

CPT NCS accredited Level 4 Diploma in Counselling Practice.

Health and Safety in Therapeutic Practice

Friday 11th December 2020

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Learning Outcomes

1. Understand working within legal and ethical requirements as a counselling practitioner
- 1.1. Demonstrate knowledge and understanding of a professional ethical framework and its application to counselling practice
- 1.2. Respond effectively to complex client issues and ethical dilemmas
- 1.3. Describe the key professional issues arising in the counselling placement

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Health and Safety in Therapeutic Practice

- 'Ethical framework provided by professional organisations as pre-constructed scaffolding that will require adjustment according to a variety of factors, which can only be decided by the counsellor & client at the time' Bond (2003:Pg 62)
- Going to look at themes or closely related sets of issues and consider the impact or significance for therapeutic practice starting with responsibilities to the client

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Responsibility to client

Responsibility to client is counsellor's foremost concern.
An important aspect of these responsibilities is to **protect client from harm** due to attending counselling.

Potential for harm can be avoided or at least substantially reduced by considering in advance how this can be done.

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Client safety

- Physical Safety

- Psychological Safety

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Physical Safety

- Risk of physical injury usually low with careful forethought & awareness of potential
Risk of client tripping, falling off chair or bumping into something.
Seek compensation for injury, especially if any negligence

- Claim normally by public liability insurance of premises /organization.
If working from home check adequate cover including public liability insurance.

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Psychological Safety

Aim & purpose of counselling is for client benefit, however, there will be moments when the counsellor is faced with difficult choices about how to respond and assessing what will be most helpful to the client at all stages of experience.

In the early stages of the relationship the counsellor may sense vulnerabilities around issues the client has not yet voiced and it takes time for the necessary trust before they can voice.

Need awareness to challenge in interventions that the client's level of trust can sustain.

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Psychological Safety

Respect for client situation & assessing appropriate way of responding is fundamental to psychological safety.

All professional codes of practice require

- ❖ Working within level of competence as essential for avoiding of harm to the client
- ❖ Counselling supervision as a safeguard for clients

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Negligence

- Ethical significance of avoiding psychological harm barely matched in legal obligations.
- Unlikely to be able to bring a legal action against a counsellor for negligence resulting in psychological harm
- Most professional organisations and agencies hear allegations of harm from clearly unethical behaviour eg sexual or financial exploitation, less likely to consider issues relating to poor practice

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Inappropriate advice

One of the ways in which client can be harmed is by being given inappropriate or misleading advice.

Variety of approaches to appropriateness of giving advice within counselling

Most counsellors do not normally give advice when relating to matters such as making decisions (see client autonomy coming later)

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Inappropriate advice

However

- Models vary in the extent to which they give advice or are directive *about the counselling*.
- Ethical case can be made for obligation on counsellor to advise clients about the *potential risks* of seeking counselling *where these are reasonably foreseeable*.

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Appropriate advice ?

What are the views of the core models of counselling about giving advice ?

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Appropriate advice ?
 Bond (2000) proposes that maybe it is not so clear cut.

That it would be wrong to require that counsellors give advice as it would be to require that they abstain from giving advice.

' The ethical case for giving advice which is consistent with the counselling model is a strong one. By deliberately avoiding doing so a counsellor may harm a client by withholding a potential benefit of counselling and violate the the basis on which that client is seeking counselling.'

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Appropriate advice
 • Appropriate advice giving in certain circumstances.

Probably a general duty on all counsellors to give advice when about the *potential risks* of seeking counselling *where these are reasonably foreseeable*.

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Appropriate advice

o Ethical case for advising or, at least alerting, clients to the possibility that the emotional demands when dealing with other issues simultaneously with a major life event may reduce his level of energy and ability to focus on that event .

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Appropriate advice

- Ethically appropriate to advise client to seek specialist help other than counselling or in parallel with counselling.
eg, symptoms that could equally well indicate a physical illness and psychosocial symptoms
eg, client with constant headaches and loss of co- ordination which she attributes to stress related problems

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Appropriate advice

- Good ethical reasons for at least advising about the consequences of not seeking medical advice or help

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Importance of insurance

- Usual requirement for counsellors to have indemnity insurance
- Risk of legal action is relatively low however strong ethical case that client can be compensated should an accident happen.
- Relatively small premium provides degree of financial predictability for the counsellor and protection for the client

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Recommendations that policy cover:

- Professional indemnity insurance (malpractice, errors & omission)
- Public liability (includes occupier's liability)
- Libel & slander
- Prodcut liability (particularly relevant if supply items such as relaxation tapes)

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Reference

- Bond, T Standards and Ethics for Counselling in Action (2003)
Publ: SAGE Counselling in Action

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