
UNIT 2 PROFESSIONAL ISSUES, ETHICS, EDUCATION AND TRAINING IN COUNSELLING

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2.0 INTRODUCTION

In this unit we will be dealing with ethical issues in counseling. Ethical Responsibilities and Regulations are then considered under which nature of ethics, code of ethics, and confidentiality. Then we deal with privileged communication and privacy. This is followed by a section on respecting clients rights in the various exceptions in this regard are also discussed. The importance of sharing client information with others is another important aspect which is dealt with in the next section. When to interview groups and families of the client is taken up in the next section and what all should be done when the client is unable to give informed consent or is incapable of doing so because of the person being a child and cannot really understand anything. The next section deals with the maintenance of records of whatever the client says and the do's and dont's in this regard are discussed. Research, training and consultation are discussed in the

next units to be followed and the role of Rehabilitation Council of India in ensuring ethical standards in India especially in counseling and psychotherapy are discussed in the next section. Amongst the ethical issues, competence and confidentiality are discussed followed by education and training in counseling.

2.1 OBJECTIVES

After reading this unit you, will be able to:

- Define and describe ethical responsibilities;
- List out the regulations covering ethical issues in counseling;
- Elucidate the exceptions to the rules;
- Explain how to keep records of the client's statements;
- Describe the ACA rules and regulations;
- Describe the RCI ethical guidelines;
- Elucidate the ethical issues such as competence and confidentiality;
- Explain the qualification for counseling courses; and
- Analyse the scope of counseling in India and abroad based on the qualifications.

2.2 ETHICAL RESPONSIBILITIES AND OBLIGATIONS

Counselors like all other professionals have ethical responsibilities and obligations. There are many ethical and legal considerations that need to be looked in to by the counselors as helping professionals. At the same time considerable measures have to be taken to make these ethical guidelines more comprehensive, specific and related to different situations. For instance the following needs to be kept in mind:

- 1) First, clear cut, specific ethical codes that provide adequate guidelines for the ethical behaviour in the very wide range of situations encountered in counseling relationships have yet to be evolved.
- 2) Second, most counseling professionals work within the context of institutions such as schools, colleges, hospitals, churches and private agencies whose institutional value systems are quite different from those of counseling profession itself.
- 3) Finally, counselors are particularly likely to encounter situations where their ethical obligations overlap or conflict. Often a counselor is simultaneously working with several people who are involved in their own close interpersonal relationships, whether in the family, school or other institutions. In such situations, ethical obligations become exceedingly complex.

The principle rule supporting ethical obligations is that the counselor must act with full recognition of the importance of client's rights, the ethics of the profession, and the relationship of moral standards and values, individual or cultural, in the life of that client.

The emphasis here is on the importance of practicing within the ethical guidelines established by ones professional associations and guidelines established by law. In fact, the very labeling of counseling as a helping profession suggests that we have assumed responsibilities of our profession in providing professional counseling services for our clientele and serving the public. These responsibilities include acceptable standards of performance or competence, an accepted code of personal conduct in relationships with clients and the public, and a commitment to contribute to the public well being that transcends monetary gain.

2.2.1 Nature of Ethics

A code of ethics represents the values of a profession translated into standards of conduct. A code of ethics provides structure to guidelines for a profession's membership to follow in professional practice and also for the public to anticipate in interactions with the profession and its membership. It is important to differentiate professional ethics and legally mandated ethics.

For counselors at least two basic statements of ethical practice and behaviour apply to work in the profession

- a) ACA code of ethics (2005), and
- b) Ethical principles of psychologists and code of conduct of American Psychological Association (2002).

The members of these associations are expected to follow these codes of ethics and professional standards. Failure to abide by these standards may result in expulsion from the profession.

2.2.2 American Counselling Association (ACA) Code of Ethics

The American Counseling Association (ACA) describes itself as an educational, scientific, and professional organisation whose members work in a variety of settings and serve in multiple capacities. The association has adopted a Code of Ethics that provides guidelines to ACA members around issues of responsible and ethical decision making.

Five Purposes

According to its Introduction, the ACA Code of Ethics serves five purposes:

- 1) Clarifying members' ethical responsibilities;
- 2) Supporting the ACA mission;
- 3) Establishing principles for behaviour and best practices of ACA members;
- 4) Serving as an ethical guide promoting the counseling profession's values; and
- 5) Providing a basis for processing ethical complaints.

Eight Sections

The ACA Code of Ethics address ethical principles required of counselors who subscribe to the organisation's purposes.

There are in all 8 sections

Section A : Deals with the counsellor's encouragement of client growth.

Section B : This deals with professional responsibility.

- Section C : This deals with professional relationships.
- Section D : This section addresses client rights, building trust and boundary setting between client and the counselor.
- Section E : This describes requirements for counselor, which includes knowledge of and familiarity with counseling tools, supervision and teaching.
- Section F : This provides guidelines for training counselors.
- Section G : This is also called as the research and publication section. This encourages counsellors to add to the knowledge base of the profession and describes the proper steps that need to be taken.
- Section H : This is called the ethical issues section and describes how to determine and respond to ethical dilemmas and offences. This section discusses what counselors should aspire with regard to ethical behaviour and responsibility.

Standards of practice : This sets forth the minimal behavioural standards set in the Code of Ethics. The eight sections given above describe the information contained in the Code of Ethics in more detail, breaking them down into 51 practice standards.

2.2.3 Confidentiality, Privileged Communication, and Privacy

Confidentiality

Confidentiality is an ethical concept which states that what ever is said between two persons will remain secret and will not be shared without consent. The ethical standards state that the counselors should keep information confidential unless disclosure is required to prevent clear and imminent danger to the client and others when legal requirements demand that confidential information be revealed. The ethical standards also state that while the counsellor's primary obligation for confidentiality is to the client, the counselor should balance that obligation with an understanding of the legal and inherent rights of the client. Counsellors are advised to explain the limits of confidentiality to clients so that they do not feel betrayed if confidentiality is broken. .

Privileged communication

In law, communication between parties to a confidential relation such that the communication's recipient is exempted from disclosing it as a witness. Communications between attorney and client are privileged and do not have to be disclosed to the court. The right to privileged communication also exists between husbands and wives, as neither is required to testify against the other in court, and between physicians and patients, though doctors may be required to disclose such information if the right of the defendant to receive a fair trial outweighs the patient's right to confidentiality. Members of the clergy have limited rights to refuse to testify in court, and reporters have been accorded a limited right to privileged communication concerning the sources of their information, though they can be ordered to divulge information in certain circumstances.

Certain classes of communications between persons who stand in a confidential or fiduciary relationship to each other that the law will not permit to be divulged in court. Examples of confidential relationships are those of psychiatrist and

patient and attorney and client. Confidentiality of communications depends on the law in each state.

A privileged communication is a private statement that must be kept in confidence by the recipient for the benefit of the communicator. Even if it is relevant to a case, a privileged communication cannot be used as evidence in court. Privileged communications are controversial because they exclude relevant facts from the truth seeking process.

Privileged communications exist because society values the privacy or purpose of certain relationships. The established privileged communications are those between wife and husband, clergy and communicant, psychotherapist and patient, physician and patient, and attorney and client.

These relationships are protected for various reasons. The wife-husband and clergy-communicant privileges protect the general sanctity of marriage and religion. The Counsellor and client privilege promotes full disclosure in the interests of the client's welfare.

A communication is not confidential, and therefore not privileged, if it is overheard by a third party who is not an agent of the listener. Agents include secretaries and other employees of the listener. For example, a communication between a counselor and client would be privileged even if the counsellor's secretary happened to overhear it.

Privileged communications are not always absolute. For instance, a criminal defendant may be able to access communications between an accuser and the accuser's doctor if the defendant's interest in the disclosure, in the opinion of the court, outweighs the interest in confidentiality. The court will consider such a request only if the defendant can establish a reasonable probability that important information exists in the communication that will be relevant to the case.

Privacy

In general, the right to be free from secret surveillance and to determine whether, when, how, and to whom, one's personal or organisational information is to be revealed. In specific, privacy may be divided into four categories:

- 1) Physical: restriction on others to experience a person or situation through one or more of the human senses;
- 2) Informational: restriction on searching for or revealing facts that are unknown or unknowable to others;
- 3) Decisional: restriction on interfering in decisions that are exclusive to an entity;
- 4) Dispositional: restriction on attempts to know an individual's state of mind.

2.2.4 Respecting Client Rights

- a) **Multicultural/Diversity Considerations:** Counselors maintain awareness and sensitivity regarding cultural meanings of confidentiality and privacy. Counselors respect differing views toward disclosure of information. Counselors hold ongoing discussions with clients as to how, when, and with whom information is to be shared.

- b) **Respect for Privacy:** Counselors respect client rights to privacy. Counselors solicit private information from clients only when it is beneficial to the counseling process.
- c) **Respect for Confidentiality:** Counselors do not share confidential information without client consent or without sound legal or ethical justification.
- d) **Explanation of Limitations:** At initiation and throughout the counseling process, counselors inform clients of the limitations of confidentiality and seek to identify foreseeable situations in which confidentiality must be breached.

2.2.5 Exceptions

- a) **Danger and Legal Requirements:** The general requirement that counselors keep information confidential does not apply when disclosure is required to protect clients or identified others from serious and foreseeable harm or when legal requirements demand that confidential information must be revealed. Counselors consult with other professionals when in doubt as to the validity of an exception. Additional considerations apply when addressing end of life issues.
- b) **Contagious, Life Threatening Diseases:** When clients disclose that they have a disease commonly known to be both communicable and life threatening, counselors may be justified in disclosing information to identifiable third parties, if they are known to be at demonstrable and high risk of contracting the disease. Prior to making a disclosure, counselors confirm that there is such a diagnosis and assess the intent of clients to inform the third parties about their disease or to engage in any behaviours that may be harmful to an identifiable third party.
- c) **Court Ordered Disclosure:** When subpoenaed to release confidential or privileged information without a client's permission, counselors obtain written, informed consent from the client or take steps to prohibit the disclosure or have it limited as narrowly as possible due to potential harm to the client or counseling relationship.
- d) **Minimal Disclosure:** To the extent possible, clients are informed before confidential information is disclosed and are involved in the disclosure decision making process. When circumstances require the disclosure of confidential information, only essential information is revealed.

2.2.6 Information Shared with Others

- a) **Treatment Teams:** When client treatment involves a continued review or participation by a treatment team, the client will be informed of the team's existence and composition, information being shared, and the purposes of sharing such information.
- b) **Confidential Settings:** Counselors discuss confidential information only in settings in which they can reasonably ensure client privacy.
- c) **Third-Party Payers:** Counselors disclose information to third party payers only when clients have authorised such disclosure.

- d) **Transmitting Confidential Information:** Counselors take precautions to ensure the confidentiality of information transmitted through the use of computers, electronic mail, facsimile machines, telephones, voicemail, answering machines, and other electronic or computer technology
- e) **Deceased Clients:** Counselors protect the confidentiality of deceased clients, consistent with legal requirements and agency or setting policies.

2.2.7 Groups and Families

- a) **Group Work:** In group work, counselors clearly explain the importance and parameters of confidentiality for the specific group being entered.
- b) **Couples and Family Counseling:** In couples and family counseling, counselors clearly define who is considered “the client” and discuss expectations and limitations of confidentiality. Counselors seek agreement and document in writing such agreement among all involved parties having capacity to give consent concerning each individual’s right to confidentiality and any obligation to preserve the confidentiality of information known.

2.2.8 Clients Lacking Capacity to Give Informed Consent

- a) **Responsibility to Clients:** When counseling minor clients or adult clients who lack the capacity to give voluntary, informed consent, counselors protect the confidentiality of information received in the counseling relationship as specified by state laws, written policies, and applicable ethical standards.
- b) **Responsibility to Parents and Legal Guardians:** Counselors inform parents and legal guardians about the role of counselors and the confidential nature of the counseling relationship. Counselors are sensitive to the cultural diversity of families and respect the inherent rights and responsibilities of parents/guardians over the welfare of their children/charges according to law. Counselors work to establish, as appropriate, collaborative relationships with parents/guardians to best serve clients.
- c) **Release of Confidential Information:** When counseling minor clients or adult clients who lack the capacity to give voluntary consent to release confidential information, counselors seek permission from an appropriate third party to disclose information. In such instances, counselors inform clients consistent with their level of understanding and take culturally appropriate measures to safeguard client confidentiality.

2.2.9 Records

- a) **Confidentiality of Records:** Counselors ensure that records are kept in a secure location and that only authorized persons have access to records.
- b) **Permission to Record:** Counselors obtain permission from clients prior to recording sessions through electronic or other means.
- c) **Permission to Observe:** Counselors obtain permission from clients prior to observing counseling sessions, reviewing session transcripts, or viewing recordings of sessions with supervisors, faculty, peers, or others within the training environment.

- d) **Client Access:** Counselors provide reasonable access to records and copies of records when requested by competent clients. Counselors limit the access of clients to their records, or portions of their records, only when there is compelling evidence that such access would cause harm to the client. Counselors document the request of clients and the rationale for withholding some or all of the record in the files of clients. In situations involving multiple clients, counselors provide individual clients with only those parts of records that related directly to them and do not include confidential information related to any other client.
- e) **Assistance With Records:** When clients request access to their records, counselors provide assistance and consultation in interpreting counseling records.
- f) **Disclosure or Transfer:** Unless exceptions to confidentiality exist, counselors obtain written permission from clients to disclose or transfer records to legitimate third parties. Steps are taken to ensure that receivers of counseling records are sensitive to their confidential nature.
- g) **Storage and Disposal after Termination:** Counselors store records following termination of services to ensure reasonable future access, maintain records in accordance with state and federal statutes governing records, and dispose of client records and other sensitive materials in a manner that protects client confidentiality. When records are of an artistic nature, counselors obtain client (or guardian) consent with regards to handling of such records or documents.
- h) **Reasonable Precautions:** Counselors take reasonable precautions to protect client confidentiality in the event of the counselor's termination of practice, incapacity, or death.

2.2.10 Research and Training

- a) **Institutional Approval:** When institutional approval is required, counselors provide accurate information about their research proposals and obtain approval prior to conducting their research. They conduct research in accordance with the approved research protocol.
- b) **Adherence to Guidelines:** Counselors are responsible for understanding and adhering to state, federal, agency, or institutional policies or applicable guidelines regarding confidentiality in their research practices.
- c) **Confidentiality of Information Obtained in Research:** Violations of participant privacy and confidentiality are risks of participation in research involving human participants. Investigators maintain all research records in a secure manner. They explain to participants the risks of violations of privacy and confidentiality and disclose to participants any limits of confidentiality that reasonably can be expected. Regardless of the degree to which confidentiality will be maintained, investigators must disclose to participants any limits of confidentiality that reasonably can be expected.
- d) **Disclosure of Research Information:** Counselors do not disclose confidential information that reasonably could lead to the identification of

a research participant unless they have obtained the prior consent of the person. Use of data derived from counseling relationships for purposes of training, research, or publication is confined to content that is disguised to ensure the anonymity of the individuals involved.

- e) **Agreement for Identification:** Identification of clients, students, or supervisees in a presentation or publication is permissible only when they have reviewed the material and agreed to its presentation or publication.

2.2.11 Consultation

- a) **Agreements:** When acting as consultants, counselors seek agreements among all parties involved concerning each individual's rights to confidentiality, the obligation of each individual to preserve confidential information, and the limits of confidentiality of information shared by others.
- b) **Respect for Privacy:** Information obtained in a consulting relationship is discussed for professional purposes only with persons directly involved with the case. Written and oral reports present only data germane to the purposes of the consultation, and every effort is made to protect client identity and to avoid undue invasion of privacy.
- c) **Disclosure of Confidential Information:** When consulting with colleagues, counselors do not disclose confidential information that reasonably could lead to the identification of a client or other person or organisation with whom they have a confidential relationship unless they have obtained the prior consent of the person or organisation or the disclosure cannot be avoided. They disclose information only to the extent necessary to achieve the purposes of the consultation.

Self Assessment Questions

- 1) Discuss nature of ethics.

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- 2) What are the important components of ACA code of ethics?

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3) Discuss in detail the privileged communication, confidentiality and privacy.
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4) Describe the conditions under which one finds exceptions to the ethical rules.
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5) Discuss maintaining of records of clients cases.
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2.3 REHABILITATION COUNCIL OF INDIA (RCI)

In India the counseling, psychotherapy, psychological treatments, social work interventions, rehabilitation counseling etc. are all monitored by the apex agency Rehabilitation Council of India. Not only they monitor the training institutitons and ensure that the counselors get the proper training, but they also make sure that the counselors are updated on the latest techniques available once license is given, by organising refresher courses for the practicing counselors. They also have worked out certain ethical guidelines which are given below.

“RCI Code of Ethics Adopted July 17, 2001 Revised March 28, 2006

Introduction

The standards contained in this Code of Ethics are statements of ethical principles having broad applicability to members and registrants of RCI. However, the enumeration of particular duties and the proscription of certain conduct do not negate the existence of other obligations logically flowing from such principles. Conduct deemed unethical may be construed to include lesser offenses, such as aiding and abetting.

Members and registrants of RCI should also recognise that their profession and their practice may be governed by various laws and regulations regarding professional registration and the conduct of trade. It is their responsibility, therefore, to be familiar with those laws and regulations and to conduct themselves accordingly.

General Obligations Members and registrants shall maintain and further their knowledge of the science and profession of roofing, waterproofing, and the building envelope, and shall maintain the highest possible standard of professional judgment and conduct.

Obligations to the Public

Members and registrants should uphold the letter and spirit of the ethical standards governing their professional affairs and should consider the full impact of their actions on the community at large.

Thus, a member or registrant shall: I) Engage only in accurate, appropriate and truthful promotion of his/her practice; II) Be respectful of the rights of others in obtaining professional work or employment; and III) Make only accurate, truthful and appropriate statements or claims about his/her professional qualifications, experiences or performance.

Obligations to the Client

Members and registrants shall conduct themselves in a fashion which brings credit to themselves, their employers and their profession. In addition to upholding the behavioural standards described above, a member or registrant:

- I) Shall preserve the confidence of his/her client or employer and serve each in a professional and competent manner.
- II) Shall exercise unprejudiced and unbiased judgment and conduct when performing all professional services;
- III) Shall practice only in his/her area of competence;
- IV) Shall decline any activity or employment, avoid any significant financial or other interest, and decline any contribution if it would reasonably appear that such activity, employment, interest, or contribution could compromise his or her professional judgment or conduct, or prevent him/her from serving the best interest of his/her client or employer, without making full disclosure to the client and obtaining the client's consent thereto;
- V) Shall neither offer nor make any payment or gift to any public official, private client or industry representative with the intent of influencing that person's judgment or decision in connection with an existing or prospective project in which the member/registrant is interested; and
- VI) May contribute his services or anything of value to those endeavors which the member deems worthy. Further, a member or registrant has the right to participate in the political process and to contribute time and money to political campaigns.

Obligations to the Profession and Building Industry

Members and registrants shall:

- I) Recognise the value and contributions of others engaged in the design and construction process, and refrain from making false statements about the work of others, and shall not maliciously injure or attempt to injure the prospects, practice, or employment position of others; and
- II) Encourage professional education and research, as well as the development and dissemination of information relating to the design and construction of roofing, waterproofing, and building envelope systems.

Further, the following practices are not in themselves unethical, unprofessional, or contrary to any policy of RCI, and RCI members and registrants are free to decide for themselves whether to engage in any of these practices:

- I) Submitting competitive bids or price quotations, including in circumstances where price is the sole or principle consideration in the selection of a consultant;
- II) Providing discounts; or
- III) Providing free services.

2.4 ETHICAL ISSUES

2.4.1 Competence

The ethical issue of competence begins when the counselor accepts a position as a professional counselor. The counselor must determine, along with the potential employer, whether he or she is qualified by virtue of training and, where appropriate, experience for the position. The counselor applicant must possess qualifications for certification or licensure when appropriate and also special interests and or values that might influence on the job functioning. The counselors should not apply for positions in which they are not interested or for which they re not qualified.

On the job the counselor is responsible professionally to practice within his or her limitations. Although competence is often difficult to determine, training and experience can provide useful guidelines in indicating what we are qualified to do. Consultation with supervisors and or more experienced professional colleagues can help identify the limits of ones professional competence.

Degrees, licenses and certificates may convey levels of competence to the public, yet in actuality, we must recognise variations in the competencies among practitioners with the same credentials. It is the responsibility of the counselor to keep updating their skills, competence and expertise through participation in various educational and professional opportunities, reading professional literature and attending professional meetings, seminars and conferences.

When the counselors determine that the client's needs may be beyond their competencies, they should promptly arrange for an appropriate referral. This responsibility includes helping the client identify a suitable professional.

2.4.2 Confidentiality

Trust is an essential cornerstone in the counseling relationship and central to the development and maintenance of trust is the principle of confidentiality. The obligation of counselors to maintain confidentiality in their relationships with their clients is not absolute; however, counselors need to be aware of both ethical and legal guidelines that apply.

Principles of Confidentiality

- 1) The obligation of confidentiality is relative rather than absolute since there are conditions that can alter it.
- 2) Confidentiality depends on the nature of the material, so that the material which is already public or can easily become so is not bound by confidentiality in the same way as the entrusted secret.
- 3) Material that is harmless does not bind the counselor to confidentiality.
- 4) The material that is necessary for a counselor or an agency to function effectively is often released from the bounds of confidentiality.
- 5) Confidentiality is always conditioned by the intrinsic right of the counselee to his integrity and reputation, to the secret, and to resist aggression. Such rights can be protected by the counselor even against the law.
- 6) Confidentiality is limited to also by the rights of the counselor to preserve his own reputation and integrity, to resist harm or aggression, and to preserve privileged communication.
- 7) Confidentiality is determined and limited by the rights of an innocent third party and by the rights of the community.

Three Levels of Confidentiality

- 1) Professional use of information. Every counselor is obligated to handle information about clients or potential clients only in professional ways.
- 2) Confidentiality refers to information that arises out of the counseling relationship.
- 3) This level of confidentiality occurs when it is obvious that the client will not communicate to complete confidence except in cases of clear and immediate danger to human life.

In distinguishing between confidentiality and privileged communication, it is important to remember that confidentiality is primarily an ethical concept whereas privileged communication is a legal concept. Confidentiality may be viewed as an ethical responsibility that requires the professional counselor to protect and withhold from others information shared with the assumption of privacy by the client during the counseling process.

Arthur & Swanson (1993), note exemptions cited Bissel and Royce (1992), the ethical principles of confidentiality are:

- 1) The client is a danger to self and others. The law places physical safety above considerations of confidentiality for the right of privacy. Protection of the person takes precedence and includes the duty to warn.
- 2) The client requests the release of the principle and privacy remains with the client and maybe waved. The counselor should release information as requested by the client.
- 3) A court orders a release of information. The responsibility under the law for the counselor to maintain confidentiality is overridden when the court determines that the information is needed to serve the cause of justice.
- 4) The counselor is receiving systematic clinical supervision. The client gives the right of confidentiality when it is known that session material will be use during supervision.
- 5) Clerical assistance process information and papers related to the client. The client should be informed that the office person will have access to the records for routine matters such as billing and record keeping.
- 6) Legal and clinical consultations are needed; the client should be informed (ethical) rights of the counselor to obtain other professional opinions about progress and the name(s) of those used as consultant (s).
- 7) Clients raise the issue of their mental health in a legal proceeding. In a custody suit, parents introduce their mental condition into the suit, where upon they authorise the release of the counselor's records.
- 8) A third party is present in the room, clients are (presumably) aware of person other than the counselor is present and therefore wave their right of privacy in permitting the third person to be present.
- 9) Clients are below the ager of 18, parents or guardians have the legal rights to communication between the minor and counselor.
- 10) In intra agency or institutional sharing of information is part of treatment process otherwise confidential material maybe shared among professional staff when it is in the interest of the client to do so, however, the client must be aware that this is being done.
- 11) Sharing of information is required within a penal system. Information obtained from prisoners that may otherwise be considered confidential maybe shared within the system in the interest of the operation of the system and disposition of the case.
- 12) The client's purpose in disclosing information was to seek advice in the furtherance of crime and fraud. The obligation here changes from one of maintaining confidentiality to one of preventing society from further criminal activity.
- 13) The counselor has reason to suspect child abuse. All states now legally require the reporting of suspected abuse.

The counseling process involves the sharing of very personal information. People will not feel safe discussing their situations and feelings with a counselor unless they are confident that their privacy will be respected, and their issues will not

be casually spread around. Nonetheless, there are times when sharing such information is appropriate, or even necessary.

Here are some instances:

- Your client presents an imminent, serious danger to self or others
- Your client requests that you share information with others
- Another person is present in the room, clearly visible to your client (and, most often, at your client’s request)
- Here are some borderline situations. You should discuss these with your client before you share their story with others.
- You feel the need to get input from a Craft elder, or from a counselor whose experience or insight you respect, or from another professional whose expertise is relevant to your client’s situation (e.g. doctor, lawyer, teacher)
- You are presenting your client’s case as part of ongoing supervision
- You normally share Craft concerns with your working partner, particularly when those concerns relate to a student or convener.
- You have someone trustworthy person assisting with your record keeping .
- Finally, there may come times when you are under legal pressure to break your client’s confidence. It’s very important that you become familiar with applicable law where you live. In situations like these, you must weigh all possible legal and related consequences and make your best conscientious decision:
 - a court orders release of information
 - your client is a legal minor, and parents demand disclosure
 - “mandated reporter” situations, which vary from jurisdiction to jurisdiction. These may include child abuse, suicide risk, drug use or other problems

Our strong suggestion is that you ponder these situations, and any others that you can recall or imagine, before they arise. How do you think you would respond to them? As you understand your own reactions, you can let your clients know where your limits are. This allows them to decide how much personal information they can comfortably share with you.

<p>Self Assessment Questions</p> <p>1) Delineate the ethical guidelines of the RCI in India</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>
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2) What are the various aspects related to confidentiality?
3) Discuss competence in clients from the point of view of ethical guidelines.
4) What are the conditions under which one need not follow the ethical guidelines strictly?

2.5 EDUCATION AND TRAINING IN COUNSELING

2.5.1 Qualifications for Counseling Courses

Certificate, Diploma and PG Diploma courses on counseling are offered by various institutes all over India. For pursuing a PG Diploma in Clinical and Community psychology, you need to have a graduation in Psychology. For admission to diploma program in Guidance & counseling, some institutes prefer candidates with a Bachelors degree in Home Sc., Education or Arts, whereas others admit candidates with a M.A/M.Ed (psychology) degree.

Counseling courses also include a certificate course in Guidance. Candidates with M.A degree in Psychology can apply for Diploma program in Vocational Rehabilitation and Counseling and PG Diploma course in Rehabilitation Psychology. Postgraduate candidates can also apply for PG Diploma in Counseling.

2.5.2 Benefits of Counseling Courses

More and more people are resorting to counseling to solve various crises of their lives. After pursuing counseling courses, students acquire helping skills to counsel and guide people for coping up with their educational, social or personal crisis.

2.5.3 Scope for Counseling in India

Once you complete counseling courses, you can choose from several job profiles in India. Trained personnel can opt to work in marriage counseling agencies, schools and colleges, old age homes, counseling centers, welfare departments of governments or remain self employed.

2.5.4 Scope for Counseling Abroad

In the countries in the West, counselors are held in the same rank as other medical practitioners. Their remunerations are thus higher than that in India. Counselors can opt for practicing abroad in the same fields offering counseling jobs in this country.

2.6 LET US SUM UP

Counselors like all other professionals have ethical responsibilities and obligations. There are many ethical and legal considerations that need to be looked in to by the counselors as helping professionals. At the same time considerable measures have to be taken to make these ethical guidelines more comprehensive, specific and related to different situations.

The principle rule supporting ethical obligations is that the counselor must act with full recognition of the importance of client's rights, the ethics of the profession, and the relationship of moral standards and values, individual or cultural, in the life of that client.

The emphasis here is on the importance of practicing within the ethical guidelines established by ones professional associations and guidelines established by law. In fact, the very labeling of counseling as a helping profession suggests that we have assumed responsibilities of our profession in providing professional counseling services for our clientele and serving the public. These responsibilities include acceptable standards of performance or competence, an accepted code of personal conduct in relationships with clients and the public, and a commitment to contribute to the public well being that transcends monetary gain.

A code of ethics represents the values of a profession translated into standards of conduct. A code of ethics provides structure to guidelines for a profession's membership to follow in professional practice and also for the public to anticipate in interactions with the profession and its membership. It is important to differentiate professional ethics and legally mandated ethics.

For counselors at least two basic statements of ethical practice and behaviour apply to work in the profession, a) ACA code of ethics (2005), and b) Ethical principles of psychologists and code of conduct of American Psychological Association (2002).

The members of these associations are expected to follow these codes of ethics and professional standards. Failure to abide by these standards may result in expulsion from the profession.

In India the counseling, psychotherapy, psychological treatments, social work interventions, rehabilitation counseling etc are all monitored by the apex agency

Rehabilitation Council of India. Not only they monitor the training institutions and ensure that the counselors get the proper training, but they also make sure that the counselors are updated on the latest techniques available once license is given, by organising refresher courses for the practicing counselors.

The ethical issue of competence begins when the counselor accepts a position as a professional counselor. The counselor must determine, along with the potential employer, whether he or she is qualified by virtue of training and, where appropriate, experience for the position. The counselor applicant must possess qualifications for certification or licensure when appropriate and also special interests and or values that might influence on the job functioning. The counselors should not apply for positions in which they are not interested or for which they are not qualified.

Trust is an essential cornerstone in the counseling relationship and central to the development and maintenance of trust is the principle of confidentiality. The obligation of counselors to maintain confidentiality in their relationships with their clients is not absolute; however, counselors need to be aware of both ethical and legal guidelines that apply.

In distinguishing between confidentiality and privileged communication, it is important to remember that confidentiality is primarily an ethical concept whereas privileged communication is a legal concept. Confidentiality may be viewed as an ethical responsibility that requires the professional counselor to protect and withhold from others information shared with the assumption of privacy by the client during the counseling process.

The counseling process involves the sharing of very personal information. People will not feel safe discussing their situations and feelings with a counselor unless they are confident that their privacy will be respected, and their issues will not be casually spread around. Nonetheless, there are times when sharing such information is appropriate, or even necessary.

2.7 UNIT END QUESTIONS

- 1) Define ethical responsibilities and regulations.
- 2) Discuss nature of ethics
- 3) What are the ethical guidelines ACA code of ethics?
- 4) Define and describe the issues concerned with confidentiality, privileged communication and privacy.
- 5) Discuss respecting client's rights and indicate the exceptions.
- 6) What are the conditions under which the relatives and families are interviewed?
- 7) Put forward the ethical guidelines of the Rehabilitation Council of India.
- 8) What are the ethical issues concerned with competence and confidentiality?
- 9) Discuss research and training for counseling.

2.8 SUGGESTED READINGS

ACA Code of Ethics (2008). As approved by ACA Governing Council .
www.counseling.org

Steven D. Brown and Robert W.Lent (Eds) (2008). *Handbook of Counselling Psychology*. 4th edition. Wiley International Chicago, IL

Ray Woolfe, Shjeelagh Strawbridge , Barbara Douglas and Windy Dryden (2010) (Eds). *Handbook of Counselling Psychology*. Sage Publications, NY