

**CODE OF ETHICS FOR
FINNISH-ESTONIAN GROUP OF ANALYTICAL PSYCHOLOGY
(FEGAP)**

This code applies to all members of FEGAP, including Full Members, Associate Members, Passive Members and candidates in training. All members shall be cognizant and acquainted with the Code. Members of the Society shall conduct themselves according to the highest ethical standards in their work and hold the interests of their analysands to be paramount. Breach of any of these ethical rules of the FEGAP may constitute serious misconduct. Non-adherence to the Ethical Code by members shall result in suspension or expulsion from the FEGAP.

All FEGAP members and trainees are expected to be in compliance with the contents of the Code of Ethics of other professional groups to which they belong and with the laws of the province(s), state(s) or region(s) in which they practice. The following provisions are not to be taken as creating any kind of legal liability, either civil or criminal.

I. MEMBERSHIP

- A. All Members of the FEGAP and candidates in training are bound by this Code of Ethics. The payment of Membership fees shall simply imply continued adherence to this Code of Ethics.
- B. Members are required to conduct themselves according to the highest ethical standards in their work and shall hold the interest of their analysands to be paramount.
- C. Members are to follow a policy of non-discrimination on the basis of race, religion, ethnic origin, gender and sexual orientation.
- D. Members are required to disclose their qualifications when requested and not claim or imply qualifications that they do not have.
- E. All Members shall be familiar with this Code of Ethics. Breach of any of its rules may constitute serious misconduct.

II. MEMBER/ANALYSAND RELATIONSHIPS

- A. Responsibility to analysands: The term 'analysand' includes patients, clients, candidates in training as well as those who seek counseling.
 - 1. Members shall provide an appropriate, safe and consistent working environment and shall maintain clear boundaries. This means that:
 - (a) At the start of the treatment a Member shall state clearly to the analysand the terms and conditions of the treatment, e.g., length and frequency of sessions, the cost and method of payment, the conditions for cancellation of sessions, and where the meetings shall take place. The Member shall ensure that these terms and conditions are maintained. He or she must give adequate notice of any changes or planned breaks.
 - (b) The Member shall consider whether his or her approach to the work is appropriate for a particular analysand and shall make appropriate referrals at any stage of the work if that appears to be in the analysand's interests.

- (c) Referrals shall be made responsibly and the Member shall inform the analysand, as deemed appropriate, the grounds on which the referral is made.
 - (d) A Member shall not work with any of his/her relatives or friends nor, if possible, with anyone closely connected with an existing analysand.
 - (e) Members shall not enter into financial dealings with any analysand other than those concerned with professional fees.
 - (f) Social contact during and after analysis.
 - (i) During therapy, the Member shall exercise restraint with regard to social contacts with the analysand. Social contact with any relative of an analysand shall be approached with great caution.
 - (ii) After therapy, the Member must keep in mind the possible continuation of transference and counter-transference issues and use discretion in any social contact.
 - (g) Abuse of the analysand's dependent status, whether of a psychic, sexual, emotional, political, religious, social or financial nature, shall not occur, even if the analysand should express a wish to engage in activities that might lead to abuse of the analysand's dependent status. For example, a Member shall not enter into a sexual relationship with any analysand. Terminating a therapeutic relationship in order to have a sexual relationship is also unethical.
 - (h) It is recognized that Members may assume other professional roles in the training of analysts where special consideration must be given to preserving the boundaries between analysis and the supervision of a training candidate, and between analysis and education. In such situations, analysts shall be sensitive to possible conflicts tending to interfere with their duties.
2. A Member shall not continue to practice analysis when seriously or persistently impaired:
- (a) by the use of alcohol or drugs, or
 - (b) by a physical or psychological condition which would impair his/her ability to practice and exercise adequate skill and judgment.

In such a situation, a Member must ensure appropriate referral of current analysands and seek professional and/or psychotherapeutic help as appropriate.

3. If a Member is convicted of any serious criminal offense, or has been found to have engaged in unethical professional behavior by a professional body or licensing agency in the state or country in which he/she resides or practices, it is his or her duty to inform the President of the FEGAP about the legal, professional or licensing decisions, together with the relevant facts. She or he shall also ensure that relevant government department is likewise informed.
4. Where appropriate and subject to privacy and confidentiality concerns, Members shall consult medical and psychiatric practitioners concerning analysand. Responsibility for analysand's medical welfare must be held by a medically qualified person.

B. Privacy

The privacy of the patient, analysand, candidate's analytic material must be protected.

C. Confidentiality

1. Confidentiality is essential to the therapeutic relationship and when a conflict of interests arises, the first responsibility of a Member is to the welfare of the analysand. Exceptions may have to be made when a lawsuit is threatened or when the law requires a breach of confidentiality, as in the case of child abuse, requirement to warn of danger to others, by court order, etc.
2. Confidentiality and the preservation of an analysand's anonymity are of primary importance. Particular care shall be taken both in the publication of clinical material and in the presentation of clinical material at clinical seminars, especially with current analysand. A Member shall safeguard the welfare and anonymity of analysands when any form of publication of analysand material is being considered, and shall obtain the analysand's consent. Discretion shall also be exercised in the case of professional consultation.
3. If a Member wishes to be involved in any research project which involves the use of analysand material, the Member shall adhere to the same principles as in C (2), above. A Member is required to clarify with the analysand the nature, purpose and conditions of any research in which the analysand is to be involved; the Member shall ensure that informed and verifiable consent is obtained before commencement.
4. A Member shall not make audio or visual recordings of an analysand, nor use, nor permit observation of the analysand through, a one-way screen or mirror, without the analysand's consent.
5. Members shall obtain the analysand's permission when there is a need to speak to another professional such as a General Practitioner or psychiatrist. Exceptions may have to be made in certain circumstances, such as:
 - (a) Where there appears to be a possibility of violence from the analysand to him/herself, to the Member, or to a third party, or
 - (b) In the management of an analysand who becomes psychotic or needs to be hospitalized.
6. Members shall exercise discretion at all times in relation to analysands, e.g., they shall not speak casually about analysands.
7. Confidentiality with respect to Trainees and Students. When a trainee is in analysis with a member of FEGAP, that member shall ensure that nothing pertaining to the trainee and/or their analysis is shared with any other member or committee of FEGAP except with the written consent of the trainee or student. No communication pertaining to a student deriving from that trainee's psychotherapist, whether they are a member or not, shall be entered into by any other member or committee of FEGAP without prior permission being granted in writing by the student. Any such material shall be disclosed to the Trainee or Student.

III. ADVERTISING AND THE USE OF MEDIA

- A. Members shall accurately represent their competence, education, training and experience relevant to their profession.

- B. Members may advertise services. However, advertising shall be limited to a statement of name, address, qualifications, publications, public presentations and type of therapy offered. Such statements shall be descriptive and not evaluative.
- C. Use of the media shall not in any way bring the FEGAP or the profession into disrepute.

IV. RESPONSIBILITIES TO AND RELATIONSHIPS WITH COLLEAGUES

- A. A Member shall neither speak ill, professionally or personally, of a colleague or group of colleagues, nor misrepresent a colleague or group of colleagues to an analysand, potential analysand or member of the public. Deliberate falsehood about a colleague is unethical. It may be necessary to criticize colleagues, but this should be done with care and truthfulness; opinion and fact shall be clearly distinguished.
- B. A Member shall not enter into an on-going analytical/psychotherapeutic relationship with an analysand who is currently seeing a colleague, unless such is done with the knowledge and consent of the colleague.
- C. When making public statements or undertaking public commitments a Member has a duty to make clear whether he or she acts in a personal capacity or on behalf of the FEGAP.
- D. Members shall refrain from any behavior or comments that may be detrimental to colleagues, to the FEGAP, or to the profession. Members shall take appropriate action with regard to the behavior of a colleague which is, or is likely to be detrimental to an analysand, to other colleagues, to the FEGAP, or to the profession.
- E. Within a Standing Committee of the FEGAP, critical judgment about an individual is especially necessary when making an appointment to a post, office or status in the FEGAP. Under such circumstances a Committee has the right and obligation to maintain confidentiality about its deliberation. It must be free to deliberate and vote in private. No reference to comments, adverse or otherwise, made within the confidentiality of a Committee, shall be disclosed outside it, whether to the subject of the comments or to any other.
- F. The Executive Committee shall ensure that all Members have an understanding of this Code of Ethics. The same principles apply to relationships with trainees and students receiving training organized by FEGAP.

V. ANALYST-SUPERVISEE RELATIONSHIPS

- A. A Member shall ensure that those working under his/her direct supervision be aware of, and comply with, this Code of Ethics. The Member shall ensure that those working under his or her direct supervision shall not exceed the limits of their competence. The supervising Member shall respect the integrity of the relationship that is established with the supervisee and shall not take advantage of the greater authority implicit in this relationship. Examples of such an exploitation of this greater authority would include becoming sexually involved with or taking financial advantage of the supervisee or control analysand for as long as the supervisory relationship exists.
- B. As supervisors, Members shall have the responsibility to clarify and help objectify the presenter's case material. Supervisors shall identify and explore countertransference reactions pertinent to the case and shall respect the boundaries of the supervisee's personal analysis.

VI. MAINTENANCE OF PROFESSIONAL COMPETENCE

A. On-going Training

Generally, Members are required to maintain their ability to perform competently and to take the necessary steps to do so. This includes notably keeping abreast of current clinical and theoretical advances in our field. In particular, each Member shall maintain a program of on-going professional training, involving supervision, reading group attendance and attending professional seminars and lectures. The fundamental element here is reasonably frequent participation in discussions with other, usually senior practitioners, involving client material and client problems. Mere solitary reading or academic study is not sufficient for this requirement. This technical contact with colleagues helps guard against counter-transference blindspots.

B. Physical and Mental Health

Members shall maintain their physical and mental health for the sake of their own well-being and in order to provide the best possible service to analysands.

VII. RESPONSIBILITY IN REPORTING TO AND APPEARING BEFORE THE COMPLAINTS COMMITTEE

A. Responsibility of a Member in seeking help and reporting unprofessional conduct.

It is the responsibility of a Member to report his or her unprofessional conduct to the President of the FEGAP. Self-reporting will not, in and of itself, relieve the Member of his or her responsibility for his or her misconduct, nor will it avoid disciplinary action of the Complaints Committee or referral to the Ethics Committee of the FEGAP.

B. Responsibility in addressing unprofessional conduct of a colleague.

1. When a Member is concerned about unethical behavior of a colleague, (and this concern is based upon substantial evidence) he/she shall first meet with the colleague and try to convey his/her concern about the behavior. If the concerned Member is unable to do this directly and /or needs to maintain confidentiality, he/she shall contact the President of the FEGAP.
2. Whenever a Member has been met by a colleague and continues the behavior, or denies all wrongdoing, or refuses to meet, it is the responsibility of the concerned Member to inform the President of the FEGAP.

C. Responsibility to appear before the Ethics Committee.

When a Member of the FEGAP is called upon to respond to a complaint or a grievance in order to clarify a possible breach of ethics, refusal to meet with the Complaints Committee and co-operate in good faith, will in itself be the basis for a separate charge of unethical or unprofessional behavior. Such non-compliance shall be grounds for Committee action.

VIII. REVIEW

The Committee shall be responsible for arranging to review this Code of Ethics from time to time to ensure that it continues to meet the needs of analysands, the FEGAP and the profession.

Appendix 7

COMPLAINTS PROCEDURE OF FINNISH-ESTONIAN GROUP OF ANALYTICAL PSYCHOLOGY (FEGAP)

I. INTRODUCTION

The purpose of this document is to provide means of investigating, and resolving when possible, any complaint against a member of FEGAP. The Complaints Procedure shall also be used in cases where unethical conduct has taken place before the alleged offender was a member of the FEGAP, should the seriousness of the case call into question the member's suitability to remain accredited. Resignation or lapse of membership shall not terminate the processing of a complaint, which will continue to its conclusion.

II. FUNDAMENTAL PRINCIPLES

All parties concerned have fundamental rights which must be respected. In the application of the Complaints Procedure, the Complaints Committee shall endeavour, as far as possible within the limits of the process, to respect and balance the following rights:

- A. The right to information regarding the Complaints Procedure;
- B. The right to fairness and the principles of justice;
- C. The right to confidentiality within the limits of the process;
- D. The right of both parties - Complainant and respondent - to have a support person present.
- E. The right of each party to challenge for cause any individual's serving on a committee that is to investigate or decide a complaint or appeal involving the party.

III. MAKING A COMPLAINT

A. How to make a complaint

1. The procedure described in this code commences with the making of a formal complaint to FEGAP.
2. The complaint must satisfy the following requirements:
 - a. It shall be written in the form of a signed letter addressed to the Chair of the Ethics Committee and posted to FEGAP Registered Office.
 - b. It shall state clearly that it is intended to be a 'formal complaint.'
 - c. The envelope and contents shall be marked 'Strictly Confidential'.
 - d. It shall itemise the grounds of the complaint in the form of numbered points.
 - e. Each ground of complaint shall constitute a breach of a specific provision of the Code of Ethics.
 - f. Attempts to resolve the dispute between the parties shall be shown to have been made or, if not, an explanation of why not shall be provided.

B. Persons who may bring a complaint

The complainant must be one of the following:

1. A member of the public who is (or has been) a professional client of the person complained against, or
2. A member of the public who has sought the professional services of the person complained against, or
3. A current member of FEGAP who was also a member of FEGAP at the time when the facts giving rise to the complaint occurred, or

4. A third party acting on behalf of someone falling within one of the above categories who is incapacitated from bringing a complaint in person by reason of age or mental or physical infirmity.
 5. Except as provided in para III.B.4 above, complaints by third parties will not be accepted and the complainant must be the alleged victim of the offence(s) described in the complaint.
 6. Where the complainant is a third party acting on behalf of someone incapacitated from bringing a complaint in person by reason of age or mental or physical infirmity, the person on behalf of whom the complaint is brought must be the alleged victim of the offence(s) described in the complaint.
- C. Persons who may be complained against
1. A complaint may only be brought against a respondent who satisfies the following requirements:
 - a. The respondent is alleged to have committed a breach of the Code of Ethics in force at the time, and
 - b. The alleged breach occurred whilst the respondent was practicing in Finland or Estonia as a clinician such as psychologist, psychiatrist or nurse and
 - c. The respondent was a member of FEGAP at the time when the alleged breach occurred, and
 - d. The respondent is a member of FEGAP at the time when the complaint is received.
 2. For the purposes of paras above terms, the phrase 'member of FEGAP ' includes full members, associate members, passive members and candidates in training.
 3. Members of FEGAP who practice outside Finland or Estonia remain under a moral obligation to comply with the Code of Ethics. However, for practical reasons, FEGAP has no jurisdiction over them in respect of breaches committed outside of Finland and Estonia.
 4. Members of FEGAP who practice outside of Finland or Estonia must have insurance coverage with a professional organization in that country.

IV. AIMS

- A. To protect the standards of the practice of analytical psychology within the FEGAP.
- B. To provide a structure for examining any complaint against a member of FEGAP in order to determine whether a breach of the Ethics Code has occurred;
- C. To resolve, where possible, all such complaints concerning members.

V. RESTRICTIONS UPON MAKING A COMPLAINT

- A. When the Ethics Committee proceeds to hear a formal complaint, it will conduct a professional peer investigation. Such an investigation is not a judicial process.
- B. Time Restrictions. The Ethics Committee will only consider complaints in which the claimed unethical conduct occurred:
 1. Three years, or less, prior to the date of the complaint if the alleged unethical conduct did not take place during the complainant's analysis or psychotherapy;
 2. Seven years, or less, prior to the date of the complaint if the alleged unethical conduct took place during the complainant's analysis or psychotherapy. The seven-year period shall be deemed to have started immediately after the

termination of the analysis or psychotherapy or when there is no longer significant contact between the complainant and respondent, whichever date is later.

3. A complainant shall have the right to show cause as to why such a time restriction for a complaint shall be extended. Any extension beyond the time limit specified here must be approved by a majority of the members of the Ethics Committee.
4. Resignation of a member does not in itself prevent the final resolution of an ethics complaint.

VI. COMPOSITION, FUNCTION AND PROCEDURES OF THE ETHICS AND COMPLAINTS COMMITTEE

A. Composition

1. The Ethics Committee shall be an ad hoc Committee consisting of four members of the FEGAP and shall be appointed with due regard for the balance of the Committee.
2. The members of the Ethics Committee shall be chosen by the membership of the FEGAP, and shall not include the President of the FEGAP.
3. For the processing of any given complaint, three members of the Ethics Committee shall constitute a Complaints Committee specifically for handling that complaint. One member shall be designated Secretary of the Complaints Committee. The term of the Complaints Committee will extend until the case is resolved.

B. Functions and Procedures

1. The Complaints Committee shall investigate complaints about possible or alleged breaches of the FEGAP's Code of Ethics by members, and shall make recommendations to the Executive Committee of the FEGAP about appropriate action. These proceedings shall remain confidential and the identity of the complainant and person complained against shall be released only in accordance with specific procedures.
2. All complaints shall be made to the Chair of the Ethics Committee. Only a written and signed complaint shall be accepted. Anonymous written complaints shall be destroyed. The complainant as well as the respondent shall have their identities protected.
3. Upon receipt of a written complaint, the Chairman of the Ethics Committee shall convene the Complaint Committee to determine whether in fact a specific breach of the Code of Ethics has been alleged. If it is decided that there is no case to answer, the Secretary of the Committee shall inform the complainant of this in writing. The Complaints Committee shall respond within 60 days.
4. If the Complaints Committee decides that a specific breach of the Code of Ethics has been alleged, the Secretary of the Complaints Committee shall send to the complainant a copy of the Code of Ethics and a copy of the Complaints Procedure. This form shall be completed and returned with one month, along with a note of any verbal communication made to the respondent about the matter. Copies of any relevant written material sent by or to the complainant shall also be included. If the complainant does not reply with two months, the two members of the Complaints Committee will request a meeting with the complainant to ascertain whether the complainant wishes to pursue the complaint. If not, the complainant and the

respondent shall be informed at the meeting and later in writing, that the initial letter of complaint, and the response of the respondent, shall be destroyed after 30 days.

5. If and when the Complaints Committee receives a response from the complainant, the Committee shall forward by mail to the respondent a copy of the complaint and all relevant correspondence from the complainant.
6. Both the complainant and the respondent shall be notified as to who is serving on the Complaints Committee and afforded the opportunity to challenge for cause any members of the Committee, members of which may recuse themselves.
7. The Chairman and one other member of the Complaints Committee may then call the complainant and the respondent together for an informal meeting. Both parties shall be advised of their right to have a support person present and of their right to no less than 21 days' notice of the informal meeting. If either party wishes, a person to support that party may be nominated by the Complaints Committee. This person must be a fully accredited member of the FEGAP. If the complainant does not wish to meet the respondent face to face, then the complainant (with supporter) and the respondent (with supporter) may be interviewed separately. At this stage, the primary interest is in seeking a mediated resolution of the matter.
8. Should the matter remain unresolved after the informal meeting(s) have taken place, the respondent shall be notified to attend a special meeting of the Complaints Committee, to be held at least 30, but no more than 120, days after the serving of such notice.
9. If, after full investigation, the Complaints Committee finds that the respondent has committed a minor breach of the Code of Ethics, it may recommend one or both of the following courses of action to the Executive Committee. That the respondent:
 - a. Give an apology or reparation to the complainant;
 - b. Be given a written warning outlining the potential ethical issues a particular action may involve;
 - c. Be given a written reprimand censuring the member for any unethical violation he or she has taken;
 - d. Require the member to be supervised by an approved senior colleague, the period and frequency of the supervision to be approved by the Ethics Committee;
 - e. Recommend to the member to have therapy with an approved senior colleague or seek independent medical and/or psychological examination and treatment to be approved by the Committee.
11. If the Complaints Committee finds that the breach of the Code of Ethics is sufficiently serious, the Chairman of the Committee shall inform the President of the FEGAP. Examples of serious breaches are: breach of confidentiality, financial dealings with clients other than in matters pertaining to professional fees, and sexual misconduct. In all such cases, the matter will then be dealt with according to the provisions of the Complaints and Appeals Procedures.
12. A member's refusal to cooperate with the Complaints Committee's procedure and/or recommendations shall constitute a violation of the FEGAP's Code of Ethics.
13. Both the complainant and the respondent shall be notified in writing as to the Complaints Committee's findings and action on a complaint within three weeks of the decision being made.

14. In the case where the recommendation of the Complaints Committee is for the expulsion of a member, the membership of FEGAP shall vote to accept the recommendation. Where the membership of the FEGAP has voted in favor of this recommendation, the President of the FEGAP shall inform the Chair of the IAAP Ethics Committee of this decision.

VII. APPEALS PROCEDURE

An appeal against the findings of the Complaints Committee shall be made in writing to the Chairman not later than 30 days after the Complaints Committee has communicated its findings to the parties concerned.

The Request for an appeal shall be reviewed by a Committee consisting of the Chairman of the Ethics Committee, a representative nominated by the respondent and complainant to determine whether or not there is a good cause. If it is decided that there is a valid basis for an appeal, the case will be forwarded to the Appeals Committee. Both parties shall agree to the third nominee.

The Appeals Committee is selected by the President of the FEGAP and shall be comprised of three senior members. Once an appeal is received, the Appeals Committee has 90 days to make a decision.