

IRISH ASSOCIATION OF HUMANISTIC AND INTEGRATIVE PSYCHOTHERAPY

BYE LAW 2 (THE ETHICS COMMITTEE)

1. The Ethics Committee shall consist of eight accredited members. Three shall be appointed by the Governing Body, at least one of whom is a member of the Governing Body and at least one of whom, if possible, has prior experience of working on the Ethics Committee. Five shall be elected by the accredited membership of the Company at the Annual General Meeting or at an Extraordinary General Meeting. Appointments and elections to the Ethics Committee shall be for a period of two years and Committee members are eligible for re-appointment or re-election. Where possible, at least one member shall be from the jurisdiction of Northern Ireland, or be familiar with the legal and regulatory context of that jurisdiction.
2. The Ethics Committee shall report on its activities to the Annual General Meeting or, if requested to do so by the Governing Body or by a quarter of the accredited membership, to an Extraordinary General Meeting.
3. The Ethics Committee shall appoint a Chairperson and Secretary from among its membership and will hold meetings and will keep records of such meetings. If possible, the Secretary will have had at least one year's experience of serving on the Ethics Committee.
4. To help it fulfil some of the responsibilities detailed below, the Ethics Committee shall, in accordance with the requirements of Bye Law 8, appoint one of its members to be a member of the Complaints Committee. This person shall act as the primary means of liaison between the two committees and shall be subject to the confidentiality obligations required by each committee.
5. The Ethics Committee shall be funded for its activities by the Governing Body and shall prepare and present financial records if requested to do so by the Governing Body.
6. The Ethics Committee has six functions:
 - the first involves providing guidelines and advice on concerns raised by members of the Association on ethical issues arising from their practices as psychotherapists, supervisors, or trainers (See clause 7 below)
 - the second involves providing consultation and ethical advice on all the formal procedures and Bye Laws of the Association (See clause 8 below)
 - the third involves a particular role in developing the Codes of Ethics and Practice of the Association (See clause 9 below)
 - the fourth involves a particular role in developing the Complaints Procedure (See clause 10 below)

- the fifth involves maintaining statistical records of complaints (See clause 11 below)
- the sixth involves a specific role in dealing with complaints, after a Formal Board has made a recommendation (See clause 12 below).

7. *Consultation and Advice on Ethical Issues Arising for Psychotherapists, Supervisors, and Trainers*

- (i) The Ethics Committee shall be available for consultation and as a source of ethical advice on issues arising for members of the Association in their practices as psychotherapists, as supervisors, or as trainers.
- (ii) The Committee shall keep records of advice given on various topics, so that previous exploration of issues may be drawn on, and precedents cited, as new cases arise. Such drawing on the wisdom of the past should not preclude the development of new understanding of issues and of values.
- (iii) The Committee shall, where appropriate, summarise and generalise its advice in written Guidelines to be made available to members on specific topics such as *mandatory reporting, note-taking, giving evidence in court, etc.*
- (iv) Where specialised legal advice is needed on such issues, the Ethics Committee may (taking due account, in consultation with the Governing Body, of the financial implications) seek such advice from the Association solicitor or from other legal specialists in the Republic of Ireland or in Northern Ireland.

8. *Consultation and Ethical Advice on Formal Procedures and Bye Laws of the Association*

- (i) The Ethics Committee shall be available for consultation and as a source of ethical advice on issues relating to the justice and fairness, and other ethical aspects, of existing or proposed Bye Laws or amendments to Bye Laws, or of proposed or formally adopted procedures of the Association.
- (ii) The request for such consultation and ethical advice may be made by the Governing Body or by other committees or established sub-groups of the Association.
- (iii) The Ethics Committee may itself take the initiative in proffering such advice to the Governing Body or to other relevant committees.
- (iv) The advice offered by the Ethics Committee is *advice*, and as such is not binding on those who receive it. However, in cases where such advice is rejected by the Governing Body or other committees, the Ethics Committee may bring the issue to the attention of the Consultative Forum of the Association or, if necessary, to a General Meeting of members.

9. *Development of the Codes of Ethics and Practice of the Company*

- (i) As well as its general role as a source of advice and consultation on all Bye Laws and formally adopted procedures, the Ethics Committee has a specific responsibility for any necessary reformulation of the existing Codes of Ethics and Practice of the Association and, where necessary, for the development of new ones. In exercising this role, the Committee should monitor the adequacy of the

- various codes of ethics in the light of changing circumstances and newly emerging issues, and of newly emerging understanding of values.
- (ii) The task of reviewing or developing any code of ethics may also be initiated in response to a request from the Governing Body.
 - (iii) In fulfilling this responsibility the Ethics Committee may put forward to the Governing Body proposals for new Codes of Ethics or for changes to the existing codes.
 - (iv) If such proposals are not accepted, or are modified, by the Governing Body, further consultation between the committee and the Governing Body shall take place, to clarify the issues and to see if consensus can be achieved.
 - (v) If the Governing Body does not agree to back the proposal, the Ethics Committees shall be entitled to bring the issue to an AGM or EGM for decision by the general membership.

10. Development of the Complaints Procedure

- (i) As well as its general role as a source of advice and consultation on all Bye Laws and formally adopted procedures, the Ethics Committee has also a specific responsibility, in consultation and liaison with the Complaints Committee, for the on-going development of the Complaints Procedure and its documentation.
- (ii) In fulfilling this responsibility the Ethics Committee and the Complaints Committee may put forward to the Governing Body joint proposals for changes in the Complaints Procedure.
- (iii) If such proposals are not accepted, or are modified, by the Governing Body, further consultation between the two committees and the Governing Body shall take place, to see if consensus can be achieved.
- (iv) If the Governing Body does not agree to back the proposal, the Ethics and Complaints Committees shall be entitled to bring the issue to an AGM or EGM for decision by the general membership.

11. Maintenance of Statistical Records of Complaints

The Ethics Committee, in consultation with the Complaints Committee, shall maintain statistical records of all complaints processed under the Complaints Procedure, including the nature of the complaints, the outcomes of the investigations, and the sanctions (if any) imposed. Such records shall be used solely for the purposes of developing Association policy and practice in regard to the Complaints Procedure, providing guidance and assistance to those serving on the Ethics Committee, the Complaints Committee, and on Formal Boards, and giving the Governing Body statistical information on Complaints Procedure activities, including those with legal or financial implications for the Association. All such records and information shall be maintained with paramount regard for confidentiality and the protection of the anonymity of all parties concerned.

12. Role in Complaints Procedure after Recommendations of Formal Board

- (i) On receipt of the conclusions and recommendations of a Formal Board following its hearing of a complaint under the terms of the Complaints Procedure, it shall be the responsibility of the Ethics Committee to decide what sanctions, if any, are

appropriate and to apply and monitor them. In arriving at its decisions, the Ethics Committee shall be guided by the Formal Board's recommendations unless and only to the extent that it is deemed necessary to modify them because of special circumstances pertaining in any particular case or because of relevant precedents of sanctions imposed where similar ethical breaches were established under the Complaints Procedure. The Ethics Committee shall notify the Governing Body of all sanctions decided on and where a sanction involves withdrawal of a member's accreditation, it shall be automatically ratified by the Governing Body before implementation. The Ethics Committee shall also send a copy of the Formal Board findings and the sanctions, if any, to the Complaints Committee.

(ii) In the event of an appeal being lodged against the findings of a Formal Board, it shall be the responsibility of the Ethics Committee to determine the validity of the appeal in accordance with the requirements of the Complaints Procedure and, if found to be valid, to set in motion the establishment of an Appeals Board, whose findings shall be binding on all parties.

(iii) When a complaint has been upheld and appropriate sanctions are being considered, any member of the Ethics Committee who has acquaintance or connection with any of the parties involved which could cast doubt on their impartiality shall declare such potential prejudice and step aside from any involvement in the consideration of sanctions. In addition, the Ethics Committee appointee to the Complaints Committee under clause 4 above shall always step aside from any involvement in the consideration of sanctions.

13. As regards any details of complaints, or any other issue personal issues relating to individuals, each member of the Ethics Committee shall sign a declaration of confidentiality which shall be binding for all time. This confidentiality requirement does not extend to the general work of the Committee relating to ethical principles, guidelines, etc.