the mediation or alternatively arbitration or investigation).
10. The EATA Ethics Advisor will then discuss the proposal and determine the next steps. If s/he agree with the extension to the mediation process a new contract will be negotiated. If the proposition is to go to a next step (e.g. arbitration or investigation), the EATA Ethics Advisor will help to find appropriate persons for arbitration or a committee for the investigation.

### **3.4.3. Procedures for Arbitration**

#### **Type A:**

Both involved parties make a contractual agreement about a person who will be the arbitrator. The arbitrator will make a decision about the case. This decision has to be accepted by both involved parties.

#### **Type B:**

Each party chooses one person to be his/her representative. These two representatives will agree another person to be the arbitrator. The decision will then be made by these three persons and has to be accepted by the involved parties.

#### **The role of the EATA Ethics Advisor in the arbitration process:**

Support in finding an arbitrator and in formulating clear contracts. Detailed procedures for this process will be available through the EATA Ethics Advisor.

Once the process of arbitration is completed, involved parties and the arbitrator(s) will inform the EATA Ethics Advisor by letter about the outcome (one letter signed by all parties and arbitrator(s)). Arbitration is the ultimate type of possible intervention that can be offered by the EATA. The EATA Ethics Advisor will inform the parties involved, that the case is closed and no more intervention can be provided.