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3 ETHICAL CODE, PROFESSIONAL PRACTICE GUIDELINES AND ETHICS COMMITTEE.

3.1 Ethics Guidelines

These ethics 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 national 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 web site. <http://www.eatanews.org/ethics.htm>

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

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

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 (Education)
- Certified Transactional Analyst (Organisations)
- 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
- 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 / Education / Organisations / 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 / Education / Organisations / Psychotherapy)', 'Provisional Teaching and/or Supervising Transactional Analyst', 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 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 International Transactional Analysis Association. The logo indicates certified membership of the ITAA, EATA, or other organisations within the international 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).
- 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, PTSTA or CTA. Other titles should not be used; any combination of titles should not be used. If a Principal Supervisor is training candidates 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 Committee

All complaints will be managed directly by the national organisations. EATA is the umbrella organisation of the national organisations and individuals are members through their national organisation. EATA national organisations have their own ethics committees, codes and procedures. National organisations have the responsibility for resolving their own breaches of ethics and professional practice. The EATA Ethics Committee's role is to offer advice and assistance on ethical issues.

The EATA Ethics Committee is the body with the task to **secure the proper implementation of the professional ethics guidelines** at the national association's level.

The EATA Ethics Committee:

- defines **Ethical Principles**
- describes the **charter for the procedures and principles** which are **binding** for the associated organisations

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

EATA Ethics Committee offers **assistance** to their members (national associations). Upon request of the national organisations, the EATA Ethics Committee will provide:

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

EATA Ethics Committee will also **confront** its members (national associations) in the case a process has not been clear or correct.

EATA Ethics Committee **is not** an appeal instance for the **content** of ethical cases.

EATA Ethics Committee is a **processes facilitating** instance in case of difficulties in handling ethical issues and can be contacted by any involved party (associated organisations and individual members).

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

Where for any reason the (mediation, arbitration) process fails and the two parties are not able to find a solution, EATA and National ethics committee should no more investigate. The parties are free to bring their case to the court.

Ethics Committee (national and EATA) 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.

A. Procedure for Advice

National associations and individual members can contact the chair of EATA Ethics Committee if they have questions concerning ethics and ethics procedures. The Chair of the Ethics Committee will give the advice or nominate another member of the Ethics Committee to deal with the matter. Any such advice is held within the boundary of confidentiality.

B. Procedure for Mediation

1. The member or association contacts the EATA Ethics Chair by letter, email or telephone and explains the situation.
2. The EATA Ethics Chair helps the member or association to clarify the situation and to find out which next steps are appropriate.
3. If necessary, the EATA Ethics Chair 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. If the next step is mediation, the EATA Ethics Chair makes sure that both sides agree to take part in mediation.
5. When this is clear, the EATA Ethics Chair (or EATA Ethics Committee) will suggest a mediator. Both parties have to agree on the choice of the mediator.
6. The EATA Ethics Chair will not take the role of mediator.
7. Both the parties, the mediator and the EATA Ethics Committee, 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 Chair 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 chair about the current situation of the process. He or she may make to the EATA Ethics Committee a proposal for further steps (e.g. an extension of the mediation or alternatively arbitration or investigation).
10. The EATA Ethics Committee will then discuss the proposal and determine the next steps. If they 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 committee will help to find appropriate persons for arbitration or a committee for the investigation.

C. 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 Committee 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 Committee.

Once the process of arbitration is completed, involved parties and the arbitrator(s) will inform the EATA Ethics Chair 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 Ethics Committee. The EATA Ethics Committee will inform the parties involved, that the case is closed and no more intervention can be provided.