

The NLP Association of Australia Inc.

Code of Ethics

The following points pertain to all members of The Neuro Linguistic Programming Association of Australia Inc. (NLPAA), regardless of the level of membership held.

The purpose for the guidelines is to inform NLPAA members of their ethical responsibilities.

In considering the need for an ethical code, members are reminded that ethical behaviour is a requirement for the members of any society in general. This code does not limit members from attempts to work innovatively providing that:

1. General Ethical Principles of Professional Conduct

- 1.1. Members remain personally responsible for their professional decisions, judgements and actions.
- 1.2. The welfare and best interests of clients and former clients takes precedence over a member's self interest or that of their colleagues or employer/s.
- 1.3. Members strive to attain the highest standards of their respective professions.
- 1.4. Members do not misrepresent their competence, qualifications, training or experience.
- 1.5. Members should not knowingly undertake work clearly beyond their professional competence.
- 1.6. Members should establish and maintain appropriate boundaries to avoid the exploitation of clients and former clients.
- 1.7. Confidentiality of information obtained from clients in course of any work with clients is to be maintained both during and after the work has been completed; including but not limited to the storage and disposal of records, except with discretion and in exceptional circumstances where a break in confidentiality is called for. (see 2.17)
- 1.8. Clients are to be treated with respect, dignity and overall awareness of their vulnerable position which is not to be abused or take advantage of in any way.

2. Special Ethical Principles of Professional Conduct

- 2.1. Members must work within the law.
- 2.2. Members should offer their professional services within their usual terms without prejudicing or discriminating against clients in any way ie irrespective of nationality, ethnicity, social, historical or economic status, gender, sexual orientation, disability, political affiliation, religious beliefs, age or standing in society. Members should take the diverse background of their clients duly into account.
- 2.3. Members' terms of practice should be made as clear as possible at the outset prior to clients incurring any form of commitment, obligation or financial liability. Subsequent revisions of these terms should be agreed in advance of any change.
- 2.4. Members should not endeavour to work with clients unless a reasonable prospect exists for the client to benefit from the work.

- 2.5. Clients' autonomy should not be compromised. Specifically, it remains the client's choice whether or not to participate in professional sessions at every stage. Reasonable opportunities should exist to review the terms on which sessions are offered and the methods employed therein.
- 2.6. Clients should be offered privacy for sessions in a suitable environment. Clients should not be observed, listened-to, taped (audio or visual) or readily identified without their informed consent in advance.
- 2.7. Members should take all reasonable steps to prevent clients incurring undue physical or psychological harm during sessions or as a consequence of them.
- 2.8. Members should not work with a client if, for any reason, the member is incapable of exercising proper skill and judgement. Specifically, members should not work if their functioning in a professional capacity is impaired due to personal or emotional difficulties, illness, disability, alcohol, drugs, medications or any other reason.
- 2.9. Members should work within their own known limits. It is regarded as part of the nature of the work for members to maintain an awareness of the limitations of their competence and experience, to consult with colleagues, teachers or those in a position to contribute to this judgement and to seek supervision and/or further training and/or personal therapy as needed.
- 2.10. Members should not misrepresent themselves or their practices with regard to their qualifications, training, competence or experience. Members should not hold themselves out as qualified unless their particular training and requirements have been successfully completed specifically in that area.
- 2.11. Members should not conduct themselves in professionally related activities in ways that undermine public confidence in their role as therapist or that of the profession(s) generally.
- 2.12. Members should not behave in an unprofessional or compromising manner toward their colleagues. This includes remarks to clients or others that shed doubt upon the correctness of judgement or competence of fellow professionals. However, where substantial and convincing evidence exists of a member's contravention of this code then the members are encouraged to bring the matter to the attention of the Ethics Committee directly. If a member reports another member due to a client matter, the reporting member must first obtain permission from the client unless there is an overriding concern for the safety or risk of harm to the client or others. In all cases, the client should be notified by the person reporting.
- 2.13. Members should not have financial dealings with clients except in respect of professional fees.
- 2.14. Members should not engage in any physical sexual act with or in the presence of clients nor invite clients to participate in any such act, not sexually harass, seduce or deliberately sexually arouse clients. Nevertheless, it is understood that sexual issues may well need to be discussed explicitly in a professional manner.
- 2.15. Members are responsible for setting and maintaining appropriate boundaries even after sessions have finished or been formally terminated and adequately explaining this to clients as necessary. Where ambiguities exist, members should seek professional supervision and/or seek guidance from the ethics committee.
- 2.16. If a member is convicted of a criminal offence or has civil proceedings commenced against her or him s/he must inform the Ethics Committee in writing of the relevant facts.
- 2.17. Maintaining confidentiality refers to any and all identifying features of clients including name, address, biographical details, physical appearance, job and other descriptions of the client's life, relationships activities, circumstances and history which might result in identification of the client.

Nevertheless, it is understood that discussions about clients may occur in suitably professional contexts, such as with colleagues, in supervision or other educational settings; in such circumstances the clients' permission will have been obtained and identifying details about the client will be omitted in such discussions.

- 2.18. Circumstances may arise to precipitate a deliberate break with this principle. These may include ethical and legal requirements (eg a court subpoena and child protection mandatory reporting). Additionally, exceptions to maintaining confidentiality occur where there exists a serious risk to the safety of the client and/or others, including a risk of harm to a child or young person related to or in the care of the client. Any breach in confidentiality should be carefully considered and, when possible, discussed with the client in advance with a view to obtaining consent. Where doubts about such clinical judgments arise, members are encouraged to seek professional supervision and/or seek guidance from the Ethics Committee.
- 2.19. To self as therapist: due to the nature of the work members have a responsibility to themselves (and their clients) to maintain their own effectiveness, integrity, resources and separate lives. Therefore, members should monitor their own functioning, seek appropriate help/supervision as required per level of membership requirements, seek further training, cultivate personal and professional development, support their health and overall wellbeing as much as possible, maintain physical and mental safety, refrain from over-working within reason and are encouraged to obtain and review professional indemnity insurance as needed.

3. Composition of the Ethics Committee

- 3.1. The Ethics Committee shall be a Standing Committee and shall consist of a Chairperson and two members.
- 3.2. The Committee shall be comprised of at least one member of the current Board of Management as Chairperson and otherwise of members.
- 3.3. The Chairperson and Members of the Ethics Committee will be appointed by the Board of Management .
- 3.4. All members of the Ethics Committee shall serve a term of 1 (one) year and then can offer themselves for re-appointment.

4. Procedure Where A Complaint is Made

- 4.1. A complaint against a member shall be in writing and shall be passed to the Chairperson of the Ethics Committee.
- 4.2. The Chairperson of the Ethics Committee shall convene a meeting of the Ethics Committee to decide if the complaint constitutes a prima facie breach of this code. If it does, the committee will interview the complainant.
- 4.3. If the Ethics Committee is satisfied that the complaint amounts to a breach of this code requiring formal adjudication it shall (a) forthwith give written notice of the complaint to the member against whom the complaint has been made (hereinafter called "the respondent"), accompanied by copies of the original complaint, all relevant documents, and a fair summary of the Committee's interview of the complainant, (b) fix a date for the adjudication of the complaint and to inform the respondent of such date.
- 4.4. The respondent may at any time prior to the adjudication date inspect all relevant documents to the complaint.

- 4.5. The proceedings of the Committee shall in all respects be in accordance with the rules of evidence and natural justice. The Committee shall be entitled at any stage of the proceedings to appoint any person professionally qualified to advise the Committee on any matter arising and if considered necessary to attend the adjudication to give such advice.
- 4.6. The complainant and the respondent shall at all stages of the proceedings be entitled at their own expense to legal and other representation, to give oral evidence to the Committee, and to call witnesses. Where such evidence is given each party, or his/her representative shall be entitled to cross-examine the other parties, or his/her witnesses. All witnesses must be bound by confidentiality. At the conclusion of the evidence, the complainant and the respondent may make presentations to the Committee.
- 4.7. The conduct of the proceedings shall in all respects be determined by the Ethics Committee.

5. **Disciplinary Action**

- 5.1. If the Committee shall find that the complaint has been proved and that a breach of this code has been committed by the respondent it shall have the power to take one or more of the following courses of action in respect to the respondent
- 5.2. A warning in such form as the Ethics Committee shall consider appropriate.
- 5.3. A requirement as to further supervision or training and the Ethics Committee shall consider appropriate.
- 5.4. Suspension from the Association for such period as the Ethics Committee shall consider appropriate.
- 5.5. Expulsion from the Association.
- 5.6. The Ethics Committee shall without delay notify the complainant, the respondent, and the members of the Association of the decision of the Committee.
- 5.7. The respondent may within 21 days of the date of such notification give written notice of appeal to the Board of Management against any disciplinary action taken. Thereafter the Board of Management shall fix a date for the consideration of the appeal and shall notify the respondent of such date.
- 5.8. At the hearing of the appeal the respondent may make oral or written representations in person or through his/her representative to the Board of Management in support of his/her appeal.
- 5.9. The Board of Management, with the exclusion of the Member who serves as Chair of the Ethics Committee, shall re-convene the procedures beginning from procedural point 4.2.
- 5.10. Having followed through the remaining procedures for considering the initial complaint the Board of Management shall re-determine a decision which may allow for (a) a complete quash of the original determination, (b) a less severe penalty, (c) a more severe penalty, or (d) any other point or combination of points under disciplinary action.