

Psychological Association of Manitoba: Code of Conduct

Psychological Association of Manitoba/
College of Psychologists of Manitoba

February, 2013

CONTENTS

| |
|--|
| PURPOSES AND DEVELOPMENT |
| 1.0 DEFINITIONS/INTERPRETATION |
| 2.0 APPLICATION |
| 3.0 GENERAL STANDARDS FOR COMPETENCY |
| 4.0 INFORMED CONSENT |
| 5.0 RELATIONSHIPS |
| 6.0 CONFIDENTIALITY |
| 7.0 PROFESSIONALISM |
| 8.0 PROVISION OF SERVICES |
| 9.0 REPRESENTATION OF SERVICES AND CREDENTIALS |
| 10.0 ADVERTISING AND OTHER PUBLIC STATEMENTS |
| 11.0 ASSESSMENT PROCEDURES |
| 12.0 FEES |
| 13.0 MAINTENANCE OF RECORDS |
| 14.0 SECURITY OF AND ACCESS TO RECORDS |
| 16.0 RESEARCH |
| 17.0 PUBLISHING |
| 18.0 COMPLIANCE WITH LAW |

PURPOSES AND DEVELOPMENT

This *Code of Conduct* has been developed as a practical guide for the day to day work of PAM Registrants. It is intended to address issues more specifically or concretely than is normally possible in Codes of Ethics (which tend to be aspirational in nature), but in a manner consistent with Ethical Codes. The aim, in all, is to offer guidance toward ethical professional practice.

The *Code* has been in development for the past two years. Early drafts focused in many respects upon private practice matters and, more specifically, on matters common to clinical or counselling psychology private practices. However, the *Code* in its current form has taken a broader approach, consistent with the movement of Psychology regulation, and takes into clearer account the practice activities of other practice areas as Applied Behaviour Analysis, School Psychology, and Industrial/Organizational Psychology

Also, the *Code* addresses various matters of concern both to Registrants working in private practice and institutional practices—or practicing in multiple institutions, or in a combination of institutional and private practice settings. For example, whereas private practitioners are generally the sole custodians of records, set the policies of their practices, hire staff, and maintain their own facilities, Psychologists practicing in hospitals or schools may need to abide by policies and practices imposed by others. As such, the *Code* has been developed as a guide for Psychologists' professional conduct to the limits of their ability or control.

In general, the reader is advised to note usage of the word “must,” as opposed to “should” (or to the words, “should normally,” etc.). The *Code's* authors have used “must” where it is reasonable to expect Registrants to show consistent compliance. Where compliance has been seen as difficult or impossible for Registrants—for example, in areas of institutional practice, where a Registrant may have little practical control—the authors have opted for “should.” At the same time, it is assumed that, in the event a Psychologist becomes aware that a policy or action of an institution, be it educational, hospital, correctional, government, or otherwise, is inappropriate, the Registrant *must* raise the matter to the attention of institutional decision-makers, as well as PAM or The College of Psychologists of Manitoba.

Finally, the current *Code* is the product of many peoples' efforts through several years and, while it may work for the present, changes to the document will undoubtedly be required in the future. The *Code* is therefore best viewed as a living document, and readers, whether Registrants or not, are encouraged to contribute feedback and thoughts to the Registrar, now and going forward.

— Psychological Association of Manitoba, November, 2012

1.0 DEFINITIONS/INTERPRETATION

1.1 Definitions

In this *Code*, unless the context indicates otherwise:

- “Bylaws” means the Bylaws of the College;
- “College” means the College of Psychologists of Manitoba, but referred to as the Psychological Association of Manitoba as of publication date. It is anticipated that the Psychological Association of Manitoba will be referred to as the College of Psychologists of Manitoba under Regulated Health Professions legislation.
- “Confidential information” means information revealed by a client, or otherwise obtained by a registrant, where there is reasonable expectation that because of (a) the relationship between the client and the registrant, or (b) the circumstances under which the information was revealed or obtained, the information must not be disclosed by a registrant without the informed consent of the client unless permitted or required by law (see Section 6).
- “Practice of psychology” is currently defined in The Psychologists Registration Act as:

the assessment of behavioural, mental, neuropsychological and personality characteristics, functions and conditions; the diagnosis, treatment and prevention of behavioural, mental, neuropsychological and personality disorders; and the maintenance and enhancement of physical, intellectual, emotional, social, vocational and interpersonal functioning.

However, it is clear that the practice of psychology has become much broader than this, and that the current definition does not easily incorporate many of the practice activities conducted in ABA, I/O, Social, or ABA Psychology, etc. The APA’s 2010 Model Act for State Licensure of Psychologists defines the practice of psychology more broadly, and we offer it here as a potentially more useful definition:

The “Practice of psychology” is defined as the observation, description, evaluation, interpretation, and modification of human behavior by the application of psychological principles, methods, and procedures, for the purposes of (a) preventing, eliminating, evaluating, assessing, or predicting symptomatic, maladaptive, or undesired behavior; (b) evaluating, assessing, and/or facilitating the enhancement of individual, group, and/or organizational effectiveness – including personal effectiveness, adaptive behavior, interpersonal relationships, work and life adjustment, health, and individual, group, and/or organizational performance, or (c) assisting in legal decision-making.

The practice of psychology includes, but is not limited to, (a) psychological testing and the evaluation or assessment of personal characteristics, such as

intelligence; personality; cognitive, physical, and/or emotional abilities; skills; interests; aptitudes; and neuropsychological functioning; (b) counseling, psychoanalysis, psychotherapy, hypnosis, biofeedback, and behavior analysis and therapy; (c) diagnosis, treatment, and management of mental and emotional disorder or disability, substance use disorders, disorders of habit or conduct, as well as of the psychological aspects of physical illness, accident, injury, or disability; (d) psychoeducational evaluation, therapy, and remediation; (e) consultation with physicians, other health care professionals, and patients regarding all available treatment options, including medication, with respect to provision of care for a specific patient or client; (f) provision of direct services to individuals and/or groups for the purpose of enhancing individual and thereby organizational effectiveness, using psychological principles, methods, and/or procedures to assess and evaluate individuals on personal characteristics for individual development and/or behavior change or for making decisions about the individual, such as selection; and (g) the supervision of any of the above. The practice of psychology shall be construed within the meaning of this definition without regard to whether payment is received for services rendered.

On either definition, the practice of psychology involves certain activities, outlined currently in the Scope of Practice statement (PAM By-Law #2) and, in the future, referred to as Reserved Acts under the Regulated Health Professions Act. These Reserved Acts are:

Making a diagnosis and communicating it to an individual or his or her personal representative in circumstances in which it is reasonably foreseeable that the individual or representative will rely on the diagnosis to make a decision about the individual's health care.

Performing a psycho-social intervention with an expectation of modifying a substantial disorder of thought, mood, perception, orientation or memory that grossly impairs judgment, behaviour, the capacity to recognize reality, or the ability to meet the ordinary demands of life.

- “Confidential information” means information revealed by a client, or otherwise obtained by a registrant, where there is reasonable expectation that because of (a) the relationship between the client and the registrant, or (b) the circumstances under which the information was revealed or obtained, the information must not be disclosed by a registrant without the informed written consent of the client unless permitted or required by law. “professional relationship” means a mutually agreed upon relationship between a registrant and a client for the purpose of the client obtaining professional services from the registrant.
- “Professional service” means all actions of a registrant in the context of a professional relationship with a client;
- “Psychological services” means a service included in the practice of psychology;
- “Records” includes notes, reports, invoices, completed or partially completed test forms and protocol sheets, test results, interview notes, correspondence, and other documents in whatever form, including information stored in digital form or on audio or videotapes, in the primary control of the registrant and related in any way to the registrant’s provision of psychological services to the client.
- “Registrant” means a person who is registered with the College under the Bylaws;
- “Provider” means a person who is directly interacting with the individual(s) receiving the service. In certain circumstances there may be multiple providers.
- “Supervisee” means any person who performs a psychological service under the supervision of a registrant.

1.2 Meaning of “client”

In this Code, “client” means the person who is receiving psychological services. In most cases the references to “client” will mean an individual, couple, family, group or organization. However, a client may also be a corporate entity or other organization when services are intended to benefit the organization as well as an individual. In the case of a minor, who is not competent to give consent, or a legally incompetent adult, the legal guardian is considered the client for decision making purposes, except in respect of the following issues:

- (a) issues directly affecting the physical or emotional safety of the individual, such as sexual or other exploitive dual relationships, and
- (b) issues specifically reserved to the individual, and agreed to by the legal guardian before rendering psychological services, such as confidential communications in a therapy relationship.

1.3 Meaning of “sexual harassment”

In this Code, “sexual harassment” means sexual solicitation, physical advances, or verbal or nonverbal conduct that a reasonable person would view as sexual in nature that occurs in connection with the registrant’s activities or roles as a registrant.

1.4 Interpretation aids

Ethics codes, standards for providers of psychological services, and other practice documents promulgated by the Canadian Psychological Association, the American Psychological Association, the Association of State and Provincial Psychology Boards, and the practice advisories of the College may be used as an aid in resolving ambiguities which may arise in the interpretation of this Code. Consultation with other registrants and/or with the Registrar of the College may provide additional assistance in resolving interpretive issues (see 13.6j).

1.5 Conflict between standards

If there is a conflict between a provision of this Code and any other professional standard, the provision of this Code shall normally prevail. However, where a registrant reasonably believes that compliance with this Code leaves them in conflict with parts of another Code of Ethics or Code of Conduct, or reasonably anticipates that it may leave them in conflict, the registrant must consult with the P.A.M./College of Psychologists Registrar.

1.6 Conflicts with legal system

A registrant must be aware of the occasionally competing demands placed upon him or her by the standards in this Code and the requirements of the legal system, and while recognizing the final authority of the law, must attempt to resolve these conflicts:

- (a) by making known his or her obligations to comply with this Code, and
- (b) by taking steps to resolve the conflict in a responsible manner.

1.7 Inconsistency between provisions of the Code

Where there is a conflict or inconsistency between provisions of this Code, priority should be given to:

- (a) a provision which specifically applies to the particular circumstances of the case prevails over a provision of general application, and
- (b) a provision which imposes a higher standard prevails over a provision which imposes a lower standard
- (c) the provision that best protects the welfare of the client.

1.8 Use of headings

The headings and titles of parts and divisions of this Code are intended to assist the reader to locate information and are not intended to be used to interpret the meaning of any provision of this Code.

2.0 APPLICATION

2.1 Scope

This Code applies to all registrants providing psychological services in any context or circumstances.

2.2 Applicants for registration

An applicant for registration is expected to comply with this Code during any period of education, training and employment required for registration as well as during the application period itself. The totality of the applicant's past behaviour will be considered as part of assessment of good character (which is required for registration). The Registration and Membership Committee of the College may consider failure to comply with the Code by as evidence of lack of fitness to practice psychology.

2.3 Obligation to comply

The Bylaws require all registrants to comply with the applicable provisions of this Code. A registrant who fails to comply with an applicable provision of this Code may be guilty of professional misconduct and subject to disciplinary action by the College.

The totality of the applicant's past behaviour will be considered as part of assessment of 2.3 and 2.4 ... and failure to do so may be viewed as professional misconduct and result in disciplinary action by the College

3.0 GENERAL STANDARDS FOR COMPETENCY

3.1 Responsibility

A registrant must assume full responsibility for decisions he or she has made and actions he or she has taken in the performance of psychological services. A registrant also assumes legal responsibility for the services and actions of those registrants who are under his or her direct supervision.

3.2 Maintaining competency Demonstration of knowledge

A registrant must maintain competency in the areas in which he or she practices through continuing education, consultation, or other procedures that conform to current professional standards. He or she must maintain demonstrable assessment and intervention skills related to the area of practice in which he or she is practicing.

3.4 Incompetence

Without limiting any provision of this Code, the Bylaws, or the Regulated Health Professions Act, a registrant may be held to be professionally incompetent if he or she:

- (a) shows a lack of knowledge, skill, or judgment in the provision of psychological services to a client, or
- (b) demonstrates that he or she does not possess core competencies for registration within the meaning of the Bylaws.
- (c) demonstrates that he or she is unfit or unqualified to perform one or more of the responsibilities or core competencies of a registrant within the meaning of the Bylaws.

This Code recognizes that there is a distinction between incompetence (not possessing or not demonstrating requisite abilities, skills, or both, such that one is not qualified to act as a professional psychologist) and error (an instance of being incorrect in conduct or judgment, making a factual error, etc). This said, the Code does not assume that, in making an error, a registrant is invulnerable to sanction.

3.5 Limits on practice

A registrant must limit the practice of psychology and supervision of others in the practice of psychology to the areas of competence in which the registrant has gained proficiency through education, training, and experience.

3.6 Referral

A registrant must make or recommend referral to other professional, technical or administrative resources when such referral is in the best interests of the client.

3.7 Professional knowledge

A registrant must maintain current knowledge of scientific and professional developments that are directly related to the professional services the registrant renders.

3.8 Regulatory knowledge

A registrant must maintain current knowledge of all federal and provincial statutes and regulations, and other agency and professional bylaws, codes of conduct and practice advisories that relate to the performance of psychological services.

3.9 Empirical foundation of interventions

A registrant who performs interventions must

- (a) be familiar with the reliability, validity, related standardization, and outcome studies of the techniques used, and
- (b) be trained in the proper applications and uses of these techniques.

3.10 Empirical foundation of assessment

A registrant who administers, scores, interprets, or uses assessment techniques must

- (a) be familiar with the reliability, validity, related standardization, and outcome studies of the techniques used, and
- (b) be trained in the proper applications and uses of these techniques.

3.11 Qualifications for tests and procedures

A registrant must only use psychological tests and procedures that he or she is qualified to use.

3.12 Objectivity of opinions and interventions

A registrant must attempt to provide professional opinions and interventions in an objective and unbiased manner.

3.13 Accuracy

A registrant must ensure that his or her reports and public statements accurately reflect the information provided or available to him or her.

3.14 Opinion based on proper information

A registrant must base his or her professional opinions on

- (a) accurately represented information provided or made available to him or her, and
- (b) adequate and appropriate information.

3.15 Making professional judgments

A registrant must rely on scientifically and professionally derived knowledge when making scientific or professional judgments or when engaging in research, clinical work, teaching, or other scholarly or professional endeavors.

3.16 Basis for opinion

A registrant giving a formal professional opinion or recommendation about a client must do so only after direct and sufficient professional contact with the client or after receiving appropriate and relevant professional information regarding that client.

3.17 Exception to 3.16

If it is not possible to comply with standard 3.16 due to extraordinary circumstances such as those where there is a risk of imminent harm to self or others, a registrant must articulate the reasons for non-compliance in any report related to the opinion or recommendation.

3.18 Limitations on opinions

A registrant must disclose any limitations regarding the certainty of his or her opinions, including any limitations respecting diagnoses, judgments, predictions, or formal recommendations that can be made about groups or individuals.

3.19 Presentation of perspectives

When the perspectives of two or more individuals are presented in a report, a registrant must clarify authorship of each perspective in a clear and accurate manner.

3.20 Clear and understandable

A registrant must present his or her professional opinions and information about clients in a form which is clear and understandable to those receiving this information.

3.21 New competencies

A registrant who is attaining competency in a service, technique, or intervention that is unfamiliar or new to him or her or to the profession must:

- (a) engage in ongoing consultation with other registrants or appropriate professionals, and
- (b) seek appropriate education and training in that service, technique, or intervention.

3.22 Where no standards for training

Where generally recognized standards for preparatory training for psychological services, techniques, or interventions do not exist, a registrant must take steps to ensure his or her competence in those services, techniques, or interventions and to protect clients, students, trainees, research participants, and others from harm. This includes adequately advising and obtaining the informed consent of the recipient, in advance of his or her providing services, regarding the experimental nature of the services, techniques, or intervention.

3.23 Identifying special client characteristics

A registrant must identify situations in which particular interventions or assessment techniques or norms may not be applicable or may require adjustment in administration or interpretation because of factors such as gender, age, race, ethnicity, national origin, religion, sexual orientation, disability, language, or socioeconomic status.

3.24 Obtaining needed training for special situations

Where differences of age, gender, race, ethnicity, national origin, religion, sexual orientation, disability, language, or socioeconomic status significantly affect a registrant's work concerning particular individuals or groups, a registrant must obtain the training, experience, consultation, or supervision necessary to ensure the competence of his or her psychological services, or must make appropriate referrals.

3.25 Special assessments/interventions

A registrant who conducts specific kinds of assessments or interventions must ensure he or she has the necessary knowledge, training and experience to conduct assessments and interventions in that area.

3.26 Issue beyond competence

If issues arise in a particular assessment or intervention that are outside the competence of a registrant, the registrant must refer that aspect of the assessment or intervention or the assessment or intervention in general to another qualified professional.

3.27 Limitations Due to Personal Circumstances or Limitations

A registrant refrains from accepting or continuing psychological work in any area if he or she knows or should know that there is a substantial likelihood that his or her personal circumstances (e.g., physical illness, mental disorder, substance abuse, life situation, or other problems) will prevent him or her from fulfilling obligations and commitments or from performing in a competent manner, or will harm a client, colleague, student, research participant, or other person with whom he or she has a professional relationship.

3.28 Seeking Assistance

A registrant has an obligation to maintain his or her physical and mental health sufficient to carry out professional work, and when he or she becomes aware of personal problems that may interfere with performing work-related duties adequately, the registrant must

- (a) take appropriate measures, such as obtaining professional consultation or assistance, and
- (b) determine whether he or she should limit, suspend, or terminate his or her work-related duties.

3.29 Terminating due to impairment

If a registrant's competence becomes impaired within the meaning of standards 3.27 or 3.28 during the course of a professional relationship, such that the relationship should be terminated, the registrant must terminate the professional relationship appropriately, with due regard for the welfare of the client or other recipient of services, and give written notice of the termination.

4.0 INFORMED CONSENT

4.1 No services without informed consent

A registrant must obtain adequate informed consent prior to providing psychological services unless otherwise provided by law, including this Code. In such circumstances, a registrant must attempt to obtain informed consent or assent prior to providing the psychological services.

4.2 Elements of informed consent

Although the required elements for informed consent may vary depending upon the particular circumstances, a registrant must ensure that the following general elements are satisfied when seeking informed consent:

- (a) The client has the capacity to consent;
- (b) The client has been informed of significant information concerning the psychological services;
- (c) The client has freely and without undue influence expressed consent;
- (d) The client has been informed of the fees for the intended services, as applicable;
- (e) The client has been informed of the limits of confidentiality;
- (f) Consent has been obtained in writing where possible; and
- (g) The consent of the client, or of other appropriate persons (where the client is not legally capable of giving the informed consent), has been appropriately documented in the client records or in the registrant's practice records; and
- (h) Recognizing that informed consent is an ongoing process, must be monitored as circumstances change, and that clients be made aware that they may revoke their consent as circumstances change, etc.

4.3 Lack of capacity to give informed consent

If an individual is not legally capable of giving an informed consent to a registrant, the registrant must:

- (a) Obtain the informed written consent from the individual's legal guardian;
- (b) Provide an appropriate and understandable explanation to the individual, and
- (c) Where possible, obtain the individual's consent, or at least, assent to the procedure or intervention, and
- (d) Document the explanation and any consent in the client records or in the registrant's practice records, as appropriate.

- (e) Where a person is in a care providing institution, the above steps may not be required, as consent issues may be managed appropriately at intake to the institution; in this case, a registrant must ensure that informed consent has in fact been obtained as part of the institution's processes.

4.4 Informed consent and family law proceedings

Subject to any court order or court direction, a registrant providing psychological services to parents or to children for the purposes of a family law proceeding, including such services as custody and access or parenting capacity assessments, must, prior to providing the services, clarify any issues of custody and parental rights or status prior to or as part of obtaining informed consent from all appropriate persons.

4.5 Informed consent continuing throughout psychological services

Where appropriate, a registrant must obtain informed consent from the recipient of his or her services before altering the treatment plan or changing any psychological services that he or she has agreed to provide to him or her.

4.6 Structuring the relationship

A registrant must discuss with his or her clients as early as practicable in the professional relationship such issues as the nature and anticipated course of intervention or assessment, the obligation of confidentiality attached to the provision of such services, the potential risks of the intervention or assessment, and alternative treatments that may be available.

4.7 Supervised services

If supervisees or student interns will be providing the psychological services under the supervision of a registrant, the registrant must ensure that the client is informed of the supervisee's status, name of the supervisor, and the terms of the services to be provided. Where applicable, the registrant must clarify in writing the supervisee's status, name of supervisor, and the terms of the services to be provided with the party responsible for payment prior to their services being initiated.

4.8 Innovative services

A registrant must inform clients of the innovative nature of any proposed psychological service or technique and of the known risks associated with the service or technique.

4.9 Avoiding misunderstandings

A registrant must make reasonable efforts to answer clients' questions and to avoid any apparent misunderstandings about the psychological services to be performed.

4.10 Using understandable language

Whenever possible when providing information orally or in writing, a registrant must use language that is reasonably understandable to the client.

4.11 Informing about assessment procedures

A registrant must ensure that each participant in an assessment process is informed of the purpose, procedures and methods involved in the evaluation process, involvement of third parties, limits to confidentiality, and expectations about feedback and interpretation of test results at the conclusion of the assessment process.

4.12 Observing and recording

When diagnostic interviews or therapeutic sessions with a client are to be observed by a third party or recorded in any mechanical or electronic manner for audio or visual purposes, a registrant must obtain informed consent from the client or the client's legal guardian in advance. (See 4.13 (k) for situations in which audio or video recordings are made.)

4.13 Informed consent for research

With very limited exceptions (see Section 4.22), before conducting research a registrant must enter into an agreement with research participants that clarifies the nature of the research and the responsibilities of each party, and includes but is not limited to the following elements:

- (b) The purpose of the research, its procedures, the nature of the questions that will be asked, and the total time commitment required;
- (c) Participants' right to decline to participate, to not answer any questions they do not wish to answer, and/or to withdraw from the research once participation has begun, all without negative consequences.
- (d) Reasonably foreseeable factors that may be expected to influence persons' willingness to participate, such as potential risks, discomfort, costs, and/or adverse effects;
- (e) Any potential research benefits for participants.
- (f) The steps that will be taken to safeguard confidentiality, and the limits of confidentiality, including legal and ethical requirements to disclose suspected abuse of children or persons in care to appropriate authorities.

- (g) Incentives for participation, including when and how they will be provided to participants, and the fact that their provision is dependent only on consenting to participate in the research.
- (h) Whom to contact with question about the research and participants' rights, as well as to whom complaints should be directed.
- (i) How and when a meaningful summary of results will be provided to any participants who wish to receive such a summary.
- (j) An explanation of how any adverse effects of participation will be ameliorated or corrected
- (k) An explanation regarding any other aspects of the research about which prospective participants inquire, including information about the funding source for the research and researcher conflicts of interest, real or perceived.
- (a) In the event audio or audio-visual recordings are made, the consent form must clearly state the length of time recordings will be retained before they are destroyed, or, where it is the intention of the researcher to retain the recordings indefinitely, this must be stated clearly.

4.14 Informed consent for intervention research

In addition to the above requirements, a registrant conducting intervention research involving the use of experimental treatments must inform participants at the outset of the research about

- (a) the experimental nature of the treatment,
- (b) the services that will or will not be available to the control group(s) if appropriate,
- (c) the means by which assignment to treatment and control groups will be determined,
- (d) available treatment alternatives if an individual does not wish to participate in the research or wishes to withdraw after the study has begun, and
- (e) compensation for or monetary costs of participating, including, if appropriate, whether reimbursement from the participant or a third-party payer will be sought.

4.15 Research involving ongoing relationships

When a registrant conducts research with individuals such as students, employees or subordinates, he or she must be sensitive to the inherent power imbalance involved and its inherent risks. For consent to be voluntary, the registrant must take special care to protect prospective participants from any adverse consequences of declining to participate or withdrawing from participation. It is often necessary for consent to be requested by a neutral third party, at arm's length from the researcher.

4.16 Required research participation

When research participation is a course requirement or opportunity for extra credit, a registrant must give prospective participants the choice of equitable alternative activities.

4.17 Respect for research participants

A registrant must treat all research participants with respect; this includes avoiding behaviour that is demeaning, harassing, humiliating, abusive, exploitive, or gratuitously harmful in any other way.

4.18 No sex with research participants

A registrant must not have any form of sexual relationship with his or her current research participants, or engage in any other activity with participants that could reasonably be construed as exploitive and/or expected to result in harm to participants.

4.19 Research filming/recording

A registrant must obtain informed consent from research participants before filming or recording them in any form, unless the research involves simply naturalistic observations made in public places in which there is no reasonable expectation of privacy and the recordings will remain in the control of the researcher and will not be used in a manner that could result in personal identification of participants or cause harm to participants.

4.20 Deception in research

A registrant must not conduct a study involving deception unless

- a) he or she can demonstrate that the use of these techniques is justified by the study's significant prospective scientific, educational, or applied value, and
- b) scientifically credible, non-deceptive alternative procedures are not feasible, and
- c) the researcher undertakes to correct the deception at the earliest possible moment, explain its necessity to participants, and take effective action to ameliorate any negative effects.

4.21 No deception about risks

A registrant must never deceive prospective participants about research that would likely cause physical injury or pain, severe emotional distress, or other long-term harm to participants.

4.22 Dispensing with informed consent

A registrant is not required to obtain the informed consent of participants involved in research using only anonymous information (given difficulties with anonymity in questionnaires), naturalistic observations in public places, or anonymous archival records. However, before determining that consent is not required, the registrant must consider applicable regulations and institutional review board requirements, as well as consult with colleagues knowledgeable about research ethics as appropriate.

Written informed consent is also not required in rare circumstances in which it would not be understandable or culturally appropriate to prospective participants. Again, the onus is always on the researcher to adequately explore and justify dispensing with written informed consent.

4.23 Debriefing in Research

Unless an appropriately constituted Research Ethics Board has determined that subject debriefing is not required for a research project, a registrant must:

- (a) take the initiative to promptly debrief participants about the research and to disseminate to participants timely information about the nature, results, and conclusions of the research. If there is a justifiable delay in providing this information, or it is deemed necessary to withhold the information to protect participants, registrants must take reasonable measures to reduce the risk of harm;
- (b) explain to participants any significant deception as early as possible, preferably at the end of their participation, but no later than at the end of data collection overall, and permit participants the opportunity to withdraw their data without penalty; and
- (c) take all reasonable steps to rectify the situation if he or she becomes aware that research procedures have harmed a participant (e.g., offering a list of appropriate and accessible helping resources).

4.24 Research with Aboriginal communities

Due to an unfortunate history of often exploitive research experiences, present day research involving Aboriginal communities and/or participants carries with it special requirements on researchers for collaboration and partnership that go well beyond what is expected with non-Aboriginal participants. Registrants should refer to the most recent Tri-Council Policy Statement's chapter(s) on research with Aboriginal communities and consult with representatives of the Aboriginal communities of interest before initiating any such research.

5.0 RELATIONSHIPS

5.1 Preserving client welfare

In professional relationships, a registrant must take steps to protect or act in accordance with the client's welfare.

5.2 Providing explanation of procedures

A registrant must give a truthful, understandable, and appropriate account of the client's condition to the client. The registrant must keep the client fully informed as to the purpose and nature of any evaluation, treatment, or other procedures, and of the client's right to freedom of choice regarding services provided.

5.3 Disclosure of assessment results

To the extent advisable and not contraindicated by provisions of the Personal Health Information Act (e.g., possibly harmful to the individual or to an identifiable third party), or a previously agreed upon alternative disclosure process (e.g., in the case of an independent medical examination), a registrant must, within a reasonable time, properly inform an individual who has undergone a psychological assessment, or his or her legal representative(s), of the conclusions, opinions and advice generated by the assessment.

5.3 No abuse of information/power with clients or former clients

A registrant must not:

- (a) Use information obtained during the provision of psychological use a power relationship associated with the provision of psychological services, to abuse or exploit a client or former client;
- (b) Use information received from a client to acquire, directly or indirectly, a material advantage or other benefit: or
- (c) Seek special benefits from relations with a client, in addition to agreed upon monetary compensation.

5.5 No misuse of influence

Because a registrant's scientific and professional judgments and actions may affect the lives of others, the registrant must be alert to and guard against personal, financial,

commercial, social, organizational, or political factors that might lead to misuse of his or her influence. A registrant providing psychological services to a client must not

- (a) Persuade or influence that client to make gifts or contributions to him or her or to institutions, organizations or charities; or
- (b) Induce that client to solicit business or provide testimonials (cf. 10.7) on the registrant's behalf.

5.6 Gifts

A registrant must not solicit, accept, or give a gift that would be of more than a token value as determined by the recipient and subject to any relevant cultural considerations related to gift-giving for the client.

5.7 No stereotyping

A registrant must not impose on his or her clients any stereotypes of behaviour, values, or roles related to age, gender, religion, race, ethnicity, disability, nationality, sexual preference, or diagnosis which would interfere with the objective provision of psychological services to the client.

5.8 Referrals on request

A registrant providing psychological services to a client must attempt to make an appropriate referral to another health service provider when appropriate and/or requested to do so by the client.

5.9 Multiple clients

When a registrant agrees to provide psychological services to several individuals who have a relationship, such as husband and wife or parents and children, the registrant must seek clarification of the services of the following issues:

- (a) identification of the individuals who are to be considered the clients;
- (b) determination of the nature of the relationships the registrant will have with each individual, including clarification of the role of the registrant; and
- (c) the intended or probable uses of the services provided or the information obtained from the services provided.

5.10 Prohibited dual relationships

A registrant must not undertake or continue a professional relationship with a client when the objectivity or competency of the registrant could reasonably be expected to be impaired because of the registrant's present or previous familial, social, sexual, emotional, financial, supervisory, political, administrative, or legal relationship with the client or with another relevant person associated with or related to the client.

5.11 Third-party conflicts

If there is a foreseeable risk that a registrant will be asked to perform conflicting roles because of the involvement of a third party, the registrant must

- (a) clarify the nature and direction of his or her responsibilities,
- (b) keep all parties appropriately informed as matters develop, and
- (c) resolve the situation in accordance with this Code and with the Canadian Code of Ethics for Psychologists.

5.12 Identifying conflict of interests or dual roles

As soon as it becomes apparent that a registrant may be called on to perform potentially conflicting roles, such as acting as marital counsellor to husband and wife, and then acting as witness for either of them in a divorce proceeding, the registrant must clarify and adjust, or withdraw from, the potentially conflicting roles.

5.13 Third-party requests for services

When a registrant agrees to provide psychological services at the request of a third party, the registrant must clarify at the outset of the services the respective natures of relationships with the third party and the client receiving services. Consideration must be given to the following, taking into account the best interests of the client:

- (a) The role of the registrant;
- (b) The probable uses of the services provided or the information obtained; and
- (c) Any limits to the obligation of confidentiality.

5.14 No harassment or exploitation

In his or her work-related activities and professional relationships, a registrant must not

- (a) engage in any verbal or physical behaviour that is sexually seductive, demeaning, harassing, or threatening/intimidating, or
- (b) enter into a potentially exploitive relationship with a client or former client .

5.15 No sex with clients

A registrant recognizes the potential for enduring power imbalances between him- or herself and his or her clients or supervisees (see 5.17, etc.). As such, a registrant is responsible for avoiding any exploitive sexual relationship. (There is essentially a reverse onus on the psychologist to demonstrate that a sexual relationship is not exploitative.)

5.17 Continuity of care

During foreseeable absences from his or her professional practice, a registrant must arrange for one or more other appropriate professionals to provide coverage of his or her practice and deal with any urgent needs of his or her clients, as required.

A registrant must make appropriate arrangements to have appropriate professionals to assume responsibility for his or her practice and deal in the event of incapacitation or death by maintaining an up to date professional will.

5.18 Continuity of care when employment ends

When entering into employment or contractual relationships, a registrant must make provisions, to the extent possible, with paramount consideration for client welfare, for the transfer of responsibility for client care if the employment or contractual relationship ends.

5.19 Assistance on termination of services

When psychological services are to be terminated prior to completion of services, a registrant must offer to provide information about alternative services or assistance for the client, unless the services are being terminated under standard 5.20(d).

5.20 Terminating psychological services

A registrant:

- (a) must not abandon his or her clients,
- (b) must terminate psychological services when it is reasonably clear that
 - (i) the client no longer needs or wants the service, or
 - (ii) the client is not benefitting from the relationship,
- (c) may terminate psychological services when a potential conflict of interest or dual relationship arises, or attempt to resolve the situation in some other appropriate manner that preserves client welfare, and
- (d) may terminate psychological services if threatened or otherwise endangered by the client or another person with whom the client has a relationship.
- (e) may terminate psychological services where a client does not pay for the services or repeatedly fails to attend scheduled appointments, provided notice of the intention to terminate is given.

5.21 Appropriate training/supervision

A registrant must provide appropriate training to his or her employees and supervisees and must take steps to see that such persons perform psychological services responsibly, competently, and ethically.

5.22 Supervision to ensure standards

A registrant who supervises others in the provision of psychological services must ensure that the services provided meet professional standards and requirements of this Code.

5.23 Delegation of responsibilities

A registrant may delegate to his or her employees, supervisees, research assistants or any other person only those responsibilities that such persons are able to perform competently on the basis of their education, training, or experience, while unsupervised or with the level of supervision being provided.

5.24 Institutional conflicts

If institutional policies, procedures, or practices prevent fulfillment of the obligations in standards 5.21 to 5.23, a registrant must attempt to modify his or her role or to correct the situation to the extent feasible.

5.25 No exploitation or discrimination

A registrant must not exploit or discriminate against an employee or supervisee, or any individual with whom he or she works or with whom he or she has a professional relationship, sexually, financially or in any other way.

5.26 Avoiding harm

A registrant must take steps to avoid harming any individuals with whom he or she works or with whom he or she has a professional relationship (i.e. clients/patients, students, supervisees, research participants, organizational clients).

5.27 Sexual Relationships with Supervisees and Others

A registrant recognizes the potential for there to be an enduring power imbalance between a registrant and his or her supervisees and employees (see 5.15). As such, a registrant is responsible for avoiding an exploitive sexual relationships. (There is essentially a reverse onus on the psychologist to demonstrate that the relationship is not exploitative.)

5.29 Respecting others

In his or her work-related activities and professional relationships, a registrant must respect the rights of others to hold values, attitudes, and opinions that differ from his or her own.

5.30 Research Participants

A registrant must respect the dignity and protect the welfare of research participants; this includes avoiding behaviour that is demeaning, harassing, humiliating, abusive, exploitive, or gratuitously harmful in any other way. They must comply with all relevant laws and applicable institutional rules and guidelines and practice advisories issued by the College concerning treatment of research participants.

6.0 CONFIDENTIALITY

6.1 Preamble

In addition to the points noted below, members must practice in accordance with relevant legislation and, where appropriate, make clients aware of relevant portions of that legislation.

6.2 Informing about limits of confidentiality

At the commencement of a professional relationship, a registrant must inform clients about the limits of confidentiality to be maintained by the registrant and any other person engaged in the provision of psychological service who is under the Registrant's supervision. It is recommended that this information be provided to clients in written form.

6.3 No disclosure without written consent

Registrants should normally disclose confidential information about a client to a third party only with a client's written consent (except as otherwise permitted in this Code). However, in certain circumstances where withholding release without written consent is impractical, dangerous to the safety of a client, culturally inappropriate, or impossible: in this case, release with verbal consent is appropriate. Such verbal consent should be documented at the time it is given by the client and, as soon as practically possible afterward, the client's written consent should be sought.

A registrant may, without the client's written consent and provided the client's identity is not disclosed, share information with a solicitor or another authority such as Child and Family Services, to seek advice or other authoritative opinion concerning the registrant's disclosure rights and obligations.

6.4 Multiple clients

When psychological services are rendered to more than one client during a joint session, a registrant must at the beginning of the professional relationship

- (a) clarify for all clients the manner in which confidentiality will be handled, and
- (b) provide all clients with the opportunity to discuss and accept whatever limitations to confidentiality apply.

6.5 Interested third party

In a situation involving a third party, such as when an employee assistance program or an insurance company is funding the services, the registrant must at the outset clarify the limits of confidentiality and professional responsibility that apply to both the client and the third party.

6.6 Limiting access to client records

A registrant and those working under her or his authority, must, to the greatest extent possible and consistent with their authority, preserve and protect the confidentiality of client records.

Where the psychologist maintains the records (i.e. is custodian of a client's records), he or she must take reasonable steps to ensure that they, and all persons working under their authority comply with confidentiality requirements. Examples of persons working under the registrant's authority are office and IT staff, secretaries, supervisees, and colleagues. A formal orientation and written agreements to comply with confidentiality provisions is recommended.

In a hospital, school, or other institution, where a Psychologist may not be the custodian of records, the Psychologist should take reasonable steps to ensure the confidentiality of records that are under their direct control (files containing test protocols, etc.).

6.7 Disguising confidential information

When a registrant uses case reports or other confidential information as the basis of teaching, research, or other published reports, he or she must exercise care to ensure that the confidential information is appropriately disguised to prevent identification of the client.

6.8 Disclosure where risk of harm

A registrant should disclose confidential information without the informed written consent of the client if the registrant determines that disclosure is necessary to protect against a clear and substantial risk of imminent serious harm being inflicted by the client on him- or herself, or on another individual where there is a threat to public safety.

6.9 Limits on 6.8

Where a registrant makes a disclosure in the circumstances described in standard 6.8, the registrant must limit disclosure of the information to those persons who may be directly impacted by the threat and to agencies and to that content which would be consistent with this Code of Conduct.

6.10 Minors and Vulnerable Persons

At the beginning of a professional relationship with a client who is a minor or vulnerable person, a registrant must inform both the client and his or her legal guardian or substitute decision maker that there is a potential for an exception to confidentiality in communications with the registrant as specified in Standard 6.11.

6.11 Exception to 6.10

Despite standard 6.10, if the legal guardian of a minor or vulnerable person agrees before psychological services are rendered that certain issues are not to be disclosed to the guardian, a registrant must comply with this request, except where there is a risk of harm to self or others.

6.12 Court order

Despite any other provision of this Code, a registrant must comply with a court order requiring the release of any confidential information.

6.13 Client access to the clinical record

A registrant must provide access to and permit the reproduction and release of confidential information about a client to that client, when requested, unless there is a significant likelihood that disclosure of the information would cause

- (a) a substantial adverse effect on the client's physical, mental or emotional health, or
- (b) harm to a third party, or
- (c) violate provisions of The Personal Health Information Act.

6.14 Release of psychology records (Definitions)

For purposes of this provision:

- **“practice records”** means, in relation to any given client, all documents contained on any kind of media, including electronic media, in the primary control of the registrant and relating in any way to the registrant's provision of psychological services to the client, including but not limited to correspondence, notes including interview notes, documents containing information maintained pursuant to standard 13.6, and “test results”, but specifically excluding “test material”;

- “**test material**” means, in relation to any given client, all components of any test administered to a client, including test instructions, test manuals, test components including test questions and test stimuli, completed or partially completed test protocols, and test forms, including test forms which record client test responses or which record notes about client responses or behaviours during testing.
- “**test results**” means, in relation to any given client, all documents contained on any kind of media, including electronic media, which record the outcome of any test administered to a client and not qualifying as test material, including client responses to test questions or test stimuli, test scores, summaries of raw or scaled test scores, and notes about client responses or behaviours during testing.

In providing access to practice records and to test material in compliance with standard 6.13, a registrant must comply with the following requirements:

6.15 Release of practice records to the client

For guidance around managing requests for release of confidential information, a registrant should refer to the *Personal Health Information Act* (PHIA) and conduct himself or herself in a manner consistent with this legislation.

6.16 Release of test material to the client

Where an authorizing party has requested a release of confidential information and the request includes test material, the registrant must, before releasing this test material, take the following steps:

- (a) In the absence of a court order, the registrant is obliged to honour the terms of the contract under which the test materials were purchased;
- (b) Where a registrant cannot release test material to an authorizing party or to a requesting party if applicable without a court order, but may release test material to another registrant or to a regulated psychological service provider in another jurisdiction, offer to release the test material to another registrant or to regulated psychological service provider in another jurisdiction;
- (c) Where a registrant cannot release test material to an authorizing party or to a requesting party if applicable without a court order, offer to review test results with the authorizing party or the requesting party if applicable to provide information helpful to the purpose of the request; and
- (d) Where a registrant cannot release test material to an authorizing party or to a requesting party if applicable without a court order, offer to provide a verbal or written summary of results, with explanations to provide meaning and context, without providing copies of test material.

6.19 Sharing with professionals

When rendering psychological services as part of a service team, or when interacting with other service providers, concerning the welfare of a client, a registrant may share confidential information about the client if he or she ensures that all persons receiving the information are informed about the confidential nature of the information.

6.20 Ongoing confidentiality

A registrant must continue to treat as confidential all information regarding a client after the professional relationship between the registrant and the client has ended. This obligation continues even after the death of a client, where all provisions of 6.15 and 6.16 continue to apply.

6.21 Provision of records to College

A registrant is not in breach of the confidentiality obligation to his or her clients if the registrant provides his or her clinical records or other documents related to his or her practice to authorized persons in response to a request from the College in the course of an investigation of a complaint or a registration matter.

6.22 Writings and lectures

A registrant must not disclose in his or her writings, lectures, or other public media any confidential, personally identifiable information concerning his or her clients or organizational clients, students, research participants, or other recipients of his or her psychological services that he or she obtained during the course of his or her work or performance of those services, unless the individual or organization has consented in writing.

6.23 Disguised information

In the scientific and professional presentations referred to in standard 6.22, a registrant must disguise confidential information concerning the individuals or organizations to prevent those individuals or organizations from being identified by others and to prevent the presentations from causing harm to those individuals or organizations who may be able to identify him- or herself.

7.0 PROFESSIONALISM

7.1 Compliance with regulation/discipline and quality assurance program

A registrant must:

- (a) cooperate with and be responsive to the regulation and discipline of the College.
- (b) participate fully in all mandatory aspects of the quality assurance or continuing competence program of the College.

7.2 Investigations and proceedings of College

A registrant must cooperate fully with the College in investigations and proceedings of the College and in any resulting requirements.

7.3 Response to College requests

A registrant must respond appropriately and promptly to all requests from the College, the Registrar, Executive Council, and committees for information respecting his or her activities.

7.4 Inappropriate communications

A registrant must not communicate with or about the College or a registrant in a manner that would reasonably be regarded by registrants as rude, disparaging, disrespectful or as a discredit to the profession.

7.5 Communicating on matters before the College

When involved in an active complaint, investigation, or discipline process, neither the Registrant nor anyone speaking on their behalf may communicate with Members of the Complaints Committee, Inquiry Committee, Executive Council, or the complainant about the matter outside of the appropriate process. Where the Registrant has questions about the process, these should be directed to the Registrar.

7.6 Compliance

Where required, a registrant must comply with an undertaking, condition or limitation imposed on the registrant's registration by the College.

7.7 Unprofessional behaviour

A registrant must not engage in conduct or perform an act that, having regard for all the circumstances, would be regarded by registrants as unbecoming, disgraceful, dishonourable or unprofessional.

7.8 Professional cooperation

A registrant must seek to work with other professionals in a professional, cooperative manner, for the good of the client.

7.9 Providing information to clients

Upon request, registrants must provide to recipients of their services information about their regulation as health service providers by the College, along with information about how to contact the College in the event of a complaint, or for additional information.

7.10 Interprofessional collaboration

When it is indicated and professionally appropriate a registrant must cooperate with other professional service providers in order to serve the client effectively. When deciding whether to offer or provide psychological services to a client who is already receiving services of a related nature from another professional service provider, a registrant must carefully consider the treatment issues and the potential client's welfare. In addition, a registrant must discuss these issues with the client or other person who is authorized to give informed consent for the client in order to minimize the risk of confusion or conflict between services of a related nature, consult with the other professional service providers when appropriate and proceed with caution and sensitivity to the therapeutic issues.

7.11 Report of Code violations

Consistent with the Regulated Health Professions Act, a member who reasonably believes that another member of the College (a) is unfit to practice, incompetent, or unethical or (b) suffers from a mental or physical disorder or illness that may affect his or her fitness to practice, and continues to practice despite having been counselled not to, must disclose that belief to the Registrar along with the name of the other member and particulars of the suspected disorder, lack of fitness to practice, incompetency, or unethical behaviour.

7.12 Client consent for reporting violations

When the grounds referred to in standard 7.11 are obtained in the context of a professional relationship, the registrant must make reasonable efforts to obtain the consent of the client to report the violation but, in any event, must report it if he or she believes it to be in the best interest of the client or necessary for public protection.

7.13 Improper complaints

Despite standard 7.11, a registrant must not file or encourage the filing of a complaint that is frivolous or is intended to harm the responding registrant rather than to protect the general public.

7.14 Reporting required by law

Nothing in this Code is intended to relieve a registrant of any obligation to make any report required by law.

7.15 Conflicts between Code and institutional/organizational regulations

If the obligations of a registrant to an institution or organization with which the registrant is affiliated conflict with the registrant's obligations under this Code, the registrant must

- (a) clarify the nature of the conflict,
- (b) make known to the institution the conflicting obligation and the registrant's commitment to comply with this Code, and
- (c) to the extent feasible, seek to resolve the conflict in a way that permits full adherence to the Code.

7.16 Professional documentation

A registrant must maintain appropriate, up to date records of their professional work, in order, for example:

- (a) to facilitate provision of services in the future by him- or herself or by other professional service providers,
- (b) to ensure accountability, and
- (c) to meet other legal or institutional requirements.

7.17 Signing Documents

All reports, letters or other documents containing information, opinions or assessments prepared by a registrant in the course of that registrant's professional services must be signed by the registrant before they are provided to another party.

8.0 PROVISION OF SERVICES

8.1 Context of professional relationship

A registrant must provide diagnostic, therapeutic, teaching, research, supervisory, consultative, or other psychological services only in the context of a defined professional or scientific relationship or role.

8.2 Services appropriate to needs

A registrant must provide psychological services which are appropriate and adequate to the client's needs, and which respect the confidential nature of the professional relationship between the registrant and the client, or else refer the client to another registrant for services.

8.3 Fulfillment of agreements

A registrant must fulfill the terms of his or her agreements with a client as established in the informed consent for services or at the outset of the professional relationship.

8.4 Provision of partnership services

Where a registrant provides his or her psychological services through a partnership that includes non-registrant partners, the registrant must assume responsibility for the planning, supervision and the billing practices of the psychological component of the services offered.

8.5 Sufficient personnel

A registrant must only offer services for which they have sufficient resources, so as to maintain the quality of those services.

8.6 Accountability for supervisees

A registrant is responsible and accountable for the actions of any non-registrant who is providing psychological services under the registrant's supervision.

8.7 Obligation to advise of responsibility

Where a registrant supervises non-registrants in the provision of psychological services, the registrant must advise the client that the services being offered by the non-registrant are supervised by the registrant, who has the professional responsibility and legal accountability for the supervised services.

8.8 Provision of services in sponsoring agency

Where a registrant offers psychological services or is directing the psychological services of others within a sponsoring institution and the registrant believes that the most appropriate service(s) to a client is not in accord with the expectations of the sponsoring institution, the supervising registrant must attempt to reconcile these differences with the administration of the institution in order to best respond to the client's needs.

8.9 Provision of services outside a registrant's own practice setting

Before offering or providing services in an agency setting outside of his or her own practice setting (e.g. in a hospital, school, or group home), the Registrant must secure appropriate permission from that organization in advance and must comply with that agency's policies and regulations.

9.0 REPRESENTATION OF SERVICES AND CREDENTIALS

9.1 Identification as registrant

A registrant must identify him- or herself to the general public as a registrant of the College of Psychologists, including the practice roster(s) (Areas of Practice) on which the registrant is listed, at the beginning of a professional relationship, and in any advertisements appearing in the print or electronic media.

9.2 Accurate representation of credentials

A registrant must accurately represent and must not exaggerate his or her area(s) of competence, education, training, experience and professional affiliations to the College, to the general public and to his or her colleagues.

9.3 No specialty designation

PAM/The College of Psychologists of Manitoba does not confer any specialty designation, and a registrant must not hold himself or herself out as being a specialist in a professional area simply by listing on a practice roster.

9.4 Misrepresentation of affiliation

A registrant must not represent his or her affiliations with institutions or organizations or the consequences of such affiliations as evidence of professional qualification (for example, a registrant must not offer registration or fellowship in the Canadian Psychological Association, the Manitoba Psychological Society, as evidence of professional qualification.)

9.5 Identification of service providers

A registrant must clearly identify, in all communications, the identity of the individual or individuals providing service.

9.6 Misrepresentation of another as a registrant

A registrant must not represent or imply that an individual is a registrant if that individual is not registered with the College.

9.7 Correction of misrepresentation

A registrant must make all reasonable efforts to correct any misrepresentations by others of the registrant's credentials, qualifications or affiliations.

9.8 Requirements for credential presentation

A registrant must comply with the following requirements when

1) representing him- or herself as a registrant, 2) describing his or her practice (including when the registrant engages in any of the activities contemplated under standard 10.6), or 3) being named in a group or multi-disciplinary practice:

- (a) The registrant's name and the registrant's title must be clearly indicated, and, where directed by the College at its sole discretion, designating where applicable that the registrant has restrictions, limitations or conditions on his or her registration.
- (b) A registrant may specify other degrees or professional titles, such as MBA, P.Eng., when the area of Study is relevant to the registrant's psychological practice. The area of study must also be specified unless readily apparent from the degree or title.

Example: W. Johnson, LL.B, PhD., C. Psych.

- (c) A registrant who has obtained Diplomate status with the American Board of Professional Psychology (ABPP) may indicate his or her status, in the manner required by ABPP, immediately after reference to his or her title as registrant.

Example:

Mary Simon, Ph.D., C. Psych. Diplomate Clin. Neuropsychology, (ABPP)

- (d) A registrant may describe him- or herself as "Registrant of the College of Psychologists of Manitoba."
- (e) The registrant must list his or her title without a modifier which suggests a specialty. The Registrant may use "Practice in" or other descriptor of their area of practice in describing their services.
- (f) Applicants for registration or registrants awaiting the awarding of a degree must not describe him- or herself as "candidate for degree," or some variation thereof.

10.0 ADVERTISING AND OTHER PUBLIC STATEMENTS

10.1 Misleading information

A registrant must not include false or misleading information in public statements concerning psychological services he or she offers.

10.2 Misrepresentation of affiliations

In announcing or advertising the availability of psychological services or products, a registrant must not display any affiliations with an organization or individual in a manner that falsely implies the sponsorship or certification of that organization or individual.

10.3 Restrictions on naming associations

A registrant must not name his or her employer or professional associations, in advertisements or announcements of his or her services, unless the psychological services are to be provided by, or under, the direct supervision and continued control of that employer or association.

10.4 Use of registrant's name with services and products

A registrant must not associate with any services or products or permit his or her name to be used in connection with any services or products in such a way as to misrepresent

- (a) the services or products,
- (b) the degree of his or her responsibility for the services or products, or
- (c) the nature of his or her association with the services or products.

10.5 Solicitation for services

A registrant must not contact or communicate with or cause or allow any person to directly contact or communicate with potential clients, either in person, by telephone, over the internet, or in any other way in an attempt to solicit business, unless the person contacted represents an organization, firm, corporate entity or community which is the potential client.

10.6 Public statements

A registrant must ensure that all public statements, announcements of psychological services or products, advertising, and promotional activities dealing with the facilities, psychological services or products of the registrant, or the registrant's supervisees comply with this Code.

10.7 Use of testimonials

When considering the use of testimonials, registrants must ensure that clients or former clients are not exploited and are free to refuse the request without consequences. Moreover, testimonials must not include unsubstantiated claims designed to promote a registrant's product or service for gain.

10.10 No misrepresentation of registration

A registrant must not permit, counsel or assist those who are not registrants to, represent, promote or advertise him- or herself as a registrant.

10.11 No inducement for news publicity

A registrant must not compensate or give anything of value to representatives of the press, radio, or television, internet, or other communication media in anticipation of or in return for professional publicity in a news item.

10.12 Indication of paid advertisement

A registrant must ensure that any paid advertisement be advertised as such unless it is readily apparent from the context that it is a paid advertisement.

10.13 Fair and accurate presentation

A registrant who interprets the science or the practice of psychology or psychological services to the general public must present the information fairly and accurately.

10.14 Media presentations

When a registrant provides advice or comment by means of public lectures, demonstrations, radio or television programs, prerecorded tapes, printed articles, mailed material, the internet, or other media, the registrant must take precautions to ensure that

- (a) the statements are based on appropriate psychological literature and practice,
- (b) the statements are consistent with the requirements of this Code, and
- (c) the recipients of the information are not encouraged to infer that a professional relationship has been established by the registrant with them personally.

10.15 No false or deceptive statements

A registrant must not make public statements that are false, deceptive, misleading, or fraudulent, because of what he or she states, conveys, or suggests, or because of what he or she omits, concerning his or her research, practice, or other work activities or that of persons or organizations with which he or she is affiliated. As examples, and without limiting this standard, a registrant must not make false or deceptive statements concerning his or her

- (a) training, experience, or competence,
- (b) academic degrees and credentials,
- (c) institutional or association affiliations,
- (d) fees,
- (e) scientific or clinical basis for, or results or degree of success of his or her psychological services, and
- (f) publications or research findings.

10.16 Professional judgment in media

When a registrant gives advice to a specific person by means of public lectures or demonstrations, newspaper articles, radio or television programs, or similar media, the registrant

- (a) must utilize the most current relevant data, and
- (b) in response to requests for service, make members of the public aware of a range of potential service providers

11.0 ASSESSMENT PROCEDURES

11.1 Requirements for performing assessments

A registrant must meet the following prerequisites and fulfill the following requirements when carrying out psychological assessments:

- (a) obtain specific training, supervision, and experience required for the proper selection, administration, scoring, and interpretation of psychological tests,
- (b) conduct all testing as part of a comprehensive assessment strategy that encompasses the effective communication of results to various stakeholders in the assessment,
- (c) take responsibility for the ethical maintenance of test materials, protocols, reports, and procedures in his or her own work and, to the extent appropriate to the setting, for the work of colleagues in agency or institutional environments, and
- (d) promote responsible practices in all individuals being supervised in testing and assessment practices.
- (e) Comply with institution, legal, and contractual agreements, as appropriate, in carrying out psychological assessments.

11.2 Responsibility for use

A registrant is solely responsible for assessment process, the appropriate application, interpretation, use of assessment instruments, and information contained in the report, whether the registrant scores and interprets such tests him- or herself or uses automated or other services.

11.3 Gathering information

Registrants must gather assessment information in a manner that is appropriately comprehensive, objective and balanced.

11.4 Purpose and scope of assessment

As the scope of an assessment process is determined by the nature of the referral question or issue, a registrant must clarify any ambiguity related to the purpose of the assessment and ensure that the purpose of the assessment is specifically stated in the assessment report.

11.5 Test construction

A registrant who develops and conducts research with tests and other assessment techniques must use scientific procedures and current professional knowledge for test design, standardization, validation, reduction or elimination of bias, and recommendations for their use.

11.6 Substantiation for formal recommendations

A registrant's assessments, recommendations, and reports must be based on information and techniques sufficient to provide appropriate substantiation for his or her findings.

11.7 Confidentiality in assessment

A registrant must treat all assessment results, data, and interpretations regarding individuals as confidential information.

11.8 Obligation to provide explanation and exception

A registrant must

- (a) ensure that appropriate explanations of results are given to a client regardless of whether the scoring and interpretation is done by the registrant, by supervisees, or by automated or other outside services.
- (b) when circumstances prohibit such explanations, due to the registrant's formal role or the nature of the situation, inform the client or subject of the assessment of this in advance (e.g., competency assessment, child custody assessment, independent medical/psychological assessment)

11.9 Interpreting results

When interpreting assessment results, including automated interpretations, a registrant must take into account the various test factors and characteristics of the individual being assessed which may affect the registrant's judgments or reduce the accuracy of his or her interpretations.

11.10 Communicating results

When communicating the results of an assessment to a client or to the legal guardian or other agent of a client, a registrant must use adequate interpretive aids or explanations and language that is reasonably understandable.

11.11 Reporting limitations in validity or accuracy

A registrant must

- (a) indicate any significant reservations he or she has about the accuracy or the validity of the assessment, or limitations of his or her interpretations in any assessment report, and
- (b) include in his or her report of the results of a formal assessment procedure for which norms are available, any limitations of the assessment norms for the individual assessed and any relevant reservations or qualifications which affect the validity, reliability, or other interpretation of results

11.12 Provision of raw test data

A registrant must provide, within a reasonable time, the original or raw results or data of a psychological assessment to a Registered/Licensed/Chartered Psychologist in this or another jurisdiction when requested to do so by a client or the legal guardian or agent of a client, except in situations where to do so would violate statute (e.g., The Personal Health Information Act).

11.13 Unqualified persons

A registrant must not promote the use of psychological assessment techniques by unqualified persons.

11.14 Test security

A registrant must not reproduce or describe in popular publications, lectures, public presentations, over the internet, or in any other media psychological tests or other assessment devices in ways that might invalidate them.

11.15 Selection of assessment procedure

A registrant is responsible for the appropriate selection of a test, device or assessment procedure and must not make claims about its utility or validity that are not supported by the professional literature.

11.16 Maintenance of integrity of tests

A registrant must make reasonable efforts to maintain the integrity and security of tests and other assessment techniques consistent with law, contractual obligations, and in a manner that permits compliance with the requirements of this Code.

11.17 Assessment/interpretation services for other professionals

A registrant offering an assessment procedure or automated interpretation service to other professionals must

- (a) accompany this offering with a print or digitized manual or other materials which accurately and fully describe the development of the assessment procedure or service, and the rationale, purpose, norms, validity, reliability, and applications of the procedures
- (b) explicitly state the purpose and application for which the procedure is recommended and identify any special qualifications required to administer and interpret it properly, and
- (c) ensure that any advertisements for or public statements about the assessment procedure or interpretive service are factual and descriptive.

11.18 Selection of services

A registrant must select scoring and interpretation services, including automated services, on the basis of evidence of the validity of the program and procedures as well as on other appropriate considerations.

11.19 Reliance on computer reports

A registrant must never substitute computer generated assessment reports or statements for his or her own professional opinion, assessment or report.

11.20 Acknowledgment of sources

A registrant who uses computer-generated interpretive statements in preparing psychological evaluations must

- (a) acknowledge the sources of such statements in a written citation that is formally included in the client report (e.g., “interpretive statements are based in part on those generated by a computerized interpretive program”, specifying the name of the program), and
- (b) formally quote, using an appropriate format, any material taken verbatim from computer-generated interpretations.

11.22 Direct examination of individual

A registrant must not provide a report or give testimony respecting the psychological characteristics of an individual unless the registrant has first conducted a direct, in-person examination of the individual which is adequate to support the registrant’s statements or conclusions. See 11.36 regarding reviews of files or other registrants’ assessments.

11.23 Exception to 11.22

When, despite reasonable efforts, the examination required in standard 11.22 is not feasible, a registrant must clarify the impact of his or her limited information on the reliability and validity of his or her reports and testimony, and must limit appropriately the nature and extent of his or her conclusions or recommendations.

11.24 Avoiding conflicting roles

A registrant must avoid performing multiple and potentially conflicting roles, such as psychotherapist and assessor of competency to stand trial, or psychotherapist and assessor of parental access, where a reasonable person might perceive there to be a conflict.

11.25 Clarification of roles in legal proceedings

In circumstances where a registrant may be called upon to serve in more than one role in a legal proceeding, for example, first as a consultant or expert for one party or for the court and second as a fact witness, the registrant must clarify to the extent possible any role expectations and the extent of the registrant's obligation of confidentiality in order to avoid compromising the registrant's professional judgment and objectivity and in order to avoid misleading others regarding the registrant's role.

11.26 Role clarification at outset and later on

Role clarification under standard 11.25 must be given in advance of performing psychological services, to the extent that this is feasible, and at any subsequent time when changes are anticipated in the expected role to be performed.

11.27 Impartiality

In conducting assessments which may affect the rights of the individual being assessed, a registrant must

- (a) be impartial and unbiased,
- (b) remain independent in order to make objective recommendations,
- (c) not act as an advocate for any party, and
- (d) be aware of any personal or societal biases that may affect the objectivity of the service provided and the recommendations made in a report.

11.28 Truthfulness and candor

In testimony and reports, a registrant must

- (a) testify truthfully, accurately, and candidly,
- (b) consistent with applicable legal procedures, describe fairly the basis for his or her testimony and conclusions, and
- (c) acknowledge any limits of his or her data or conclusions when that acknowledgment is necessary to avoid being misleading to those individuals reading his or her reports or hearing his or her testimony.

11.29 Prior relationships

A prior professional relationship with a party does not preclude a registrant from testifying as a fact witness or from testifying to his or her psychological services to the extent permitted by applicable law but a registrant must

- (a) appropriately take into account ways in which that prior relationship might affect his or her professional objectivity or opinions, and
- (b) disclose the potential conflict to the relevant parties.

11.32 Assessment methods

A registrant must

- (a) Assess the variables and factors relevant to the referral question or issue, and

- (b) Use an assessment approach that ensures a sufficient breadth of measures to answer the referral question.

11.33 Conclusions and Recommendations

- (a) A registrant's conclusions and recommendations must follow logically, consistently and clearly from the information gathered throughout the assessment process and the recommendations must follow logically, consistently and clearly from the conclusions presented in the report.
- (b) A registrant's conclusions and recommendations must be based on stated assumptions, the data gathered during the assessment process, appropriate and impartial interpretations of test data, and accepted professional and scientific information that is relevant to the question or issue being addressed, and
- (c) A registrant's conclusions and recommendations must not be biased by the registrant's preconceptions, prejudices, unsupported beliefs, or criteria which are not represented within the body of scientific knowledge generally recognized within the practice of psychology.

11.34 Repeat assessment

Where possible, a registrant seeks to avoid repeating assessments for an individual if they judge a new assessment is unlikely to produce results significantly different from those of a previous assessment.

11.36 Review of other's report

When reviewing assessments prepared by other registrants or other professionals, a registrant must

- (a) limit his or her comments to aspects pertaining to the methods, procedures and process of the assessment employed by the registrant or other professional,
- (b) not state any of his or her own conclusions, diagnoses or recommendations specific to the individuals assessed in the original report unless he or she has directly assessed them, and
- (c) restrict his or her comments to the sufficiency and accuracy of the conclusions, recommendations or diagnoses in the original report with such comments based upon and limited to the data presented by or referred to by the registrant or other professional.

12.0 FEES

12.1 General obligation

A registrant must

- (a) respect the client's right to know what fees and charges are to be charged,
- (b) set reasonable fees and charges, and
- (c) collect these fees and charges with consideration for the welfare of the client.

12.2 Providing accurate fee information at the outset

At the commencement of professional services, a registrant

- (a) must ensure that full information is provided to a client about financial arrangements, including, but not limited to, fee structure, missed appointments and bill collection, and
- (b) must not mislead or withhold from the client, a prospective client, or third party payer, any information about the cost of the registrant's professional services.

12.3 Fees based on

A registrant must base his or her fees on the amount of time spent in rendering professional services to the client, on the nature and complexity of the services rendered, and on the cost associated with providing such services.

12.4 Inappropriate basis for fees

A registrant must not base his or her fees upon the likelihood of material benefits accruing to the client as a result of professional services rendered.

12.5 Methods of payment acceptable

A registrant must provide reasonable options for payment for professional services, that may include such methods as cash, cheque, debit card, credit card, etc.

12.6 Interest on overdue accounts

A registrant may charge interest on an overdue account for professional services if the client is appropriately informed, in advance, as to the amount and method of calculating interest. Interest charged must be consistent with applicable law.

12.7 Discretion on interest

The amount of time given by a registrant for interest free payment must be guided by the circumstances, and the rates of interest charged must be consistent with applicable law.

12.8 Retainers and Prepayment

If the client and a registrant agree, the registrant may hold a retainer in a trust but must apply such trust funds to the payment of fees and charge for professional services rendered.

12.9 Withholding records

Except as otherwise provided by law, a registrant must not withhold records under his or her control when they are requested and imminently needed for a client's treatment if the reason for withholding them is solely because payment has not been received for professional services rendered to that client.

12.10 Exception to 12.9

Despite standard 12.10, a registrant may withhold psychological reports due to the client's failure to pay for professional services rendered if the client was advised before the beginning of an assessment that payment in full was required before release of the report.

12.11 No payment for referral

A registrant must not

- (a) give a commission, rebate or remuneration to a person who has referred a client to the registrant, or
- (b) accept a commission, rebate or remuneration from a person to whom the registrant has referred a client.

12.12 Barter

Barter is the acceptance of goods, services, or other nonmonetary remuneration from clients in return for psychological services. Registrants may barter only if

- (a) it is not clinically contraindicated, and
- (b) the resulting arrangement is not exploitative to the client.

12.13 Accurate fee reports

In any billing for professional services, or report to sources of research funding, a registrant must accurately state the nature of the services provided or research, the fees or charges, and the identity of the provider (or providers).

13.0 MAINTENANCE OF RECORDS

13.1 Length of record retention

A registrant must ensure that all information in his or her professional records concerning a client are maintained for not less than seven years after the last date that professional services were rendered to that client.

13.2 Minors' records

A registrant must keep records relating to minors for not less than seven years following the date the minor reached the age of majority.

13.3 Legal requirements

A registrant must comply with all legal requirements for record retention including maintaining records for a longer period than that required in standard 13.1 and 13.2.

13.4 Discretion to keep longer

A registrant must use his or her judgment in those circumstances where it may be appropriate to maintain his or her professional records for longer than seven years.

13.5 Records of equipment maintenance

A registrant must keep a record of equipment maintenance for all equipment that, if malfunctioning when used to examine, treat, or render any service to clients, could cause physical harm to a client.

13.6 Content of records

A registrant rendering professional services should normally maintain records that include the following:

- (a) the name of the client and other identifying information;
- (b) the presenting problem or problems or the purpose of the consultation;
- (c) the fee arrangement;
- (d) the date and substance of each professional service, including relevant information on interventions, progress, any issues of informed consent or issues related to termination;

- (e) any test results or other evaluative results obtained and any basic test data from which the results were derived;
- (f) a copy of all test or other evaluative reports prepared as part of the professional relationship;
- (g) notations and any results of formal consults with other service providers;
- (h) any releases or consents executed by the client;
- (i) a copy of all documents relied upon in the course of providing psychological services, including but not limited to reports, evaluations and test results generated by other health professionals; and
- (j) a summary of the rationale for decision-making steps, consultations, and outcomes with respect to resolving any ethical conflicts or issues regarding informed consent, confidentiality, etc.

If any of the above are not maintained, Registrants should be prepared to explain their decisions.

13.7 Complete and legible records

- (1) A registrant must ensure that the information in the records that are under the registrant's control, required in standard 13.6 is complete and accessible, regardless of whether the records are kept in a single file or in several files or housed at one location or at several locations.
- (2) A registrant must, with respect to all records created by or under the supervision of the registrant,
 - (a) keep all practice records legible;
 - (b) if requested to do so provide a transcript or translation of the record, and an attestation by the registrant verifying the accuracy of the transcript or translation, when the record is to be copied or transferred as part of a legitimate request by by P.A.M. or the College of Psychologists of Manitoba or a client.
 - (c) date all entries in a clinical record;
 - (d) date any amendments or alterations to a completed clinical record;
 - (e) where practice records contain any idiosyncratic or non-standard abbreviations, provide, at the beginning or end of the record, a glossary for the meanings of the non-standard abbreviations; and
 - (f) add page numbers to a practice record before providing the record to another person.

13.8 Supervisory records

A registrant must maintain records regarding the supervision of an individual for a minimum of seven years after the last date the registrant supervised that individual.

13.9 Content of supervisory records

A registrant must maintain records of supervised sessions that include, among other information, the type, place, and general content of the session.

13.10 Record of fees

A registrant must maintain a record of fees charged to and received from a client, and make it available to a client upon request. The record must contain the following information:

- (a) the service provider or providers;
- (b) the recipient of the professional services;
- (c) the date, nature, and unit fee of the service provided;
- (d) the total charged;
- (e) the payment received;
- (f) the date and source of payment;
- (g) other information that the client may need to obtain insurance reimbursement, such as diagnostic codes, length of session, etc.

14.0 SECURITY OF AND ACCESS TO RECORDS

14.1 Location of Records

Practice records must be maintained or stored at the registrant's primary place of practice, in another location under the sole control of the registrant, or in a professional storage facility obligated to provide confidential and secure storage.

14.2 Security of records

A registrant must ensure that

- (a) the records of all his or her professional services, including those of his or her supervisees, are secured including, but not limited to, restricting access to files, locking file cabinets, and providing secure storage for files, and
- (b) the privacy of all client information and data is assured.

14.3 Electronic/optical storage security

When information that is required to be prepared, kept or maintained under this Code is prepared, kept, maintained or transmitted by electronic or optical techniques, a registrant must ensure that these techniques are designed and operated so that the information is reasonably secure from loss, tampering, interference or unauthorized use or access.

Registrants should note that devices such as fax machines, printers, scanners, and photocopiers have an integral storage capacity and take this into account when using and disposing of such devices when these have been used to copy, receive or transmit confidential information.

14.4 Handling confidential records

A registrant must maintain the confidentiality of all records under his or her control in whatever form they are maintained, and at all times, including while they are being created, stored, disposed of, accessed, or transferred.

14.5 Copying of Documents

A registrant may contract for off-site professional copying services provided those services are, at minimum:

- (a) Confidential
 - The employees are bound by a confidentiality agreement;
- (b) Secure
 - Confidential documents are kept secure and separate from the rest of the printing operations;
 - Any waste from the copying is retained and shredded;

- (c) Accurate and legible
 - Services include a 100% quality control page-by-page check of copies against the original sets;
 - Services include a legibility check for difficult-to-copy items such as pencil notations;
 - Any perceived errors and omissions (e.g., missing pages) are recorded and reported back to the registrant

14.6 Contingency planning

A registrant must make plans in advance so that confidentiality of records and data is protected in the event of the registrant's death, incapacity, or withdrawal from the position or practice.

14.7 Transfer on retirement

Before withdrawing from the practice of psychology, a registrant must ensure that:

- (a) trusteeship of each client record maintained is transferred to another registrant or a qualified trustee whose identity will be made known to the client (e.g., newspaper advertisement). The College of Psychologists must also be notified.
- (b) each current client for whom he or she has primary responsibility is notified in a timely fashion that the registrant intends to withdraw from practice and that, pursuant to provisions in The Personal Health Information Act (PHIA), the client can obtain copies of her or his own record or have copies provided to such person(s) as the client may direct, subject to Standard 6.13.

14.8 Multi-Disciplinary Records

A registrant employed in an interdisciplinary setting where a multi-disciplinary health record system is used must exercise appropriate care when placing information on the record in order to minimize the chances of his or her reports and recommendations are not misunderstood by members of other disciplines.

14.9 Limits on Multi-Disciplinary Record Entries

A registrant must not maintain in a common file referred to in standard 14.8 the following records:

- (a) working notes;
- (b) test materials; (as defined in standard 6.14)
- (c) personal information on clients or others not directly related to the presenting problem;
- (d) other provisional comments and questions that might, if misunderstood, be harmful to a client.

14.10 Coding of database information

A registrant must use coding or other techniques to avoid the inclusion of personal identifiers if confidential information about clients is to be entered into a database (or system of record keeping) available to persons whose access has not been authorized by the client.

14.11 Research protocol

If a research protocol approved by an institutional review board or similar body requires the inclusion of personal identifiers, a registrant must ensure that those identifiers are deleted before the information is made accessible to persons other than those to whom the client had authorized access.

14.12 Exception to 14.11

If the deletion required in standard 14.11 is not feasible, a registrant must take steps to determine that appropriate consent of personally identifiable individuals has been obtained before

- (a) the data is transferred to others, or
- (b) he or she reviews the data collected by others.

14.13 Ownership of records

Recognizing that ownership of records and data is governed by legal principles, a registrant must take reasonable and lawful steps to ensure that records and data remain available to the extent needed to serve the best interests of clients, research participants, or appropriate others.

16.0 RESEARCH

16.1 Recognized standards

A registrant must design, conduct, and report research in accordance with recognized standards of scientific competence. A registrant must conduct only research that can reasonably be expected to produce scientifically credible results.

16.2 Avoiding misleading results

A registrant must design, conduct, and report his or her research so as to minimize the likelihood of misinterpretation or misuse of the results. Particular caution must be exercised if a vulnerable population is involved.

16.3 Ethical considerations

In planning research, a registrant must take into account any applicable policies, standards, or accepted procedures.

16.4 Resolution of ethical issues

If application of an ethical issue is unclear, a registrant must seek to resolve the issue through consultation with institutional review boards, animal care and use committees, peer consultations, or consultation with other appropriate resources.

16.5 Ethical conduct of research

A registrant is responsible for the ethical conduct of research for which he or she is the Principal Investigator, or by others under his or her supervision or control.

16.6 Protections of animal/human welfare

In research, a registrant must implement appropriate protections for the rights and welfare of human participants, other persons affected by the research, and the welfare of animal subjects.

16.8 Unacceptable inducements

A registrant must not offer excessive or inappropriate financial or other inducements to obtain research participants, particularly if such inducements would tend to coerce participation.

16.9 Competent research

A registrant must conduct research competently and with due concern for the dignity and welfare of the participants.

16.10 Required consultations

As part of the process of development and implementation of research projects, a registrant must consult those with expertise concerning any special population that is under investigation or that is most likely to be affected by the research.

16.11 Compliance with law

A registrant must plan and conduct research in a manner consistent with federal and provincial laws, and with professional standards governing the conduct of research, particularly those standards governing research with human participants and animal subjects.

16.12 Institutional approval

Before engaging in research activities that involve contacting potential participant referral sources or potential participants, a registrant must

- (a) provide accurate information about his or her research proposals in a research protocol to host institutions or organizations, and
- (b) obtain appropriate approval from them.

16.13 Research in accord with protocol

A registrant must conduct his or her research in accordance with the protocol approved under standard 16.12. Any planned deviation from the protocol must be approved in advance by the authorities that approved the original protocol. Any adverse or unexpected events, especially those harmful to participants, that occur in the course of research must be reported immediately to the appropriate authorities. If necessary, action to ameliorate the harm must be taken as soon as possible.

16.14 Information to participants

A registrant must provide a prompt opportunity for research participants to obtain appropriate information about the nature, results, and conclusions of the research, including any information necessary to correct any misconceptions that the participants may have.

16.15 Exception to 16.14

If scientific or humane values justify delaying or withholding the information referred to in standard 16.14, a registrant must take measures to reduce the risk of harm.

16.17 Honouring commitments

A registrant must honour all commitments he or she has made to research participants.

16.18 No false reporting

A registrant must not fabricate or falsify research data or results.

16.19 Errors in reporting

If a registrant discovers significant errors in his or her published data, the registrant must take prompt steps to correct such errors in a correction, retraction, erratum, or in other appropriate publication means.

16.20 Professional reviews

A registrant who reviews material submitted for publication, grants, or research proposal review must respect the confidentiality of the information and the proprietary rights of the submitter in that information.

16.21 Care of animals

A registrant must acquire, care for, use, and dispose of animals in compliance with current federal, provincial and local laws and with applicable professional standards.

16.22 Required training for animals

A registrant trained in research methods and experienced in the care of laboratory animals

- (a) must supervise all procedures involving animals, and
- (b) is responsible for ensuring appropriate consideration of their comfort, health, and humane treatment.

16.23 Minimize discomfort of animals

A registrant who conducts research involving animals must treat them humanely and must make efforts to minimize their discomfort, infection, illness, and pain.

16.24 Exception to 16.23

A registrant may only use a procedure subjecting animals to pain, stress, or privation when

- (a) an alternative procedure is unavailable, (b) the goal is justified by its prospective scientific, educational, or applied value, and (c) the research protocol has been approved by the host institution or organization.

16.25 Use of surgical procedures

A registrant who conducts research involving animals must ensure that

- (a) any required surgical procedures are performed under appropriate anesthesia, and
- (b) techniques to avoid infection and to minimize pain are used during and after surgery.

16.26 Humane termination

When it is appropriate that an animal's life be terminated, a registrant must ensure that it is done humanely, with an effort to minimize pain, and in accordance with accepted procedures.

16.27 Training for supervisees

A registrant must ensure that supervisees who are using animals have received instruction in proper research methods and in the care, maintenance, and handling of the species being used, to the extent appropriate to the role to be played by the supervisees. However, final responsibility for adherence to the approved research protocol always rests with the Principal Investigator.

17.0 PUBLISHING

17.1 Plagiarism

In reporting data or research, a registrant must ensure that appropriate credit is given to work that is not their own.

17.2 Publication credit

A registrant must only take responsibility and credit, including authorship credit, for work he or she has actually performed or to which he or she has substantially contributed.

17.3 Co-authorship credit

A registrant must ensure that principal authorship and other publication credits accurately reflect the relative scientific or professional contributions of the individuals involved, regardless of their relative status.

17.4 Inappropriate basis for credit

A registrant is not justified to take authorship credit based solely on holding an institutional position, such as Department Chair.

17.5 Minor contributions

A registrant must acknowledge, in footnotes, an introductory statement or in another appropriate manner, the minor contributors to the research or to the writing for publications.

17.6 Student credit

A registrant must identify a student as principal author on any multiple-authored article which is substantially based on the student's dissertation or thesis.

17.7 Duplicate publication

A registrant must not publish, as original data, any data which have been previously published; however this prohibition does not prevent the republication of such data when it is accompanied by a proper acknowledgment.

17.8 Sharing data with others

After research results are published, a registrant must not withhold the data on which his or her conclusions are based from other competent professionals who seek to verify the substantive claims of the research through re-analysis, and intend to use such data only for that purpose.

17.9 Limitations on 17.8

Standard 17.8 only applies if the confidentiality of the research participants can be protected and any legal rights concerning proprietary data are not violated.

18.0 COMPLIANCE WITH LAW

18.1 Legal compliance

A registrant must

- (a) maintain a current working knowledge of the laws applicable to the provision of psychological services and with the professional standards and policies of the College set out in this Code or issued in practice, advisories or guidelines, and
- (b) conduct him- or herself so that the psychological services provided by the registrant or his or her supervisees comply with the laws applicable to the provision of psychological services and with the professional standards and policies of the College set out in this Code or in issued practice advisories or guidelines.

18.2 No defence

A registrant's lack of awareness or misunderstanding of an applicable law, standard, policy, advisory or guideline referred to in standard 18.1 does not of itself constitute an adequate defence to a charge of professional misconduct.

18.3 Criminal offence

A registrant who is found guilty of a criminal offence must report this finding to the Registrar of the College. Failure to report this in a timely fashion could be considered evidence of professional misconduct.

18.4 Fraud/misrepresentation/deception

A registrant must not use fraud, misrepresentation, or deception in obtaining registration status with the College, and in conducting any activity related to the practice of psychology except as provided for in sections 4 and 16 of this Code regarding research activities.

18.5 No collusion in deceptive practices

A registrant must not knowingly aid or abet another individual in misrepresenting that individual's professional credentials or registration status, or engaging in illegal conduct relating to the practice of psychology.

18.6 Conflicts with legal system

A registrant must be aware of the occasionally competing demands placed upon him or her by the standards in this Code and the requirements of the legal system, and must attempt to resolve these conflicts

- (a) by making known his or her obligations to comply with this Code, and
- (b) by taking steps to resolve the conflict in a responsible manner.