

### **3 ETHICS AND PROFESSIONAL PRACTICE GUIDELINES**

#### **3.1 Ethical conduct and standards for training and supervision**

##### **3.1.1 Preamble**

##### **3.1.2 Ethical principles**

##### **3.1.3 New values and global challenges**

##### **3.1.4 Boundaries and multiple relationships**

##### **3.1.5 Supervision**

##### **3.1.6 Distinct features of TA supervision**

##### **3.1.7 Responsibilities of trainers and candidates**

#### **3.2 Professional practice guidelines approved by ITAA**

##### **3.2.1 Titles**

##### **3.2.2 Basic principles of advertising**

##### **3.2.3 Trademark policy and guidelines for use of the TA logo**

##### **3.2.4 Recommendations on professional etiquette**

#### **3.3 The ITAA Ethics Committee**

##### **3.3.1 Membership of the ITAA Ethic Committee**

##### **3.3.2 ITAA Code of Ethical Conduct and jurisdiction of Ethics Committee**

##### **3.3.3 Role of the ITAA Ethics Committee**

##### **3.3.4 Jurisdiction over resigned members**

#### **3.4 Procedures for advice, mediation, and arbitration**

##### **3.4.1 Procedure for advice**

##### **3.4.2 Procedure for mediation for ITAA members**

##### **3.4.3 Procedures for arbitration References**

##### **3.4.4 The role of the ITAA Ethics Committee in the arbitration process**

### **3 ETHICS AND PROFESSIONAL PRACTICE GUIDELINES**

*We wish to express our thanks to EATA and the ITAA Ethical Code of Conduct Revision Committee for their foundational work and their permission to draw upon these ethical values and principles.*

#### **3.1 Ethical conduct and standards for training and supervision**

##### **3.1.1 Preamble**

The IBOC promotes the highest caliber of ethical conduct among transactional analysis instructors and supervisors<sup>1</sup> across the four fields of transactional analysis specialization: counselling, psychotherapy, organizations, and education. Transactional analysis instructors and supervisors have responsibilities to uphold exemplary standards of ethical conduct in all aspects of their work and provide the best possible service to trainees and clients, to earn public trust in certified transactional analysis trainers and practitioners and sustain public confidence in our rigorous training and certification process. As such, these ethical training standards are aspirational. Trainers and supervisors are expected to live a principled, good moral life that models these professional ethical principles and standards.

Intended as an educative guide to ethics in training and consultation, this chapter highlights pertinent sections of the revised ITAA Code of Ethical Conduct (2014) and delineates contemporary ethical issues for training and supervision, to promote ongoing critical dialogue about multiple relationships, overlapping boundaries, parallel processes, and diversity. Ethics in training remains an ongoing conversation. Likewise, this handbook is a living document which may be revised regularly as new issues and best practices emerge. Combined with interrelated foundational guidelines pertinent to the reader's area of specialization and the ITAA Code of Ethical Conduct (2014), trainers and trainees will utilize this chapter to choose an appropriate course of action, while exercising responsible professional judgement and exemplary ethics and training standards.

##### **3.1.2 Ethical principles**

Ethical principles are derived from values and are intended to guide how people make relational decisions and behave respectfully toward one another, to promote the well-being, personal development, fulfillment, and growth of individuals and society.

Primary values of transactional analysts include: respect for the dignity of all human beings; recognition of people's rights to self-determination, to learn from their experience, and to be in charge of themselves, while taking into account the reality of each situation, the laws of their country, and the rights of others; the right to physical health and mental stability; the right to be free to explore and grow in an environment that enables a sense of security; and recognition of interpersonal mutuality, interdependency with others, and the impact of mutuality on others' individuality. ITAA members should not consider this an exhaustive list.

Our primary existential philosophical perspective converges with the values from which our ethical principles have largely been adapted, the EATA Ethics Manual and the United Nations Declaration of Human Rights; these principles and values inform our teaching and consulting services, and direct service to clients in all fields of specialization.

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<sup>1</sup> For these purposes, the terms instructor and trainer may include roles such as sponsorship for ITAA certification, teachers of theory and application workshops or seminars, supervisors, and case consultants. When particular ethical questions under discussion are limited to one specific role activity, that pedagogical role will be defined and delineated from the others listed.

The ethical principles that can be extrapolated from these guiding values are:

- Responsibility
- Protection
- Respect
- Commitment and fidelity in relationship
- Empowerment

Ethical dilemmas often present overlapping principles and values in different contexts. Instead of a list of proscriptive rules, transactional analysis teachers and trainees are expected to reflectively engage in ongoing conversation with knowledgeable, experienced colleagues to increase their awareness of options and consider the impact of ethical decisions in relation to groups impacted by the training or consultant relationship in the four fields of specialization: psychotherapy, counselling, education, and organizations. These focal groups<sup>2</sup> include:

- Trainees
- Colleagues
- Human environment/community
- Self as trainer

The ITAA Code of Ethical Conduct requires that practitioners:

*Consider each value and the ethical principles that derive from it and self-reflect in order to decide what attitude to take and how to behave as a member of the group to which they belong. They will analyze a given situation, consider the influence of ethical principles on their practice, and choose behaviors that take into account a wide variety of factors, including client, self, and environment. (2014, p. 3)*

Because an instructor's primary responsibility is to assist the trainee to provide the best possible service to her/his clients, a minimum of two focal groups are active when applying ethical principles to decisions: the impact on the trainee's client and the impact on the trainee's skill and knowledge development. Trainers and trainees will recognize that ethical dilemmas may suddenly and unpredictably expand beyond trainees' individual clients, to require ethical consideration and critical thinking about the impact of decisions on the trainer, colleagues and/or the various communities, such as the client's children, adult family members, or social groups. A tool for thinking critically about ethical dilemmas and potential overlapping principles that may have an impact on trainer ethical decision-making, "A Grid for Ethical Assessment," will be found in the ITAA Code of Ethical Conduct (2014, p. 6), at [http://itaaworld.org/sites/default/files/itaa-pdfs/gov-admin-docs/12-514%20Revised%20Ethics\\_0.pdf](http://itaaworld.org/sites/default/files/itaa-pdfs/gov-admin-docs/12-514%20Revised%20Ethics_0.pdf). This grid can be applied to ethical dilemmas that arise with psychotherapists, counsellors, educators, or organizational practitioners.

### **3.1.3 New values and global challenges**

Noting widespread societal resistance to ongoing discussions on ethics, Cornell (2017) has called for transactional analysts to take up the conversation to meet global challenges with "new values" founded on respect for cultural differences (p. 238). New ethical values of responsiveness, diversity awareness, relational ethics of care, and responsibility will fortify the capacity of transactional analysis instructors and students to meet these challenges. These

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<sup>2</sup> The list of focal groups has largely been adapted from the EATA Ethics Manual and the ITAA Code of Ethical Conduct. ITAA members should not consider this list exhaustive.

values may entail awareness of our salient memberships in privileged and marginal groups, responsiveness to and responsibility for our economic, cultural, and gender stereotypes and biases. Respect for differences extends to valuing the rich theoretical diversity within transactional analysis approaches.

Global challenges to preserve human rights to dignity and autonomy require trainers and trainees to employ what Berne was describing when he considered the finer structure of the Adult ego state (1961, p. 195): an inclusive, “world-wide ethos,” defined as moral qualities, rules, values, principles; ethical decision-making that engages in logical reasoning, critical thinking that Aristotle termed “logos” and Berne calls “objective data processing.” He emphasized the integrated Adult’s humanitarian capacity for pathos, “responsible feelings toward the rest of humanity”. These integrated Adult structures manifest in interpersonal and global contexts when faced with ethical decisions. A multi-dimensional, expanded relational model of moral reasoning advanced in Carol Gilligan’s research built upon established ethical decision-making perspectives. Gilligan found that individuals reaching the mature adult stage of moral reasoning balanced self-care and responsibility with an ethic of care for others and community (1996). Within training relationships, Gilligan’s model applies to ethical solutions that allow for reflection on the contexts and levels of equality, responsibilities, and care. Using this model, ethical discussions can reveal imbalances between caring for others (the trainee’s clients, trainee as practitioner, and the community) and self (the trainer). This model remains congruent with the interpersonal emphasis of the ITAA Code of Ethical Conduct (2014). As trainers and consultants, we are called upon to balance these multiple dimensions to seek solutions that impact trainees, their clients, our colleagues, and the community. As teachers, it becomes our ethical responsibility to guide trainees’ learned experiences and promote reflection upon decisions that balance integrity and care, promote equity and recognize difference in needs.

### **3.1.4 Boundaries and multiple relationships**

Multiple relationships and crossed boundaries in psychotherapy are recurrent topics within professional psychology journals, although multiple relationships in training have received little attention in recent transactional analysis literature. Multiple relationships occur when a therapist or trainer engages in more than one relationship with a trainee or client, sequentially or concurrently. Among the first to address boundaries and multiple relationships in training, Cornell (1994) and McGrath (1994) observed the then common situation in the ITAA, where one person fills the roles of both the therapist and supervisor; these writers advocate for engaged, responsible thinking about the inherent role incompatibilities, ethical contradictions, and ambiguities, as well as the potential benefits within these overlapping roles.

The revised ITAA Code of Ethical Conduct (2014) explicitly addresses sexual and non-sexual boundary violations, and alerts members to protect the professional contract from the pressures of multiple relationships by thinking through the implications with knowledgeable, professional guidance:

*1.6.5 ITAA members who are providing contractual services will not exploit a client in any manner, including, but not limited to, financial and sexual matters. Sexual relationships between an ITAA member and his/her clients, trainees, or supervisees are prohibited (p. 8).*

*1.6.6 An ITAA member will not enter into or maintain a professional contract whereby other activities or relationships between that member and a client might jeopardize the professional contract. ITAA members are expected to minimize dual roles and to seek*

*consultation from trusted colleagues and respected supervisors when faced with potential dual roles (p. 8).*

Dual relationships were discussed in a 2005 conference roundtable when Richard Erskine noted that early transactional analysis training models required constant therapy for the therapist's personal development, adding that such therapy was offered as an essential training element to provide opportunities for introspection and personal growth. Whereas, during the same roundtable, Carlo Moiso maintained that introspection about the therapist's unconscious material would be addressed within the supervision contract and focused on the clinical relationship and therapeutic contract. As McGrath (1994) asserted, the earlier dual model had presumably been useful, but was not without significant problems and abuses (p. 10). Whilst approaches to professional development continue to evolve among transactional analysis trainers, the overarching ethic is prevention of exploitation of clients/trainees and preservation of individual autonomy, which may account for a continued trend toward separating these roles through delineating the therapist's unconscious material, which he or she would address outside of the supervisory relationship, with a psychotherapist.

Since the 1980s, ethics researchers have cautioned practitioners about the increasing pressures and competing demands within overlapping multiple roles in psychotherapy. Borys and Pope (qtd. in Pope and Keith-Spiegel, 2008) found a clear relationship between sexual and nonsexual dual role behaviors, and Kitchener reveals that "as the discrepancy between roles increases, so does the potential for harm" (qtd. in McGrath, 1994, pp. 8,10). Thus, this research could inform trainers' decisions across the four fields of specialization about adding roles to training relationships and managing overlapping multiple roles.

Among others, McGrath (1994), Cornell (1994), Pope & Keith-Spiegel (2008) have maintained that non-sexual dual relationships remain unavoidable and have warned against rigid conservatism in ethical decision-making. Cornell (2017) observed the inevitability of multiple overlapping professional relationships in organizational and academic environments, e.g., supervisor, student/teacher, supervisee, and co-worker. His personal examples are reminders of the potential benefits, depth, and richness he derived from the multiple roles he experienced with his two trainers, to prompt thoughtful questions about undetected impacts of inflexible, non-sexual boundaries that restrict depth and meaning in the therapeutic relationship, or present potential unnoticed harm through trainer-idealization or client-depersonalization.

Non-sexual boundary crossings have been organized descriptively as helpful, neutral, or harmful and should be considered in relation to individual contexts (Guitheil & Gabbard, 1993, qtd. in Pope & Keith-Spiegel, 2008, p. 3). The impact of boundary crossing can differ with contexts, e.g., theoretical orientation, size of community, and cultural diversity. Whether such crossings are perceived as neutral, helpful, or harmful boundary violations would depend on careful contextualization.

Humanistic therapists have been found to engage in more boundary crossings than therapists in other theoretical orientations (Borys & Pope, 1989, qtd. in Pope & Keith-Spiegel). Practitioners and trainers working in small, remote communities have been confronted with inescapable, inevitable dual relationships, and have suddenly faced questions about the impact of boundary crossings on their professional contractual relationships. As a humanistic, social psychology practiced by a widespread, culturally diverse, yet relatively small community of therapists, counsellors, educators, and organizational practitioners, the transactional analysis community offers rich opportunities for analyses of ethical dilemmas arising from boundary crossings and multiple roles.

As humanistic trainers, therapists, educators, counsellors, and organizational practitioners of transactional analysis, we are well-advised to be cognizant that we have a tradition of more boundary crossings than some other forms of therapy, and consequently this impacts our training. We will be prudent to inform trainees and clients of this difference from cognitive or psychodynamic approaches at the outset of the contract. Considering cultural differences means not only being cognizant of the trainee's cultural beliefs, but being mindful of how our cultural beliefs differ, and impact our ethical decisions. As examiners, we are trained to be respectful of the examinee's cultural beliefs. We are most effective when we consider how our own cultural beliefs impact candidate evaluations. A boundary crossing that a trainer may view as neutral because of his or her cultural beliefs, may be viewed as harmful or possibly helpful, by a trainee with different cultural beliefs.

Beyond persistent, comprehensive questioning, judicious trainers remain aware of our human fallibility and recognize that no one is immune to cognitive errors in ethical dilemmas. Pope & Keith-Spiegel (2008) have stressed that “[p]eople differ in their ability to perceive that something they may do, or are already doing, could indirectly affect the welfare of others” (p. 3). They reminded us that professional demands, fatigue, and the human tendency to rationalize can impede recognition of potential, far-reaching impacts of our decisions on the trainees' clients, the family and friends of clients, their colleagues, and the trainer's future trainees.

Signals for such cognitive errors may be felt as reluctance to make specific dual relationships and boundary crossings explicit to peers and supervisors or certitude about our beliefs and decisions. Careful exploration of our uneasy feelings about the situation and thoughtful questioning about whether the boundary crossing is consistent with the professional contract can help focus ethical choices. Finally, a discussion of how the decision under consideration would be perceived by others, such as the courts, ITAA Ethics Committee, or news media can assist with categorizing the decision as helpful, neutral, or a harmful boundary violation, and choosing the appropriate course of action. Consultation with an impartial colleague or supervisor is valuable and possibly crucial at these times.

Multiple relationships and boundary crossings should be evaluated in the context of the theoretical and philosophical tenets of transactional analysis, the above ethical principles, and the context of the individual situation through informed, persistent, and comprehensive questioning. Consultation will be crucial in formulating potential repairs and documenting the incident when a harmful, inadvertent boundary violation is recognized by trainers and trainees.

### **3.1.5 Supervision**

Transactional analysts have been foremost within the psychological community to require specific supervisory training and evaluation. Supervision has been variously described as a tool, a skill, a certification requirement, an ongoing training relationship, and a situation for sorting out ethical decisions. This competency-based supervisory approach is grounded in philosophical and theoretical principles of autonomy, personal responsibility, and contractual agreements.

The following supervision guidelines are founded on several assumptions and informed by the transactional analysis theoretical literature and current research, i.e.:

- The general purpose of supervision contracts is enhancing the supervisee's abilities to provide effective service to clients and broadening the supervisee's perspectives, as professional coach, counsellor, psychotherapist, teacher, or organizational consultant.

- Supervision is a collaborative and evaluative process that values effective emotional contact with the supervisee and attends to counter-transference and parallel process (Mazzetti, 2007).
- Supervision prioritizes the care and well-being of the patient. It strives to incorporate adequate protection for both supervisee and client (Mazzetti, 2007).
- Transactional analysis supervisors work with contracts, identify key issues, and promote the professional growth of the supervisee (Clarkson, 1992; Mazzetti, 2007).
- Supervisory contracts target the practitioner's professional developmental needs and a relational balance that supports practitioners' developing professional self-identity (Erskine, 1982).
- Supervisors are expected to be sensitive to cultural diversity and mindful of the impact of biases that may manifest in parallel processes and can be transmitted in any direction within the supervision triad (Zetzer, 2015).
- Awareness of parallel processes occurring within supervision can benefit members of the supervisory triad, whereas ignoring enactments of parallel processes may prove a disadvantage to the therapeutic and supervisory relationships.

### **3.1.6 Distinct features of TA supervision**

While various supervision descriptions appear within the TA literature, a specific definition does not. The psychological community offers definitions that parallel the Oxford English Dictionary definition of supervision: responsibility for overseeing and authority to correct or direct the work of others. In several countries, the supervisory role carries specific legal responsibilities as evaluators, monitors of the details of each supervisee's caseload, and gatekeepers who are responsible for the actions of supervisees.

Transactional analysis supervision is distinctly different from this stringent legal definition of the supervisory role. The ITAA's diverse, global culture of transactional analysts, relatively small community of certified supervisors, and philosophical emphasis on principles of autonomy and personal responsibility distinguish transactional analysis supervision from such stringent gatekeeping and monitoring requirements, which are impractical when supervisors may come from great distances to provide training and supervision hours. Mazzetti (2007) captures this difference in his list of supervisory operations, which features development of an equal relationship, collaborative structures to discuss the multiple roles of the supervisor, the priorities and roles of transparency in assessment, feedback, and evaluation to facilitate an egalitarian relationship.

Where a trainer uses the term supervisor to designate the contractual service relationship with a practitioner, the supervisor is expected to inform the supervisee of the supervisor's approach and set clear, transparent contracts.

### **3.1.7 Responsibilities of transactional analysis trainers and candidates**

Transactional analysis trainers, supervisors and supervisees are required to assume all responsibilities set out in revised ITAA Code of Ethical Conduct, as well as the following responsibilities that specifically apply to training contracts. IBOC will spell out any areas they think need to be focused on.

- Supervisors share responsibility for accuracy in meeting examination criteria and completing requisite ITAA documentation.

- Written exams, conference presentations, published articles all signify trainees' entry into an ongoing discourse. Entering the discussion entails respect for writers and speakers in our global discursive community, which writers demonstrate with accurate citation. Trainees and trainers share responsibility for written examination accuracy, including the awareness of what constitutes plagiarism, the trainee's obligation to avoid plagiarism through accurate source citation in *TAJ* format. Ideas sourced from conference presentations, videos, and other non-textual formats should be cited accurately in written exams, oral presentations, and other published material as acknowledgement of TA's rich oral tradition for creating and transmitting knowledge.
- Trainers, supervisors and practitioners are responsible for meeting national and legal requirements for professional documentation and are expected to adhere to local and national laws.
- The supervisor is responsible to give positive feedback and strokes to supervisees when it is appropriate. The supervisor is responsible to provide factual, Adult negative conditional strokes when it is appropriate, thus acknowledging the supervisees' capacity to accept confrontation that will aid their professional growth and underscore the supervisor's responsibility to attend to protection (Mazzetti, 2005, p. 101).
- Where a supervisee has not met the minimum requirements or competency standards, her/his trainer/supervisor is responsible to set clear criteria for the supervisee to achieve the trainer's endorsement.

The increasing recognition of the rigorous transactional analysis certification process across four fields distinguishes transactional analysis training, while evaluative supervisory responsibilities function formally at IBOC examination boards, and gatekeeping functions for ethical violations are formally performed by regional TA professional organizations, or the ITAA Ethics Committee through the ethical complaints processes. Transactional analysis supervisors must adhere to local or national laws regarding training and supervision and are expected to clearly inform supervisees of the parameters, rights, and obligations in the training and supervisory relationships. In some countries, the terms consultant or sponsor are preferred terms for activities within the scope and description of transactional analysis supervision.

## **3.2 Professional practice guidelines approved by ITAA**

### **3.2.1 Titles**

- A.** Certified Transactional Analysts can bear the following titles:
- Certified Transactional Analyst (Counselling)
  - Certified Transactional Analyst (Education)
  - Certified Transactional Analyst (Organizations)
  - Certified Transactional Analyst (Psychotherapy)
- B.** Certified Transactional Analysts who are qualified to instruct and/or supervise in TA, or are in training for such qualification, may hold the following titles respectively, specifying the field of application:
- Teaching and/or Supervising Transactional Analyst
  - Provisional Teaching and/or Supervising Transactional Analyst

### 3.2.2 Basic principles of advertising

- A. Those who have signed training contracts can use the following terms: In TA training as a transactional analyst, (Counselling/Education/Organizations/Psychotherapy). These terms may also be used on printed material. Other terms may not be used unless use of any of the four titles or field designations contravene national or local laws. In such cases members are expected to adhere to local laws in printed material and advertising.
- B. The words Transactional Analysis Group, Transactional Analysis Treatment/Counselling/Psychotherapy, and other words of similar meaning shall not be used unless the provider of services is a Certified Transactional Analyst.
- C. Membership status and levels of certification on printed material (brochures, etc.) are to be written out rather than abbreviated with initials which are hardly understandable to people who are not familiar with membership categories. Examples of recommended usage are: Trainee Member (of the respective regional TA organization) or Certified Transactional Analyst or Provisional Teaching and Supervising Transactional Analyst.
- D. The terms Transactional Analyst (Counselling/Education/Organizations/Psychotherapy), Provisional Teaching and/or Supervising Transactional Analyst, and Teaching and/or Supervising Transactional Analyst (Counselling/Education/Organizations/Psychotherapy) may only be used by members who have qualified and thus have acquired the corresponding status. Where individual associations may give different titles to people, the above titles are the only status acquired through the ITAA certification process.
- E. Only Provisional Teaching and/or Supervising Transactional Analysts and Certified Teaching and/or Supervising Transactional Analysts can offer TA training leading up to recognition as a Transactional Analyst within the ITAA.
- F. Statements implying endorsement or approval by a particular trainer shall not be made; the use of a trainer's name to enhance one's status is not considered professional behavior.
- G. Association with someone in another membership category may not be used (e.g., on printed material) to imply one's own certification in that category. To ensure adherence to the guidelines, trainees having a contract must check their advertising with their supervisors.
- H. Members shall not produce advertisements that make claims such as "TA will change your life" as this is an exaggerated promise.
- I. The ITAA endorses individuals, not products. Therefore, announcements regarding products (e.g., books, tapes, T-shirts, etc.) should be kept separate from announcements concerning teaching and training and statements about one's membership status.
- J. The words, transactional analysis, may not be used in a way that suggests that one of the associations has granted an individual or organization a special privilege or exclusive application of transactional analysis.

### 3.2.3 Trademark policy and guidelines for use of the TA logo

The TA logo — the three stacked circles — is the trademark of the International Transactional Analysis Association. The logo indicates certified membership of the ITAA, EATA, or other organizations within the international framework of mutual recognition. Only certified members may use the logo on stationery, business cards, brochures, etc., as follows:

- All three circles are to be of the same diameter and vertically stacked.
- When the circles include print, they shall contain only the capital letters P, A, C (reading from top to bottom) or the words Parent, Adult, Child (reading from top to bottom).
- No other words starting with P, A, C shall be shown as extending from the circles.
- The TA logo may not be combined with other symbols that have a religious, political, philosophical or other meaning.

### **3.2.4 Recommendations on professional etiquette**

- Trainers are not to accept training contracts with trainees who are under contract with another trainer, without going through a proper process of negotiation and contract transfer.
- Members are not to solicit trainees or clients from other members.
- Members are to maintain clear, above-board contracts with their clients and fellow members.
- Titles should be in the form specified in the ITAA Professional Practices Guidelines. This refers to all advertisements or letterheads, or other advertising used by a TSTA, PTSTA or CTA. Other titles should not be used; any combination of titles should not be used. If a supervisor is training candidates in a category other than the one in which he or she has been certified, this should be mentioned separately, and any exception, which was granted by ITAA, should be mentioned separately from their official title.

## **3.3 The ITAA Ethics Committee**

### **3.3.1 Membership of the ITAA Ethics Committee**

The ITAA Board of Trustees, on the recommendation of the ITAA Vice President of Operations, appoints the committee chair(s). The members of the ITAA Ethics Committee will be nominated by the chairperson(s) of the committee and appointed by the Board of Trustees. Nominations should ensure that all four fields of specialization within TA are represented. The committee will consist of at least six (6) members. The terms of office for committee members will be for three (3) years. Because of the specialized nature of the work of this committee, members may be reappointed for successive terms. Decision-making processes will follow the ITAA guidelines for the conduct of association committee meetings. The membership of the ITAA Ethics Committee will include no more than three trustees, and those individuals may not serve on an ethics appeal board.

### **3.3.2 ITAA Code of Ethical Conduct and Jurisdiction of Ethics Committee**

The ITAA Code of Ethical Conduct defines ethics principles that ITAA members should abide to. It is binding on members of the ITAA in all membership categories. The ITAA Ethics Committee will follow the procedures laid down in the ITAA Code of Ethical Conducts for handling ethical complaints against ITAA members.

The ITAA Ethics Committee will review the ITAA Code of Ethical Conduct from time to time and interpret it to the membership and the public.

The committee will establish, oversee, review, and approve investigations of alleged violations of the ITAA Code of Ethical Conduct and resolve such allegations by mutual agreement with the member through an ITAA Ethics Committee investigator. In addition, the ITAA Ethics Committee establishes, oversees, reviews, and approves the work of the hearing

board, which will make a recommendation of disciplinary action to be taken against the member by the ITAA Board of Trustees.

The ITAA Ethics Committee will serve as a consultant body to other regional TA organizations to develop and/or revise ethical procedures. It will also serve as a consultant on the request of another TA organization to resolve disputed ethics decisions within that organization. The ITAA Ethics Committee will not serve as an appeals body for other TA organization members.

### **3.3.3 Role of the ITAA Ethics Committee**

Upon request of an ITAA member or a regional TA organization, the ITAA Ethics Committee is responsible for advice, mediation and/or arbitration to resolve potential breaches of ethics and professional practice committed by individual members and ethical conflicts arising between members. Individual members can ask the committee for information concerning ethical issues. The committee will offer advice and indicate the appropriate procedures to follow.

If breaches or ethical conflicts remain unresolved, an ITAA member and/or a regional TA organization to which the ITAA member belongs also may approach the ITAA Ethics Committee for advice, mediation, and/or arbitration.

The ITAA Ethics Committee, at its discretion, may choose to give an advisory opinion about an ethical issue raised by an ITAA member, but it is not required to do so. Any such opinion will be confined to matters concerning the ethics process and whether an inquiry about alleged ethical violations would be an appropriate concern for the ITAA Ethics Committee to consider. An advisory opinion will be given only to actual and not hypothetical situations. Such opinions will be rendered only in writing and only in response to a written request.

In general, the various regional TA organizations have themselves the responsibility for resolving potential breaches of ethics and professional practice committed by their members and ethical conflicts arising between members. Therefore, all complaints should in the first instance be submitted for resolution to the regional TA organization to which the members belong. If breaches or ethical conflicts remain unresolved, an ITAA member and/or a regional TA organization to which the ITAA member belongs also may approach the ITAA Ethics Committee for advice, mediation, and/or arbitration.

ITAA trainers and trainees are encouraged to initiate informal consultation with the ITAA Ethics Committee for support and guidance when questions arise about avoiding and managing ethical infractions.

### **3.3.4 Jurisdiction over resigned members**

ITAA maintains jurisdiction over resigned members in relation to complaints of ethical violations that occurred during the period of membership, provided the complaint is received within one year of the date of resignation.

## **3.4 Procedures for advice, mediation and arbitration**

All procedures will be handled confidentially. If there is a need to make something public, all parties will be asked for their agreement. Full details of the guidelines and procedures of the ITAA Ethics Committee can be found on the ITAA website ([www.itaaworld.org](http://www.itaaworld.org)) in the Ethics Procedures Manual.

### **3.4.1 Procedure for advice**

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

### **3.4.2 Procedure for mediation for ITAA members**

1. The member or association contacts the ITAA Ethics Chair by letter, email or telephone and explains the situation.
2. The ITAA Ethics Chair helps the member or association to clarify the situation and to find out which next steps are appropriate.
3. If necessary, the ITAA Ethics Chair gets in contact with the other party for clarification with permission of the member/association asking for advice. This can be the case, when, for instance, there is a lack of information or misunderstandings and rumors.
4. If the next step is mediation, the ITAA Ethics Chair makes sure that both sides agree to take part in mediation.
5. When this is clear, the ITAA Ethics Chair (or ITAA Ethics Committee) will suggest a mediator. Both parties have to agree on the choice of the mediator.
6. The ITAA Ethics Chair will not take the role of mediator.
7. Both the parties, the mediator and the ITAA Ethics Committee, will negotiate a clear contract about aim, time frame, frequency and division of costs.
8. Once the process of mediation is completed, involved parties and the mediator will inform the ITAA Ethics Chair by letter about the outcome (one letter signed by all parties and mediator).
9. In case the aim of the mediation process cannot be reached in the scheduled time, the mediator will inform the ITAA Ethics Chair about the current situation of the process. He or she may make to the ITAA Ethics Committee a proposal for further steps (e.g., an extension of the mediation or alternatively arbitration or investigation).
10. The ITAA Ethics Committee will then discuss the proposal and determine the next steps. If they agree with the extension to the mediation process, a new contract will be negotiated. If the proposition is to go to a next step (e.g., arbitration or investigation), the ITAA Ethics committee will help to find appropriate persons for arbitration or a committee for the investigation.

### **3.4.3 Procedures for arbitration**

**Type A:** Both involved parties make a contractual agreement about a person who will be the arbitrator. The arbitrator will reach a decision about the case. This decision must be accepted by both involved parties.

**Type B:** Each party chooses one person to be his/her representative. These two representatives will agree on another person to be the arbitrator. The decision will then be made by these three persons and has to be accepted by all parties involved.

### 3.4.4 The role of the ITAA Ethics Committee in the arbitration process

Support in finding an arbitrator and in formulating clear contracts. Detailed procedures for this process will be available through the ITAA Ethics Committee.

Once the process of arbitration is completed, involved parties and the arbitrator(s) will inform the ITAA Ethics Chair by letter about the outcome (one letter signed by all parties and arbitrator(s))

Arbitration is the ultimate type of possible intervention that can be offered by the ITAA Ethics Committee. The ITAA Ethics Committee will inform the parties involved, that the case is closed, and no more intervention can be provided.

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