

Code of Conduct

Code of Conduct, Ethical Principles & Guidelines

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Comments or enquiries about these matters should be addressed to The Honorary General Secretary at the Society's Head Office.

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A Code of Conduct for psychologists

Under the terms of its Royal Charter, the Society is required to 'maintain a code of conduct'. In 1985 the Society adopted a code of conduct prior to the introduction of the Register of Chartered Psychologists with provision for an Investigatory Committee and Disciplinary Board to consider complaints of professional misconduct against members of the Society. In the light of experience dealing with several dozen allegations of misconduct these committees recommended some amendments to the code. After extensive consultations the following revised Code of Conduct was approved by the Council in February 1993 and adopted forthwith.

Statute 15 (12) states that a Disciplinary Committee shall be 'guided by the Code of Conduct, but that mention or lack of mention in the Code of Conduct of a particular act or omission shall not be taken as conclusive on any question of professional conduct'. Nevertheless, the Code sets out certain minimum standards for conduct with which psychologists are required to comply. However, the Code is also supplemented by several other guidelines and statements on matters of ethics and conduct published by the Society and its sub-systems. These frequently set out standards of good practice at which psychologists should aim. Some of these other statements give detailed guidance on matters such as advertising and descriptions, research with human or animal participants and some are relevant to specific fields of professional practice or concern the special provisions of law and practice on such matters as confidentiality and the disclosure of information. Members and contributors of the Society, many of whom will be Chartered Psychologists, must also take account of these further guidelines issued from time to time by the Society and its sub-systems, but especially

those relevant to their own specialist fields of practice or research.

1. General

In all their work psychologists shall conduct themselves in a manner that does not bring into disrepute the discipline and the profession of psychology. They shall value integrity, impartiality and respect for persons and evidence and shall seek to establish the highest ethical standards in their work. Because of their concern for valid evidence, they shall ensure that research is carried out in keeping with the highest standards of scientific integrity. Taking account of their obligations under the law, they shall hold the interest and welfare of those in receipt of their services to be paramount at all times and ensure that the interests of participants in research are safeguarded.

2. Competence

Psychologists shall endeavour to maintain and develop their professional competence, to recognise and work within its limits, and to identify and ameliorate factors which restrict it.

Specifically they shall:

2.1 refrain from laying claim, directly or indirectly, to psychological qualifications or affiliations they do not possess, from claiming competence in any particular area of psychology in which they have not established their competence, and from claiming characteristics or capabilities for themselves or others which they do not possess;

2.2 recognise the boundaries of their own competence and not attempt to practise any form of psychology for which they do not have an appropriate preparation or, where applicable, specialist qualification;

2.3 take all reasonable steps to ensure that their qualifications, capabilities or views are not misrepresented by others, and to correct any such misrepresentations;

2.4 if requested to provide psychological services, and where the services they judge to be appropriate are outside their personal competence, give every reasonable assistance towards obtaining those services from others who are appropriately qualified to provide them;

2.5 take all reasonable steps to ensure that those working under their direct supervision comply with each of the foregoing, in particular that they recognise the limits of their competence and do not attempt to practise beyond them.

3. Obtaining consent

Psychologists shall normally carry out investigations or interventions only with the valid consent of participants, having taken all reasonable steps to ensure that they have adequately understood the nature of the investigation or intervention and its anticipated consequences.

Specifically they shall:

3.1 always consult experienced professional colleagues when considering withholding information about an investigatory procedure, and withhold information only when it is necessary in the interests of the objectivity of the investigatory procedure or of future professional practice;

3.2 where it is necessary not to give full information in advance to those participating in an investigation, provide such full information retrospectively about the aims, rationale and outcomes of the procedure as far as it is

consistent with a concern for the welfare of the participants;

3.3 refrain from making exaggerated, sensational and unjustifiable claims for the effectiveness of their methods and products, from advertising services or products in a way likely to encourage unrealistic expectations about the effectiveness of the services or products offered, or from misleading those to whom services are offered about the nature and likely consequences of any interventions to be undertaken;

3.4 normally obtain the consent of those to whom interventions are offered, taking all reasonable steps to ensure that the consent obtained is valid, except when the intervention is made compulsorily in accordance with the provisions and safeguards of the relevant legislation;

3.5 recognise and uphold the rights of those whose capacity to give valid consent to interventions may be diminished including the young, those with learning disabilities, the elderly, those in the care of an institution or detained under the provisions of the law;

3.6 where interventions are offered to those in no position to give valid consent, after consulting with experienced professional colleagues, establish who has legal authority to give consent and seek consent from that person or those persons;

3.7 recognise and uphold the rights of recipients of services to withdraw consent to interventions or other professional procedures after they have commenced and terminate or recommend alternative services when there is evidence that those in receipt of their services are deriving no benefit from them.

4. Confidentiality

Psychologists shall maintain adequate records, but they shall take all reasonable steps to preserve the confidentiality of information acquired through their professional practice or research and to protect the privacy of individuals or organisations about whom information is collected or held. In general, and subject to the requirements of law, they shall take care to prevent the identity of individuals, organisations or participants in research being revealed, deliberately or inadvertently, without their expressed permission.

Specifically they shall:

4.1 endeavour to communicate information obtained through research or practice in ways which do not permit the identification of individuals or organisations;

4.2 convey personally identifiable information obtained in the course of professional work to others, only with the expressed permission of those who would be identified, (subject always to the best interests of recipients of services or participants in research and subject to the requirements of law and agreed working practices) except that when working in a team or with collaborators, they shall endeavour to make clear to recipients of services or participants in research, the extent to which personally identifiable information may be shared between colleagues or others within a group receiving the services;

4.3 in exceptional circumstances, where there is sufficient evidence to raise serious concern about the safety or interests of recipients of services, or about others who may be threatened by the recipient's behaviour, take such steps as are judged necessary to inform appropriate third

parties without prior consent after first consulting an experienced and disinterested colleague, unless the delay caused by seeking this advice would involve a significant risk to life or health;

4.4 take all reasonable steps to ensure that records over which they have control remain personally identifiable only as long as is necessary in the interests of those to whom they refer (or, exceptionally, to the general development and provision of psychological services), and to render anonymous any records under their control that no longer need to be personally identifiable for the above purposes;

4.5 only make audio, video, or photographic recordings of recipients of services or participants in research (with the exception of recordings of public behaviour) with the expressed agreement of those being recorded both to the recording being made and to the subsequent conditions of access to it;

4.6 take all reasonable steps to safeguard the security of any records they make, including those held on computer, and, where they have limited control over access to records they make, exercise discretion over the information entered on the records;

4.7 take all reasonable steps to ensure that colleagues, staff and trainees with whom they work understand and respect the need for confidentiality regarding any information obtained.

5. Personal conduct

Psychologists shall conduct themselves in their professional activities in a way that does not damage the interest of the recipients of their services or participants in their research and

does not inappropriately undermine public confidence in their ability or that of other psychologists and members of other professions to carry out their professional duties.

Specifically they shall:

5.1 refrain from improper conduct in their work as psychologists that would be likely to be detrimental to the interests of recipients of their services or participants in their research;

5.2 neither attempt to secure or to accept from those receiving their service any significant financial or material benefit beyond that which has been contractually agreed, nor to secure directly from them any such benefit for services which are already rewarded by salary;

5.3 not exploit any relationship of influence or trust which exists between colleagues, those under their tuition, or those in receipt of their services to further the gratification of their personal desires;

5.4 not allow their professional responsibilities or standards of practice to be diminished by considerations of religion, sex, race, age, nationality, party politics, social standing, class, self-interest or other extraneous factors;

5.5 refrain from practice when their physical or psychological condition, as a result of for example alcohol, drugs, illness or personal stress, is such that abilities or professional judgement are seriously impaired;

5.6 value and have respect for all relevant evidence and the limits of such evidence when giving psychological advice or expressing a professional opinion;

5.7 value and have respect for scientific evidence and the limits of such evidence when making public statements that provide psychological information;

5.8 refrain from claiming credit for the research and intellectual property of others and give due credit to the contributions of others in collaborative work;

5.9 take steps to maintain adequate standards of safety in the use of all procedures and equipment used in professional practice or research;

5.10 bring allegations of misconduct by a professional colleague to the attention of those charged with the responsibility to investigate them, doing so without malice and with no breaches of confidentiality other than those necessary to the proper investigatory processes and when the subject of allegations themselves, they shall take all reasonable steps to assist those charged with responsibility to investigate them.

Ethical principles for conducting research with human participants

Introduction to the revised principles

The Standing Committee on Ethics in Research with Human Participants has now completed its revision of the Ethical Principles for Research with Human Subjects (British Psychological Society, 1978). The new 'Ethical Principles for Conducting Research with Human Participants' (q.v.) have been approved by the Council.

The Standing Committee wishes to highlight some of the issues that concerned it during the drawing up of the Principles published below. In the forefront of its considerations was the recognition that psychologists owe a debt to those who agree to take part in their studies and that people who are willing to give up their time, even for remuneration, should be able to expect to be treated with the highest standards of consideration and respect. This is reflected in the change from the term 'subjects' to 'participants'. To psychologists brought up on the jargon of their profession the term 'subject' is not derogatory. However, to someone who has not had that experience of psychological research it is a term which can seem impersonal.

Deception

The issue of deception caused the Committee considerable problems. To many outside the psychology profession, and to some within it, the idea of deceiving the participants in one's research is seen as quite inappropriate. At best, the experience of deception in psychological research can make the recipients cynical about the activities and attitudes of psychologists. However, since there are very many psychological processes that are modifiable by individuals if they are aware that they are being studied, the statement of the research hypothesis in advance

of the collection of data would make much psychological research impossible. The Committee noted that there is a distinction between withholding some of the details of the hypothesis under test and deliberately falsely informing the participants of the purpose of the research, especially if the information given implied a more benign topic of study than was in fact the case. While the Committee wishes to urge all psychologists to seek to supply as full information as possible to those taking part in their research, it concluded that the central principle was the reaction of participants when deception was revealed. If this led to discomfort, anger or objections from the participants then the deception was inappropriate. The Committee hopes that such a principle protects the dignity of the participants while allowing valuable psychological research to be conducted.

Debriefing

Following the research, especially where any deception or withholding of information had taken place, the Committee wished to emphasise the importance of appropriate debriefing. In some circumstances, the verbal description of the nature of the investigation would not be sufficient to eliminate all possibility of harmful after-effects. For example, an experiment in which negative mood was induced requires the induction of a happy mood state before the participant leaves the experimental setting.

Risk

Another area of concern for the Committee was the protection of participants from undue risk in psychological research. Since this was an area in which the Principles might be looked to during an investigation following a complaint against a researcher, the Committee was concerned to seek a definition that protected the participants

in the research without making important research impossible. Risks attend us every moment in life, and to say that research should involve no risks would be inappropriate. However, the important principle seemed to be that when participants entered upon a psychological investigation they should not, in so doing, be increasing the probability that they would come to any form of harm. Thus, the definition of undue risk was based upon the risks that individuals run in their normal lifestyle. This definition makes possible research upon individuals who lead a risk-taking or risk-seeking life (e.g. mountaineers, cave divers), so long as the individuals are not induced to take risks that are greater than those that they would normally encounter in their life outside the research.

Implementation

The Council of the Society approved the Principles at its meeting in February 1990. There followed a two-year period during which the new

Principles were provisionally in operation. In Spring 1992 the Council reviewed the Principles, in the light of experience of their operation. During this period researchers were unable to identify problems in the working of the Principles. Following minor amendment the Principles were formally adopted in October 1992.

The Council urges all research psychologists to ensure that they abide by these Principles, which supplement the Society's Code of Conduct (q.v.) and thus violation of them could form the basis of disciplinary action. It is essential that all members of the psychological profession abide by the Principles if psychologists are to continue to retain the privilege of testing human participants in their research. Psychologists have legal as well as moral responsibilities for those who help them in their study, and the long-term reputation of the discipline depends largely upon the experience of those who encounter it first-hand during psychological investigations.

Ethical principles for conducting research with human participants

1. Introduction

1.1 The principles given below are intended to apply to research with human participants.

Principles of conduct in professional practice are to be found in the Society's Code of Conduct and in the advisory documents prepared by the Divisions, Sections and Special Groups of the Society.

1.2 Participants in psychological research should have confidence in the investigators. Good psychological research is possible only if there is mutual respect and confidence between investigators and participants. Psychological investigators are potentially interested in all aspects of human behaviour and conscious experience. However, for ethical reasons, some areas of human experience and behaviour may be beyond the reach of experiment, observation or other form of psychological investigation. Ethical guidelines are necessary to clarify the conditions under which psychological research is acceptable.

1.3 The principles given below supplement for researchers with human participants the general ethical principles of members of the Society as stated in The British Psychological Society's Code of Conduct (q.v.). Members of The British Psychological Society are expected to abide by both the Code of Conduct and the fuller principles expressed here. Members should also draw the principles to the attention of research colleagues who are not members of the Society. Members should encourage colleagues to adopt them and ensure that they are followed by all researchers whom they supervise (e.g. research assistants, postgraduate, undergraduate, A-Level and GCSE students).

1.4 In recent years, there has been an increase in legal actions by members of the general public against professionals for alleged misconduct.

Researchers must recognise the possibility of such legal action if they infringe the rights and dignity of participants in their research.

2. General

2.1 In all circumstances, investigators must consider the ethical implications and psychological consequences for the participants in their research. The essential principle is that the investigation should be considered from the standpoint of all participants; foreseeable threats to their psychological well-being, health, values or dignity should be eliminated. Investigators should recognise that, in our multi-cultural and multi-ethnic society and where investigations involve individuals of different ages, gender and social background, the investigators may not have sufficient knowledge of the implications of any investigation for the participants. It should be borne in mind that the best judge of whether an investigation will cause offence may be members of the population from which the participants in the research are to be drawn.

3. Consent

3.1 Whenever possible, the investigator should inform all participants of the objectives of the investigation. The investigator should inform the participants of all aspects of the research or intervention that might reasonably be expected to influence willingness to participate. The investigator should, normally, explain all other aspects of the research or intervention about which the participants enquire. Failure to make full disclosure prior to obtaining informed consent requires additional safeguards to protect the welfare and dignity of the participants (see Section 4).

3.2 Research with children or with participants who have impairments that will limit

understanding and/or communication such that they are unable to give their real consent requires special safe-guarding procedures.

3.3 Where possible, the real consent of children and of adults with impairments in understanding or communication should be obtained. In addition, where research involves any persons under 16 years of age, consent should be obtained from parents or from those in loco parentis. If the nature of the research precludes consent being obtained from parents or permission being obtained from teachers, before proceeding with the research, the investigator must obtain approval from an Ethics Committee.

3.4 Where real consent cannot be obtained from adults with impairments in understanding or communication, wherever possible the investigator should consult a person well-placed to appreciate the participant's reaction, such as a member of the person's family, and must obtain the disinterested approval of the research from independent advisors.

3.5 When research is being conducted with detained persons, particular care should be taken over informed consent, paying attention to the special circumstances which may affect the person's ability to give free informed consent.

3.6 Investigators should realise that they are often in a position of authority or influence over participants who may be their students, employees or clients. This relationship must not be allowed to pressurise the participants to take part in, or remain in, an investigation.

3.7 The payment of participants must not be used to induce them to risk harm beyond that which they risk without payment in their normal lifestyle.

3.8 If harm, unusual discomfort, or other negative consequences for the individual's future life might occur, the investigator must obtain the disinterested approval of independent advisors, inform the participants, and obtain informed, real consent from each of them.

3.9 In longitudinal research, consent may need to be obtained on more than one occasion.

4. Deception

4.1 The withholding of information or the misleading of participants is unacceptable if the participants are typically likely to object or show unease once debriefed. Where this is in any doubt, appropriate consultation must precede the investigation. Consultation is best carried out with individuals who share the social and cultural background of the participants in the research, but the advice of ethics committees or experienced and disinterested colleagues may be sufficient.

4.2 Intentional deception of the participants over the purpose and general nature of the investigation should be avoided whenever possible. Participants should never be deliberately misled without extremely strong scientific or medical justification. Even then there should be strict controls and the disinterested approval of independent advisors.

4.3 It may be impossible to study some psychological processes without withholding information about the true object of the study or deliberately misleading the participants. Before conducting such a study, the investigator has a special responsibility to

(a) determine that alternative procedures avoiding concealment or deception are not available;

(b) ensure that the participants are provided with sufficient information at the earliest stage; and
(c) consult appropriately upon the way that the withholding of information or deliberate deception will be received.

5. Debriefing

5.1 In studies where the participants are aware that they have taken part in an investigation, when the data have been collected, the investigator should provide the participants with any necessary information to complete their understanding of the nature of the research. The investigator should discuss with the participants their experience of the research in order to monitor any unforeseen negative effects or misconceptions.

5.2 Debriefing does not provide a justification for unethical aspects of any investigation.

5.3 Some effects which may be produced by an experiment will not be negated by a verbal description following the research. Investigators have a responsibility to ensure that participants receive any necessary debriefing in the form of active intervention before they leave the research setting.

6. Withdrawal from the investigation

6.1 At the onset of the investigation investigators should make plain to participants their right to withdraw from the research at any time, irrespective of whether or not payment or other inducement has been offered. It is recognised that this may be difficult in certain observational or organisational settings, but nevertheless the investigator must attempt to ensure that participants (including children) know of their right to withdraw. When testing children, avoidance of the testing situation may be taken as evidence of failure to consent to the procedure and should be acknowledged.

6.2 In the light of experience of the investigation, or as a result of debriefing, the participant has the right to withdraw retrospectively any consent given, and to require that their own data, including recordings, be destroyed.

7. Confidentiality

7.1 Subject to the requirements of legislation, including the Data Protection Act, information obtained about a participant during an investigation is confidential unless otherwise agreed in advance. Investigators who are put under pressure to disclose confidential information should draw this point to the attention of those exerting such pressure. Participants in psychological research have a right to expect that information they provide will be treated confidentially and, if published, will not be identifiable as theirs. In the event that confidentiality and/or anonymity cannot be guaranteed, the participant must be warned of this in advance of agreeing to participate.

8. Protection of participants

8.1 Investigators have a primary responsibility to protect participants from physical and mental harm during the investigation. Normally, the risk of harm must be no greater than in ordinary life, i.e. participants should not be exposed to risks greater than or additional to those encountered in their normal lifestyles. Where the risk of harm is greater than in ordinary life the provisions of 3.8 should apply. Participants must be asked about any factors in the procedure that might create a risk, such as pre-existing medical conditions, and must be advised of any special action they should take to avoid risk.

8.2 Participants should be informed of procedures for contacting the investigator within

a reasonable time period following participation should stress potential harm, or related questions or concern arise despite the precautions required by the Principles. Where research procedures might result in undesirable consequences for participants, the investigator has the responsibility to detect and remove or correct these consequences.

8.3 Where research may involve behaviour or experiences that participants may regard as personal and private the participants must be protected from stress by all appropriate measures, including the assurance that answers to personal questions need not be given. There should be no concealment or deception when seeking information that might encroach on privacy.

8.4 In research involving children, great caution should be exercised when discussing the results with parents, teachers or others acting in *loco parentis*, since evaluative statements may carry unintended weight.

9. Observational research

9.1 Studies based upon observation must respect the privacy and psychological well-being of the individuals studied. Unless those observed give their consent to being observed, observational research is only acceptable in situations where those observed would expect to be observed by strangers. Additionally, particular account should be taken of local cultural values and of the possibility of intruding upon the privacy of individuals who, even while in a normally public space, may believe they are unobserved.

10. Giving advice

10.1 During research, an investigator may obtain evidence of psychological or physical problems of which a participant is, apparently, unaware. In such a case, the investigator has a responsibility to inform the participant if the investigator believes that by not doing so the participant's future well-being may be endangered.

10.2 If, in the normal course of psychological research, or as a result of problems detected as in 10.1, a participant solicits advice concerning educational, personality, behavioural or health issues, caution should be exercised. If the issue is serious and the investigator is not qualified to offer assistance, the appropriate source of professional advice should be recommended. Further details on the giving of advice will be found in the Society's Code of Conduct.

10.3 In some kinds of investigation the giving of advice is appropriate if this forms an intrinsic part of the research and has been agreed in advance.

11. Colleagues

11.1 Investigators share responsibility for the ethical treatment of research participants with their collaborators, assistants, students and employees. A psychologist who believes that another psychologist or investigator may be conducting research that is not in accordance with the principles above should encourage that investigator to re-evaluate the research.

Guidelines for psychologists working with animals

Psychologists work with animals for a variety of reasons. The most obvious use is in research, and it is this that has commanded most attention in the general media. Animals are also sometimes used in practical teaching within psychology degree programmes. However, these do not exhaust the possible ways in which psychologists, in their professional capacity, may work with animals. There is increasing use of animals in various forms of psychological therapy with people, and psychologists may also be asked to advise on therapy for animals whose behaviour is disordered or inconvenient. Psychologists may find themselves involved in the training and use of animals for commercial purposes. New uses are likely to appear from time to time. Many psychological studies are non-invasive and involve only observation of the animals, but some research questions cannot be answered adequately without the manipulation of animals; and all studies of captive animals necessarily involve keeping animals in confinement. Even studies of free-living animals in their natural habitat may involve disruption of the environment, or capture of animals in order to mark them.

The British Psychological Society has set up a Standing Advisory Committee on the Welfare of Animals in Psychology, to advise the Scientific Affairs Board and through it, the Society more generally on the ethical issues involved in working with animals in psychology. This Committee, with the co-operation of the Experimental Psychology Society, has produced the following guidelines for the use of all members who are engaged in psychological activities involving living animals. The majority of animal use in psychology is in research, and this is dealt with by the Animals (Scientific Procedures) Act 1986. Any scientific procedure that may cause pain, suffering, distress or lasting

harm in any vertebrate (and one invertebrate octopus vulgaris) species is governed by this Act (see Section 4 below). These guidelines will provide an outline of the legal responsibilities of members of the BPS or EPS whose research is already governed by the Act; the guidelines should be taken into consideration where any work is not governed by the Act, and may provide additional help or advice. Psychologists working with animals in ways that are not covered by legislation should aim to maintain standards at least as high as those suggested here for research use, and should follow the spirit of these guidelines even where the letter cannot strictly be applied. The guidelines are general in scope, since the diversity of species and techniques used in psychology preclude the inclusion of specific details about appropriate animal care and treatment. Thus members of both Societies are reminded of their general obligation to avoid or at least minimise discomfort to living animals. It should be noted that permission to perform procedures regulated under the 1986 Act will not be granted unless the researcher can justify the costs to the animal in terms of the likely benefits of the research (see Section 4 below). In addition, when permission to perform a regulated procedure is requested, the researcher is also required to demonstrate that consideration has been given to replacing animals with alternatives whenever possible, reducing the number of animals used, and refining procedures to minimise suffering (Russell & Burch, 1959). Psychologists who work with animals should, therefore, keep abreast of new developments in animal welfare, with new ways of reducing the numbers of animals required for the procedures, and with refining the procedures so as to enhance the welfare of the animals concerned (see, for example, the publications of the Joint Working Group on Refinement). Appropriate training courses could be useful in this respect.

These guidelines will be used by the Editors of the Journals of both Societies in assessing the acceptability of submitted manuscripts. Submitted manuscripts may be rejected by an Editor if the content violates either the letter or the spirit of the guidelines. Members of The British Psychological Society using animals should consider the guidelines before embarking on a procedure, since any breach may be considered professional misconduct.

1. Legislation

Members of the Societies working in this country must familiarise themselves with the laws regarding animal welfare, and with threatened and endangered species that are relevant to their work, and conform with the spirit and letter of the relevant legislation. Whenever their work is done, Members of the Societies, or those whose work is published by the Societies, should conform to the ethical standards underlying UK legislation. A summary of the British laws designed to ensure the welfare of animals is given by Crofts (1989): detailed guidance on the operation of the Animals (Scientific Procedures) Act 1986 is provided by the Home Office (HMSO 1990, 1999), the Annual Reports of the Animal Procedures Committee (HMSO-APC) and an updated summary is given every year in the annual statistics (HMSO-Stats). Lists of threatened species and laws aiming to protect them can be obtained from the International Union for the Conservation of Nature, Species Conservation Monitoring Unit (219C Huntingdon Road, Cambridge CB3 0DL, UK). Before publication of primary reports of research involving animals in the Societies' journals, authors must confirm in their cover letter that they have adhered to the legal requirements of the country in which the study was conducted, as well as to these guidelines.

2. Choice of species

Psychologists should choose a species that is well suited for the intended use. Choosing an appropriate subject species usually requires knowledge of that species' natural history and some judgement of its level of sentience. Knowledge of an individual animal's previous experience, such as whether or not it was bred in captivity, is also important. When the use involves regulated procedures, and when a variety of species can be used, the psychologist should employ the species which, in the opinion of the psychologist and other qualified colleagues, is least likely to suffer, and must justify their choice in any Project Licence application. Alternatives such as video records from previous work or computer simulations can sometimes be used, especially in teaching contexts but also for some research purposes: see Stricklin *et al.* (1995) and Hull (1996). Advice on computer simulations for teaching can be obtained from the CTI Psychology Centre at the University of York.

3. Number of animals

Researchers working under the 1986 Act are legally required to use the smallest number of animals necessary and sufficient to accomplish the research goals, and this principle should be generally applied. The aim of minimising the number of animals used in an experiment can be achieved by appropriate pilot studies, reliable measures of behaviour, good experimental design and the use of statistical tests (see ECVAM, 1998), Hunt (1980), Still (1982) and McConway (1992) discuss ways of reducing the number of animals used in experiments through alternative designs. In 1996, the American Psychological Association's Task Force on Statistical Inference reported, giving guidance on the importance of taking statistical power into account when designing experiments. Copies of the report are available from the APA.

4. Procedures

The following section details procedures that are specifically covered by the Animal (Scientific Procedures) Act 1986. Any scientific procedure that may have the effect of causing an animal pain, suffering, distress or lasting harm is regarded as a regulated procedure under the Act. These terms include death, disease, injury, physiological or psychological stress, significant discomfort, or any disturbance to normal health, whether immediately or in the long term. The investigator should consider experimental designs that avoid the use of regulated procedures by, for example removing the deleterious condition (e.g. enhancing rather than impoverishing the environment as the experimental treatment) or employing situations in which naturally occurring instances of deleterious conditions are observed. Permission to perform regulated procedures requires the possession of a Project Licence, which specifies the species, numbers of animals and types of procedures that may be used. Such a licence is only granted on condition that the Project Licence Holder makes an assessment that justifies the costs to the animal against the likely benefits of the proposed programme of work. He or she is responsible for ensuring that the project is conducted legally under the terms of the Act, and in accordance with the conditions of the Project Licence. The actual performance of a regulated procedure requires the granting of a Personal Licence, which is given only to those who are competent to perform the procedures, if necessary under supervision. Personal Licence holders are also required to seek to minimise any pain, suffering or distress that might arise, given the requirements of the experimental design (AVMA 1987; Bateson 1991; and NRC 1992:). Whatever procedure is in use, any adverse effects on animals must be recognised and assessed, and immediate action taken whenever necessary

(Mellor and Morton 1997; Morton 1997; Morton and Townsend 1995). According to the Animal (Scientific Procedures) Act 1986 the Personal Licence holder has the primary responsibility in this regard; a Named Animal Care and Welfare Officer with responsibility for day-to-day care of the animal and a Named Veterinary Surgeon will also be available to give advice on animal health and welfare. When applying for legal permission to perform regulated procedures, investigators are also required to discuss with colleagues and others, through a Local Ethical Review process, the justification for the use of animals and the balance between costs and benefits. These Local Ethical Reviews must include not only academics but also a veterinary surgeon and a lay person, and must approve project and personal licence applications before they are passed to the Home Office. There are several models for evaluating animal research which can be of use when making ethical decisions (Orlans 1987; Shapiro and Field 1988; Porter 1992; Smith and Boyd 1991; and Morton 1998). Furthermore, when reporting research in scientific journals or otherwise, researchers must always be prepared to identify any costs to the animals involved and justify them in terms of the scientific benefit of the work.

The following more specific points may be of use.

(a) Reward, deprivation and aversive stimulation

It is not always necessary to provide all species of animals with *ad libitum* food intake, and in some cases this may even be considered harmful; deprivation, on the other hand, can cause distress to animals (Claassen 1994). Some levels of deprivation are regarded as regulated procedures under the Animal (Scientific Procedures) Act 1986, but others are not. Thus when arranging schedules of deprivation the experimenter should

consider the animal's normal eating and drinking habits and its metabolic requirements; a short period of deprivation for one species may be unacceptably long for another. When using deprivation or aversive stimulation, the investigator should ascertain that there is no alternative way of motivating the animal that is consistent with the aims of the experiment, and that the levels of deprivation used are no greater than necessary to achieve the goals of the experiment. Alternatives to deprivation include the use of highly preferred foods and other rewards which may motivate even satiated animals. Use of minimal levels requires a knowledge of the technical literature in the relevant area: quantitative studies of aversive stimulation are reviewed by Church (1971) and Rushen (1986) and the behaviour of satiated animals is considered by Morgan (1974). Further comments on reducing possible distress due to motivational procedures are to be found in Moran (1975) and Lea (1979).

(b) Isolation and crowding

Caging conditions should take into account the social behaviour of the species. Caging in isolation may be stressful to social animals; overcrowding may also cause distress, and possible harm through aggression. Because the degree of stress experienced by an animal can vary with species, age, sex, reproductive condition, developmental history and social status, the natural social behaviour of the animals concerned and their previous social experience must be considered in order to minimise such stress. The Animals (Scientific Procedures) Act 1986 lays down guidelines for the housing of laboratory animals (HMSO, 1989, 1995). For further discussion, see Dawkins' (1988).

(c) Aggression and predation

The fact that the agent causing harm may be another non-human animal does not free the experimenter from the normal and legal obligations to experimental animals. Huntingford (1984) and Elwood (1991) discuss the ethical issues involved and suggest that, wherever possible, field studies of natural encounters should be used in preference to staged encounters. Where staged encounters are necessary, the use of models as targets should be considered, the number of subjects should be kept to the minimum needed to accomplish the experimental goals, and the experiments made as short as possible. Continuous observation, with intervention to stop aggression at predefined levels, and providing protective barriers and escape routes for the subjects, are also recommended.

(d) Fieldwork

Investigators studying free-living animals should take precautions to minimise interference with individuals as well as the populations and ecosystems of which they are a part. Capture, marking, radio-tagging, collection of physiological data such as blood or tissue samples or field experiments may not only have immediate effects on the animal, but may also have consequences such as a reduced probability of survival and reproduction. The subsequent release of the animals may also be problematic. For guidance on appropriate procedures see Kirkwood et al. (1994) and the British Wildlife Rehabilitation Council (1989). Investigators should consider the effects of such interference, and use less disruptive techniques such as recognition of individuals by the use of natural markings rather than artificial marking (Scott 1978) where possible. Cuthill (1991) discusses the ethical issues associated with field experiments, and

recommends pilot investigations to assess potential environmental disruption and follow-up studies to detect and minimise persistent effects. The cost-benefit analysis of a field procedure should take into account the adverse consequences of disruption for not only the animals used as subjects but also for other animals and plants in the ecosystem (Bekoff, 1995; Bekoff and Jamieson, 1996). When an experimental protocol requires that animals be removed from the population either temporarily or on a long-term basis, investigators should ensure that suffering or discomfort are minimised not only for the removed animals but for others dependent on them (e.g. dependent offspring). Removed individuals and their dependents must be housed and cared for appropriately. Sources of further information on field techniques are the books edited by Stonehouse (1978) and Amlaner and Macdonald (1980).

(e) Anaesthesia, analgesia and euthanasia.

After conducting surgical procedures, attention should be given to proper pre- and post-operative care in order to minimise preparatory stress and residual effects. Regular and frequent post-operative monitoring of the animal's condition is essential, and it is a requirement of the Personal Licence that if at any time an animal is found to be suffering severe pain or distress it must be killed humanely using an approved technique (see Section 7 below). Unless specifically contra-indicated by the experimental design, procedures that are likely to cause pain or discomfort should be performed only on animals that have been adequately anaesthetised, and analgesics should be used after such procedures to minimise pain and distress whenever possible (Green 1979; and Flecknell 1996).

5. Procurement of animals

Common laboratory species, listed under Schedule 2 of the Animals (Scientific Procedures) Act 1986, must come from Home Office Designated Breeding and Supply Establishments. Other species should only come from reputable suppliers. The list of species is updated and reported in the Annual Reports of the Animal Procedures Committee. Further advice about purchasing animals may be obtained from the Laboratory Animal Breeders Association, c/o Harlan UK Ltd., Shaw's Farm, Blackthorn, Bicester OX6 0TP. Guidance relevant to wild-caught animals can be found in the ASAB/ABS Guidelines for the treatment of animals in behavioural research and teaching (1997).

6. Housing and animal care

The researcher's responsibilities extend also to the conditions under which the animals are kept when not being studied. If a regulated procedure is being used then these are governed by the Animals (Scientific Procedures) Act 1986; this principle should be extended to animals used for other purposes, and the housing conditions and husbandry practices must at least reach the standards required by the guidelines and codes issued under that legislation.

The 1986 European Convention (20) provides that 'Any animal used or intended for use in a procedure shall be provided with accommodation, and environment, at least a minimum of freedom of movement, food, water and care, appropriate to its health and well being. Any restriction on the extent to which an animal can satisfy its physiological and ecological needs shall be limited as far as practicable.' Normal maintenance of captive animals should thus incorporate, as much as possible, aspects of the natural living conditions deemed important to

welfare and survival (Poole, 1998). Consideration should be given to providing features such as natural materials, refuges, perches and dust and water baths. Frequency of cage cleaning should represent a compromise between the level of cleanliness necessary to prevent diseases and the amount of stress imposed by the cleaning process. Companions should be provided for social animals where possible, providing that this does not lead to suffering or injury. The housing regime should provide adequate exercise and cognitive stimulation.

The nature of human-animal interactions during routine care and experimentation should be considered by investigators. Depending upon species, rearing history and the nature of the interaction, animals may perceive humans as conspecifics, predators or symbionts (Estep & Hetts, 1992). Special training of animal care personnel can help in implementing procedures that foster habituation of animals to caretakers and researchers and minimise stress. Stress can also be reduced by training animals to co-operate with handlers and experimenters during routine husbandry and experimental procedures (Biological Council, 1992; Joint Working Group on Refinement, 1993b, 1998).

Some experimental procedures used in psychology may involve special housing conditions (e.g. social isolation). Even under such conditions these Guidelines are still applicable to the non-manipulated environmental conditions (See 4b above, on social isolation).

7. Final disposal of animals

If an animal has been used in a procedure regulated by the Animals (Scientific Procedures) Act 1986 its re-use is very tightly controlled and requires Home Office approval. In other circumstances, when

research projects or teaching exercises using captive animals are completed, it may sometimes be appropriate to distribute animals to colleagues for further study or breeding. However, if animals are distributed, care must be taken to ensure that they continue to receive a high standard of care. If animals must be killed during or subsequent to a study this must be done as humanely and painlessly as possible; acceptable methods for particular species are defined in Schedule 1 of the Animals (Scientific Procedures) Act 1986 (HMSO, 1997). Death of the animals must be confirmed before their bodies are disposed of. A veterinary surgeon should be consulted for advice on methods of euthanasia that are appropriate for species not listed in Schedule 1. For information on euthanasia methods see AVMA (1993), and Close et al. (1996, 1997).

8. Animals in psychology teaching

Different considerations apply to the different levels of education ranging from secondary school through undergraduate to postgraduate. At every level where animals are used, the opportunity should be taken to discuss, with students, the ethical issues involved. Students should be encouraged to form their own ethical assessments and must not be required to carry out any experimental manipulation that they judge to be inappropriate. It is the responsibility of teachers to ensure that students are trained and competent to carry out whatever is required of them. At secondary school and the undergraduate level, it may be appropriate to include some work involving live animals. The use of animals for demonstrations of known facts using regulated procedures is prohibited unless they may not be taught effectively by any other means. There may, however, be some occasions on which students may use animals individually for teaching purposes in ways that are not covered by this legislation,

but these by definition will not involve procedures believed to cause any harmful consequence. Observation of animals in their natural habitat may be encouraged provided that neither the animals nor the habitat are manipulated. The use of film and video brings valuable opportunities for the observation of formal manipulative studies.

Students who have career aspirations in professional psychology may have a special interest in animal psychology. They may wish to carry out final year experimental projects involving animals. If such projects may involve pain or suffering, they are only legally permissible if they form part of an ongoing piece of research, and where the study would otherwise have been conducted by the supervisor or his/her research team as work approved under an existing Project Licence. It is a legal requirement that any regulated procedures required by such projects will normally be performed by a Personal Licence holder; in some circumstances tasks may be delegated provided they are closely supervised by a Personal Licence holder (See Home Office, 1990 Appendix VII).

At the postgraduate level, any student wishing to use legally regulated procedures with animals must hold a Personal Licence. Home Office accredited training courses must be taken as a prerequisite to obtaining a licence. During this preparatory period, the situation is broadly similar to that of the undergraduate student research project.

9. The use of animals for therapeutic purposes

A variety of animal species are currently used by psychologists as aides or adjuncts to therapy. An example of this is the use of pet dogs as

'co-therapists' in the clinical setting, either through direct contact and interaction with the client/patient, or simply by their presence in the consulting room during a therapy session. Other examples include horse riding for disabled children, companion animal visiting schemes in hospitals or hospices, and pet keeping schemes within prison rehabilitation programmes. In addition, animals such as spiders and snakes are used in behaviour therapy for the treatment of specific animal phobias.

In all these cases, considerations concerning the general care and welfare of therapeutic animals are similar to those outlined for experimental animals. In addition, however, a number of specific considerations can be noted. The individual temperament and training of such animals should be appropriate for the planned task (e.g. a hospital visiting dog should be calm, placid and sociable with people), and should, therefore, be assessed carefully prior to use. Care should also be taken that contact between the therapeutic animal and client/patient is monitored at all times. Therapeutic interactions, especially with children, can be very demanding and tiring for an animal. Such animals should, therefore, be given regular rest periods during therapy sessions. They should also have the opportunity to retreat from threatening situations or interactions, should they arise.

10. Obtaining further information

There are a number of organisations that provide publications and detailed information about the care and use of animals. The Universities Federation for Animal Welfare (The Old School, Brewhouse Lane, Wheathampstead, Hertfordshire AL4 8AN, UK) is particularly relevant to British psychologists, and has produced a *Handbook on the Care and Management of Laboratory Animals*

(Poole, 1987). Information is also available from The Canadian Council on Animal Care (1105-151 Slater Street, Ottawa, Ontario, K1P 5H3, Canada), and the Scientists Centre for Animal Welfare (4805 St. Elmo Avenue, Bethesda, MD 20814, USA) which publishes a series of bibliographics on special topics, and can also provide individualised database searches for investigators on potential alternatives, including techniques for replacement with non-animal models or alternative species, methods for reducing the total number of animals necessary to address the research question, and experimental refinements which can reduce pain and stress.

Psychologists working with animals should inform themselves about the debate on the desirability of animal research. The opposing arguments can be found in literature published by the British Union for the Abolition of Vivisection, Research Defence Society, Fund for the Replacement of Animals in Medical Experiments and the Royal Society for the Prevention of Cruelty to Animals. Relevant books include DeGrazia (1996) and Dawkins (1993).

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Guidelines on advertising services offered by psychologists

The Society is frequently asked for advice on acceptable ways of advertising the services offered by psychologists. Conversely the Society has to adjudicate on complaints when it is alleged that a Member is responsible for an advertisement which is in some way not entirely legal, decent, honest or truthful. The Professional Affairs Board prepared the following guidelines in an attempt to make explicit the principles involved. They are approved and adopted by the Council as a Society position statement.

A definition

In the following guidelines an advertisement is defined as a communication addressed directly to the public or a section of it, the purpose of which is to influence the behaviour or opinions of those to whom it is addressed. An advertisement therefore includes any announcement of the professional services of an individual psychologist or group of psychologists whether working in private practice or for a corporate employer, appearing, for example, in the press, television, radio, in the Yellow Pages of the telephone directory or in a brochure distributed directly through a potential client's letterbox. Different principles would apply to a letter of introduction which a psychologist might send to a third party (e.g. a solicitor or medical practitioner) introducing the psychological services offered to clients who subsequently may be referred at the discretion of the third party receiving the letter.

The role of the Society

The Society adopts a neutral position on the quasi-political issue of the desirability or otherwise of Members working in private practice and thus charging clients directly for the psychological services provided. The responsibility of the Society is to ensure that however Members earn their livelihood, when they

advertise psychological services they do so with due regard for acceptable standards. Announcements through agencies should conform to the same standards.

General concepts

All psychologists should recognise the need to encourage and preserve a relationship with those to whom their services are offered which is dignified and based on confidence. They will therefore refrain from making exaggerated and unjustified claims for the effectiveness of their methods, from advertising services in a way likely to encourage unrealistic expectations about the effectiveness of the services offered, or from misleading those to whom services are offered about the nature and likely consequences of any interventions to be undertaken.

What to include in an advertisement

In the past the Society has advised any psychologist advertising personal services of a therapeutic nature to individual members of the public (e.g. clinical psychology, educational psychology) to include only 'visiting card' particulars in the advertisement, that is, information giving name, qualifications, status, address, telephone number and consultation hours of the psychologist. However, experience has now shown that to limit the content of an advertisement to only this information is not always in the public interest. Not all members of the public will know what services, for example, a clinical psychologist can offer. 'Visiting card' particulars do not permit a psychologist who wishes to specialise in the treatment of particular presenting problems within a general field such as clinical psychology to make it clear from the outset in which areas the psychologist specialises. It is, for example, clearly in the interest of a client with a drinking problem to be able to discover

from an advertisement which clinical psychologists offer help with this problem, thereby avoiding unnecessary approaches to other clinical psychologists who are offering treatment only for different problems (e.g. phobias). Therefore, the Society is now of the view that, in addition to 'visiting card' particulars, it is appropriate to include in advertisements for personal therapeutic services factual information about the specialist nature of the services provided and the methods employed.

When making reference to the specialist services offered, great care should be taken to avoid playing on the fears of a client and then offering to provide a cure. One way of meeting this requirement is to avoid reference to the kinds of client problems for which treatment is offered. However, it is not normally possible to refer to specialist areas of psychology other than by making reference to the problems for which the client is seeking help (e.g. stress-related disorders, marital problems, smoking). Therefore, when phrasing an advertisement discretion and judgement have to be used, the criteria being that no reasonable person would find the advertisement distasteful. Thus, by way of example, it would be reasonable to assume that a psychologist offering 'help to those with marital difficulties' or 'help with slimming' would be acceptable, but an advertisement stressing the health dangers of obesity and then offering help would not.

Some prohibitions or what not to include in an advertisement

(i) Avoid any comparative denigration of the services of other psychologists or practitioners from other professions. Avoid claims that the services offered are of superlative quality or that the psychologist offering the service is likely to

give better advice than others. (Psychologists may, of course, mention their formal qualifications). Psychologists will not, however, advertise their availability to give second opinions or reassessments.

(ii) When advertising personal services directly to individual members of the public avoid playing on clients' fears regarding their state of health and avoid stimulating in clients any feeling of dissatisfaction with their present life situation. For example, a psychologist offering occupational guidance when reporting this fact should do nothing to encourage a client to question his or her current level of job satisfaction.

(iii) Avoid the use of testimonials in advertisements for psychological services.

(iv) Never claim or imply the certainty of cure for any conditions to be treated nor the certainty of success with the resolution of a client's problems.

(v) Avoid any offer to refund money to dissatisfied users of psychological services.

The competence of those claiming expertise in specialist areas of psychology

Attention is also drawn to the Society's Code of Conduct (q.v.) in which psychologists are required to 'refrain ... from claiming competence in any particular area of psychology in which they have not established their competence, and from claiming characteristics or capabilities for themselves which they do not possess'.

Therefore, where psychologists make claims to offer specialist services or specific treatments (e.g. hypnotherapy) potentially the psychologists concerned should be able to substantiate their

claims, e.g. by demonstrating that they have received relevant training in the area.

Care should also be taken to avoid offering treatment or advice 'as a psychologist' in areas that do not form part of the discipline and profession of psychology and in which training is not normally given to psychologists. For example, if a clinical psychologist advertised an acupuncture service, his or her qualifications 'as a psychologist' would not allow him or her to claim expertise in this field as it is not accepted as a field of psychology. No other clinical psychologists receive training in acupuncture and no clinical psychologists are employed as acupuncturists. If psychologists have skills in other areas, those not related to psychology should be referred to in separate advertisements.

Fees for Psychological Services

It should be noted that, by law, the Society may not give advice on specific fees which should and can be charged by its members as this is a prohibited, restrictive practice. This position has been confirmed by the Monopolies and Mergers Commission.

The Investigatory Committee has had to deal with a number of complaints from members of the public, that they have been overcharged or charged for reports that they did not need. The Chair of the Disciplinary Board (a lay member) has endorsed the view of the Investigatory Committee that it is not the role of the Society to adjudicate on charges. However, we are all concerned with the good name of psychology. Having considered the issue, the Professional Affairs Board has agreed to promulgate the directive that all psychologists in private practice should, as a matter of routine, make it clear to all clients before any interventions are begun what their fees are likely to be and for what they will be paying. Adoption of this practice is only common sense, but it is essential to give clients explicit guidance on charges if future misunderstandings and complaints are to be avoided.

Descriptions

This article was published in April 1988 in Charter Guide No.3,an occasional publication about amendments to The Royal Charter. It was amended in October 1995.

The amendments to the Society's Royal Charter and Statutes recently allowed by the Privy Council in 1987 introduced principles for the manner in which various categories of members may refer to their membership of the Society. Statute 30 is the key reference that is considered in this article. The right to use certain titles, in particular the title 'Chartered Psychologist', is enshrined in the Charter and Statutes but certain other practices are left to be determined by the Council (e.g. Statute 30 (3) that is discussed below). This statement therefore is being issued by the Council for the guidance of Society Members and Contributors. Different principles apply to different grades of member.

The indicative nature of the Register

By analogy, the revised Charter and Statutes confers on the Society the 'copyright' to a specific 'trademark' – the title 'Chartered Psychologist'. Only psychologists who are Members of the Society with the necessary qualifications may use the title 'Chartered Psychologist' once they have applied for and been accepted for registration. If anyone whose name is not on the Register were to use the title 'Chartered Psychologist' the Society would have the authority to seek an injunction or to take other legal measures to restrain the person concerned from wrongly appropriating a title which by Royal Consent may be used only by Members of the Society whose names are entered on the Register. Possession of the qualifications sufficient for registration is not enough as eligibility for registration is also dependent on giving assent to the Code of

Conduct. Only Members who have actually registered and agreed to abide by the Code of Conduct may use the protected title 'Chartered Psychologist'.

The Charter and Statutes are silent on what functions or activities as psychologists those on the Register or other members of the Society are competent to perform. We have an indicative form of non-statutory registration in which only the use of the title 'Chartered Psychologist' is protected. However, it is through the Code of Conduct that the Society protects the public from the actions of psychologists practising outside their sphere of competence. Article 3 (iv) of the Royal Charter records the following as one of the principal objects of the Society: 'to maintain a Code of Conduct for the guidance of Members and Contributors and to compel the observance of strict rules of professional conduct as a condition of membership.' It must be emphasised that the Code of Conduct refers to all Members and Contributors of the Society, that is by way of example all Chartered Psychologists, Fellows, Associate Fellows, Graduate Members, Student Subscribers or Affiliates – formerly called Subscribers. All members of the Society come within the aegis of the new disciplinary provisions and all members are bound by Clause 2 of the Code of Conduct that concerns competence. Clauses 2.1 and 2.2 are especially relevant; they read as follows:

'Psychologists shall:

2.1 refrain from laying claim, directly or indirectly, to psychological qualifications or affiliations they do not possess, from claiming competence in any particular area of psychology in which they have not established their competence, and from claiming characteristics or capabilities for themselves

which they do not possess;

2.2 recognise the boundaries of their own competence and not attempt to practise any form of psychology for which they do not have an appropriate preparation or, where applicable, specialist qualifications.'

Chartered Psychologists

Once on the Register all Chartered Psychologists are to be encouraged to use the new title or the abbreviation 'C.Psychol.' as often as possible; indeed the wording of Statute 30 goes so far as positively to enjoin Chartered Psychologists to use the title. Only if those on the Register routinely use the title in professional contexts, on case reports, on publications, in their advertisements and on their letter paper will the public be able to rely on the title as the means of knowing they are dealing with a *bona fide* psychologist who is recognised as properly qualified by the Society.

Article 9 of the Charter states:

'The Council shall maintain a Register of Chartered Psychologists. Application to be entered on to the Register may be made by suitably qualified Members. Those whose names appear on the Register, except those who have Conditional Registration, shall be entitled to use the designation 'Chartered Psychologist' and to use after their name the abbreviation 'C.Psychol.'

Statute 30 (4) amplifies this provision by stating: 'Subject to the provisions of paragraph 5 below, Members whose names are included in the Register of Chartered Psychologists other than those to whom only Conditional Registration has been granted will use the designation 'Chartered Psychologist' or use after their name the abbreviation 'C.Psychol.' (but no other), in any appropriate professional context including

personal notices or advertisements, but Members conditionally registered shall not use such designation or abbreviation.'

It is important to note that no variants of the abbreviation of 'C.Psychol.' are permitted (e.g. 'C.Clin.Psychol.' is not allowed.)

'Paragraph 5', that is Statute 30 (5), then goes on to state: 'Chartered Psychologists may insert an additional item between 'Chartered' and 'Psychologist' to indicate their particular area of psychological expertise (but may not use an abbreviation other than that authorised in paragraph (4) above). Only such additional terms may be employed in this context as are explicitly sanctioned by a resolution passed in a postal ballot of Members. In the case of terms referring to areas of psychology for which the Society has a Division, use of the term shall be restricted to those eligible for membership of the Division concerned.'

A ballot has been arranged to determine whether the terms 'Chartered Clinical Psychologist' and 'Chartered Occupational Psychologist' are to be sanctioned.

Following the convention adopted by other chartered professions it will be usual for the abbreviation 'C.Psychol.' to be placed after the list of a Member's degrees and diplomas but before the abbreviation 'FBPsS' or 'AFBPsS', (e.g. Jo Smith, BSc, PhD, C.Psychol., AFBPsS). As far as Chartered Psychologists are concerned the main message is: use the new title as often as possible and don't let anyone try to stop you. The right to use the title is a privilege conferred on you with Royal approval.

Fellows and Associate Fellows

The amendments to the Charter and Statutes included a provision in which the former grade of 'Associate' became re-titled 'Associate Fellow'. The former title was often misunderstood as referring to a lesser grade of membership than Graduate Member. Statute 12 (1) made provisions for all Fellows and Associate Fellows who held this grade of Membership on 18 December 1987 to be automatically eligible for registration as a Chartered Psychologist, provided an application was submitted within 18 months of the Statute coming into force, that is by 18 June 1989.

Statute 30 (2) places a restriction on the context in which reference can be made to any description indicating membership or contributorship in any personal notice inserted as an advertisement in the press or elsewhere. This had previously been interpreted to place a restriction on the reference to Fellowships and Associate Fellowships as well as ordinary membership of the Society. Statute 30 (2) reads as follows: 'No Member or Contributor shall use any description indicating Membership or Contributorship in a personal notice inserted as an advertisement in the press or elsewhere.'

Earlier (1987) the Council had defined an advertisement as 'a communication addressed directly to the public or a section of it, the purpose of which is to influence the behaviour or opinions of those to whom it is addressed. An advertisement, therefore, includes any announcement of the professional services of an individual psychologist or a group of psychologists whether working in private practice or for a corporate employer, appearing for example in the press, television, radio, or in the Yellow Pages of the telephone directory, or in a

brochure distributed directly through a potential client's letterbox'. Previously, in these contexts Fellows and Associate Fellows who had registered as Chartered Psychologists were encouraged to claim to be 'Chartered Psychologists', but were prevented from making any other reference to their membership of the Society, for example by listing the initials AFBPsS or FBPsS after their names. At that time the reasoning for this prohibition was that the Society did not want to confuse the public, and that it was the reference to being a Chartered Psychologist on which it was intended that the public should come to rely as the only certain way of recognising a psychologist who is regarded by the Society as appropriately qualified to hold out to offer advice or professional services as a psychologist.

As the Register of Chartered Psychologists has become better known to the public, and as the awarding of Associate Fellowship and Fellowship of the Society does confer additional recognition upon Members (as opposed to the use of MPPsS, which provides no additional recognition of qualification to a first degree in psychology) Council felt that the application of Statute 30 (2) ought not be interpreted to include the descriptions of AFBPsS and FBPsS. The previous restrictions relating to the use of those letter descriptions was, therefore, removed with regard to advertisements.

Chartered Psychologists who have the designation of AFBPsS or FBPsS may now make use of those letters in circumstances which were outlined and defined as an advertisement by Council in 1987 as described previously.

Graduate Members and Ordinary Members

No new Ordinary Members of the Society have been accepted since 1965 when this category of Membership became obsolete for all new applicants.

Along with Fellows and Associate Fellows, Graduate Members and Ordinary Members of the Society are bound by Statute 30 (2) that states: 'No Member or Contributor shall use any description indicating Membership or Contributorship in any personal notice inserted as an advertisement in the press or elsewhere'. However, Statute 30 (3) adds:

'No Ordinary Member or Graduate Member shall use the description '(Member) (Graduate Member) of The British Psychological Society' (as the case may be) in any context, professional or otherwise, whatsoever, except in such circumstances as may be determined by the Council'.

The implication of Statute 30 (3) is that Graduate Members and Ordinary Members shall not refer to their membership of the Society except in the situations outlined below. Before considering these situations when reference to membership is permitted, the reasons for the restriction imposed by Statute 30 (3) should be examined. Possession of an approved first degree in psychology entitles the psychology graduate to Graduate Membership of the Society as a learned scientific society, but a first degree in psychology on its own does not entitle a psychology graduate to practise psychology professionally without further training or supervised experience. This principle is central to Statute 12 (3) that defines the conditions necessary for chartered status, that is granted when the member 'shall be judged by the Council to have

reached a standard sufficient for professional practice in psychology without supervision...'. Graduate Members who believe they are fully qualified to practise psychology professionally without further training or supervised experience should apply for Chartered status.

All reference to Graduate Membership (or Ordinary Membership) of the Society is therefore misleading (e.g. on a business card, or on a letter heading, in a list of staff or in an advertisement) as it might be construed to imply an additional qualification beyond that of a first degree on which it is normally based or an authority to practise psychology without supervision.

Graduate Members or Ordinary Members may refer to their Membership of the Society when applying for a job, a traineeship, a postgraduate course, or otherwise listing their membership of learned societies on application forms (e.g. for membership of other societies). In these contexts it is right to point out that they are Members of the Society and subject to its Code of Conduct.

Some Graduate Members will be fully qualified members of other professions (e.g. psychiatry, social work) or in practice, for example, as management consultants, counsellors or psychotherapists. In these situations it is still important that they do not imply they are practising as psychologists by making reference to Graduate Membership, even though they will undoubtedly be using their knowledge of psychology to enhance their practice of psychiatry, social work, psychotherapy or other profession. If they are really in practice primarily as psychologists they should apply for Chartered status.

By insisting upon this principle the Society is not asking psychology graduates or Graduate Members to sell themselves short. In many careers (e.g. as school teachers, personnel officers, social workers, nurses or management consultants) psychology graduates are able to draw on their knowledge of psychology to enhance their skills and effectiveness. This is exactly what the Society claims a psychology degree should do. There is no intention of asking psychology graduates to deny the value and practical relevance of their degrees in psychology. The danger the Council is seeking to avoid is simply that reference to Graduate Membership in any public context is misleading. To the uninformed member of the public it implies a professional qualification to practise as a psychologist. The latter claim by Members should now be made only by Chartered Psychologists. The letters after the name of a Graduate Member, MBPsS or GMBPsS or any other variant of them should never be used in any context. For many years their use has been prohibited by the Council.

Breaches of these regulations here promulgated by the Society may lead to disciplinary procedures and potentially to dismissal from Membership of the Society. However, linked to this warning is the invitation for Graduate Members who believe they are eligible to practise as psychologists without supervision to apply for Chartered status, if they have the qualifications outlined in Statutes 12 (2) or (3).

Conditional Registration

Conditional Registration was introduced into the Charter and Statutes as a safeguard to ensure that postgraduate students or trainees under supervision who have not yet obtained the qualifications required for Chartered Status can

nevertheless be recognised by members of the public as trainees when, under supervision, they provide various psychological services to the public. The prohibition of Statute 30 (4) was cited above. No Member who is conditionally registered shall use any description or abbreviation in any public context. However, the Register will list the names of conditionally registered psychology graduates. All conditionally registered psychology graduates will have the Graduate Basis for Registration and therefore all will be Graduate Members. The prohibitions on reference to Conditional Registration are essentially the same as those that apply to Graduate Members.

Contributors of the Society

The category 'Contributor' referred to in the Charter, Statutes and Rules covers the grades of Student Subscriber, Affiliate (formerly Subscriber) and Foreign Affiliate. Following the recent amendments to Rule 3, no Student Subscribers will be eligible for Graduate Membership. Contributors are referred to in the Charter, Statutes and Rules as 'members of the Society' (lower case 'm') to distinguish them from all other grades of Society Members (with capital 'M'). To become a Contributor no formal qualifications in psychology have to be held and where they may be held (in case of Foreign Affiliates) only minimal checks by the Society have to be carried out to vouch for their authenticity. In some comparable bodies, Members are referred to as those with corporate grades of membership. Although this terminology is not used in the Charter, Statutes and Rules it nevertheless applies and only Members of the Society can vote in its affairs.

The prohibitions of Statutes 30 (2) and 30 (3) apply with equal force to Contributors as they do

to Graduate Members. Thus Statute 30 (2) states 'No ... Contributor shall use any description indicating ... Contributorship in any personal notice inserted as an advertisement in the press or elsewhere' and Statute 30 (3) states '... no Foreign Affiliate, Affiliate or Student Subscriber shall use the description '[Foreign Affiliate] [Affiliate] [Student Subscriber] of the British Psychological Society' (as the case may be) in any context professional or otherwise, whatsoever, except in such circumstances as may be determined by the Council.'

The principal purpose of being a Contributor is to gain access to various membership concessions from the Society itself (e.g. to get journals at reduced member rates or to pay the reduced member registration fees for conferences). It is mainly when interacting with the Society itself or with other organisations offering concessions to Society members (e.g. the American Psychological Association) when Contributors may wish to make reference to being an Affiliate, Foreign Affiliate or Student Subscriber. However, when applying for a postgraduate course or for certain jobs there may be advantages in being able to indicate an interest in psychology. Great care should be taken not to suggest, even indirectly, that Student Subscribership or Affiliateship implies the possession of any qualification in psychology or authority to practice as a psychologist. Reference to membership of the Society should be avoided as this could lead to misunderstanding; the term used in the Charter and Statutes is 'Contributor'.

Student Subscribership does not guarantee that the student will on graduation necessarily have met the requirements for Graduate Membership. It means only that the student is on a track that can potentially lead to Graduate Membership (e.g.

if all the required options in an approved degree course are actually taken and the degree is passed successfully at honours standard); when applying for a course students are likely in addition to need to confirm that they are working towards a qualification that confers eligibility for Graduate Membership or the Graduate Basis for Registration (as the case may be).

In any event, the same prohibitions apply to reference to Contributorship of the Society as apply to Graduate Membership. No reference to Contributorship should appear in any public document, list of staff, advertisement, on a letter heading or in any other place where it could be construed to imply a qualification in psychology or authority to practise as a psychologist.

A Postscript

The requirement to ensure that the Society's Statute 30 and these regulations promulgated by the Council are observed is not a trivial one. Under the terms of its revised Charter, Statutes and Rules, even more than before, external organisations including Government itself will be looking to the Society as the Chartered professional association responsible for defining the requirements of those who are to hold out as psychologists. The Society has a responsibility to maintain explicit standards and to take action to inhibit practices over nomenclature that might be confusing to the public. Its crucial requirement is for the public to be able to rely on the Register of Chartered Psychologists as that group of Members with the necessary qualifications to 'be judged by the Council to have reached a standard sufficient for professional practice in psychology without supervision'. In this context professional practice includes teaching and research just as much as practice as a professional applied psychologist.

The fact that the Society must ensure that these regulations are observed is a good reason why all those eligible for Chartered status should register.

References

The British Psychological Society (1987). Guidelines on advertising the services offered by psychologists. *Bulletin of the British Psychological Society*, 40, 172-173.

Regulations for corporate use of the title 'Chartered Psychologist'

The Society welcomes the development in which a group of Chartered Psychologists working in conjunction with each other, for instance in a partnership, describe their firm by reference to the corporate title 'Chartered Psychologists'. This practice is adopted by other Chartered professions; e.g. a firm of accountants such as the Society's auditors are described as 'Robson Rhodes, Chartered Accountants'. However, when a group of Chartered Psychologists use a title corporately in this way, Council requires that the following conditions are met:

That *all* psychological services offered or agreed by the corporate concern or organisation are provided by or under the direct supervision of Chartered Psychologists.

In addition, if a corporate concern or organisation also uses a specialist adjectival title, e.g. 'Chartered Occupational Psychologists', then the same principles will apply. In this example all psychologists offering or agreeing to provide professional services in psychology without supervision under the aegis of this corporate concern must be registered as Chartered Occupational Psychologists.

Some implications of these regulations are as follows:

(a) A corporate concern using the title 'Chartered Psychologists' might employ or have junior partners who are Conditionally Registered trainees, for whom the fully registered Chartered Psychologists within the corporate concern will act as supervisors, taking a measure of responsibility for any psychological services provided by the trainees.

(b) Similarly, a corporate concern using the title 'Chartered Psychologists' might employ people

who are not Chartered Psychologists in a professionally subordinate role to undertake particular types of psychological work (e.g. administer psychometric tests). In this situation the Chartered Psychologists will remain responsible for the standard of psychological work done under their aegis by co-workers who are not themselves Chartered Psychologists.

(c) The Society accepts that non-psychologists, for instance an accountant serving as a Managing Director, may serve as fully integrated senior members of staff or partners within a corporate concern adopting the title 'Chartered Psychologists', provided such people do not offer or purport to offer any psychological services. However, where the activities of such people from other professions are concerned with providing independent professional services directly to members of the public which are not claimed to be psychology but might nevertheless be confused with it, for instance, social work or management consultancy then the firm or group should not adopt the corporate title 'Chartered Psychologists'. To do so might confuse the public by implying that the social work or management consultancy services were being provided by Chartered Psychologists. (The psychologists in the corporate concern will individually be encouraged to call themselves Chartered Psychologists but not the firm or partnership as a whole.)

(d) If a corporate group of 'Chartered Psychologists' through the aegis of their organisation hire or arrange for *ad hoc* psychological services to be provided by psychologists who are not registered (e.g. a training course to be offered by a visiting overseas psychologist or a non-registered psychologist from the UK) then the Chartered Psychologists in the corporate concern remain

responsible for the quality of the service provided if complaints have to be investigated by the Society. In these circumstances care should be taken not to mislead anyone into believing that such people are Chartered Psychologists.

(e) It is not necessary for the names of all or any Chartered Psychologists involved with a corporate concern or organisation to appear in the title and it is to be expected that some corporate concerns will retain the names of retired or deceased former Chartered Psychologists. Custom and practice within the

United Kingdom accepts that the legally registered title of a partnership may retain the names of people no longer associated with the firm, e.g. retired partners.

No regulations can anticipate every eventuality, but in cases of dispute the guiding principle will be that no members of the public should be misled by the title and description of a corporate body into assuming that Chartered Psychologists are responsible for the psychological services offered or provided by that body when this is not the case.

Equal opportunities policy statement and policy

Council approved the following Policy Statement in February 1993, and the Policy in February 1994.

Policy Statement

The Society is committed to the achievement of equality of opportunity as an employer and in its dealings with members. It is also committed to ensuring equality of opportunity in academic and professional training and to users of psychological services. The Society aims to ensure that no job applicant or employee of the Society, member or user of psychological services receives less favourable treatment on the grounds of, for example, gender, colour, ethnic origin, nationality, religion, disability or age or is disadvantaged by terms or requirements which cannot be shown to be justified.

The Society is committed to a programme of action designed to make this Policy effective.

The Society will ensure that it has in place appropriate procedures which can be used by individual members of staff, members of the Society and users of psychological services if they feel that they have been unfairly treated in respect of this Policy.

All members and employees of the Society have an individual responsibility to ensure they comply with this Policy. Specific responsibilities fall upon the management and Council of the Society.

Overall responsibility will rest with the Council of the Society.

Policy

The purpose of this Policy is to reaffirm The British Psychological Society's commitment to equal opportunity both in its responsibilities as a professional association and as an employer. This

document seeks to provide a framework of good practice and to create a structure for managing equal opportunity within The British Psychological Society. The Society is committed to a programme of action designed to make this Policy effective based on the principle of merit, not positive discrimination or tokenism.

1. AREAS OF RESPONSIBILITY

1.1 Council, committees and subsystems

All committees, including Council, will endeavour to ensure that they reflect their constituency in terms of gender, ethnicity and disability. This does not preclude committees examining other issues of representation and expertise which may be significant to their constituency.

1.2 Individual members

Members will ensure that they:

- comply with point 2.1 of Ethical Principles for Conducting Research with Human Participants;
- are aware of relevant equal opportunities legislation and how it applies to their particular specialism;
- regularly review the ways in which they carry out their work in order to ensure that standards of practice are being applied fairly to all users of psychological services and that accessible complaints and feedback procedures are provided.

1.3 Academic and professional training in psychology

- course content should be reviewed on a regular basis to ensure that issues relating to equality and inequality receive sufficient coverage.

Members running training courses should seek to identify and utilise relevant expertise in equal

opportunities related subjects (e.g.in other professions;users of services) and ethical standards of practice.

- courses should monitor applicants with respect to ethnic origin, gender and disability.

The British Psychological Society will;

- seek active participation and contribution from a representative mix of people when arranging conferences;
- ensure the provision of relevant training materials in the area of equal opportunities;
- encourage individual courses to ensure the adequacy of coverage of equal opportunity issues.

1.4 Honours and awards

The Society will endeavour to ensure that;

- there are systematic procedures for selecting people for honours and that these are clear to all members;
- there are clear criteria for selecting people for such honours and that these criteria are widely known and explicit;
- all awards are advertised and nominations encouraged for suitably qualified individuals;
- each subsystem is encouraged to put forward nominations for honours;
- the awarding of honours,including nominations,is monitored by the Society according to gender and ethnic origin;
- the awarding body will consider strategies to address any imbalance in nominations should they occur.

2. MONITORING

The Society will;

- monitor the composition of Committees and Boards by gender, ethnicity and disability;
- monitor applicants wishing to become

members of the Society by gender, ethnicity and disability;

- update existing records;
- ask subsystems to consider how well the policy is being implemented in their area until quantifiable information has been gathered.

3. REVIEW OF POLICIES AND PROCEDURES

This policy will be reviewed every two years to ensure that it remains appropriate to the aims of the Society.

The Standing Committee for the Promotion of Equal Opportunities (SCPEO) will be encouraged to scrutinise and comment upon Society policy decisions,and to be involved in the development of the policies.

4. RAISING AND RESPONDING TO PUBLIC AWARENESS OF EQUAL OPPORTUNITIES ISSUES

The Society will aim to raise awareness and improve knowledge of equal opportunities issues among members.

The Society will encourage publication of psychological research in the equal opportunities area.

5. IMPLEMENTATION

This document outlines the policy that the Society wishes to adopt.Further documentation will be required detailing how the policy will be implemented and the exact nature of the processes to be used for monitoring its implementation.

The Society's Employment Policy is consistent with the principles embodied in this document.

Sexual harassment at work and the ethics of dual relationships

Council approved the following statement at its meeting on 22 May 1993. A Briefing Paper explaining the background follows the statement.

1.1 Introduction

The British Psychological Society recognises the problem of sexual harassment in the work place and is committed to helping to prevent it. Sexual harassment will not be tolerated and such behaviour runs counter to employment policy and to the BPS Code of Conduct. The British Psychological Society is committed to taking prompt action to advise members and to respond to complaints about members. Proven sexual harassment will constitute grounds for disciplinary action under the Code of Conduct. The Society also regards consensual sexual relationships between staff and trainees or students as an important professional issue. Such relationships raise serious questions of conflict of interest, of trust, confidence and dependency in working relations and of equal treatment in teaching, learning and selection, assessment and research. Advice to members about sexual harassment and their professional responsibilities in the context of consensual dual relationships is contained in the items which follow.

1.2 Sexual harassment

Sexual harassment is defined as any unwelcome verbal or physical sexual advances, requests for sexual favours or other verbal or physical conduct of a sexual nature when either:

- (a) the conduct interferes with another person's work or creates an intimidating, hostile or offensive working environment; or
- (b) submission to this conduct is made implicitly or explicitly a term or condition of a person's education or employment; or

- (c) submission to or rejection of such conduct is used as a basis for decisions affecting a person's employment and/or educational prospects.

Sexual harassment can consist of a single intense or severe act or of multiple persistent or pervasive acts and it does not have to be explicitly sexual in nature. Any behaviour which ridicules or denigrates a person because of his or her gender may be deemed harassment.

1.3 Dual relationships

Dual relationships are those in which the psychologist is acting in at least one other role besides a professional one; for example, the psychologist is supervising a student to whom s/he is married or the psychologist is teaching a student s/he is dating. Some dual relationships may not be harmful although the risks of damage to either the normally impartial professional role of the more senior partner, or to the personal or social status of the more junior partner, are high. Such relationships carry the risk of deleterious consequences for the more junior partner, a conflict of interests for the senior partner, a risk of impairment to professional judgement, and the risk to the quality of the working environment for others.

2. General good practice for psychologists involved in teaching and training

- (a) Students, trainees and staff should be free to pursue their professional and academic activities without any kind of overt or covert harassment.
- (b) Any form of sexual advance or request for sexual favours by supervisors, trainers or teachers engaged in a professional relationship with students or trainees is unacceptable.

(c) Remarks or inferences on the part of the teacher or trainer which serve to identify personal, physical or sexual characteristics of the student, trainee or other colleague which are offensive to the recipient(s) are unacceptable, even if the remarks were intended to be friendly and/or humorous.

(d) Supervisors, tutors and teachers should not use sexist language.

(e) Tutors should cultivate an awareness of power structures and tensions within teaching groups, in particular where one sex is in a minority.

(f) Supervisors and tutors should make clear to students that agreed procedures for cases of sexual harassment exist both within the work place and the Society. Students and trainees should be informed of the existence of such policies as part of their induction.

(g) Supervisors and teachers have an affirmative duty to maintain their work places free from sexual harassment and intimidation.

(h) Psychologists in training or students subjected to sexual harassment should report such conduct to a specified management figure.

(i) Staff should recognise their professional and ethical responsibility to protect the interests of students and trainees, to respect the trust involved in the staff/student relationship and accept the constraints inherent in that responsibility.

(j) Staff should recognise the difficulties which may be consequent upon consensual sexual and/or romantic relationships or other (e.g.

familial) dual relationships between supervisors or teachers and trainees or students which include problems associated with the maintenance of boundaries of professional and personal life, disruption of teaching or learning, bias in assessment or damage to the quality of the working environment. There may also be difficulties for other members of the group of trainees or staff.

(k) It is the responsibility of the staff member concerned to inform appropriate colleagues or superiors and to separate themselves from any professional responsibility towards the student or trainee. Staff should be aware that failure to initiate this course of action will make them vulnerable to allegations of favouritism.

(l) Students or trainees who are, or who have been, involved in sexual and/or romantic relationships with staff and who do not consider their involvement to have been truly consensual have the right of complaint under the Code of Conduct.

3 Policy and information for individuals making a complaint

(a) If you feel you are being subjected to harassment in any form, do not feel that it is your fault or that you have to tolerate it.

(b) If possible, make it clear to the person that such behaviour is unacceptable to you.

(c) It does not constitute consent to harassment if you feel unable to speak to the person about it, nor will it prejudice any complaint you may bring. It is a good idea to keep a record or a 'diary' of the behaviour and events you have found unacceptable and any action you took.

(d) Talk in confidence to a personnel manager or to someone in authority; you may be accompanied by a friend or a colleague. Further action will not normally be taken without your consent.

(e) If the behaviour continues (many cases are dealt with successfully by someone talking to the person who you alleged harassed you) then you or someone acting on your behalf may make a formal complaint which may lead to initiation of disciplinary procedures.

(f) If you are one of a group of trainees, one of whose number is engaged in a consensual sexual and/or romantic relationship with a member of staff, you may feel that you have cause for complaint. Your complaint may concern favouritism shown to the trainee, disruption to the quality of the working environment, or perhaps it may arise as a consequence of your view that the relationship is abusive. It is good practice to seek the advice of a member of staff.

(g) You have a right to know about any policy which exists on sexual harassment and to know the consequences of any action taken. You may pursue action or redress through your employer (and/or the employer of the alleged harasser), through the relevant Trades Union and/or with the Society (if the alleged harasser is a member). These cases will be pursued independently in accordance with the policies of the respective organisations.

(h) If you have been attacked or assaulted you should seek help immediately (there are various support organisations you may wish to contact) and you should seek medical help and advice. In particular, you should report the incident(s) to the police; it is important for your own

protection and the protection of others that the offender is dealt with. Any sexual relationship or behaviour that occurs without your full consent or into which you were coerced (implicitly or explicitly) is unacceptable and may constitute harassment, or an assault and/or an offence.

4 The role of the Society

(a) Under the terms of its Royal Charter of incorporation, the Society is required to investigate all allegations of professional misconduct against its members, many of whom are Chartered Psychologists. All complaints have to be investigated by procedures which are set out in the Society's Statutes, as approved by the Privy Council.

A leaflet is available which sets out in easy terms, *How to complain about a Psychologist*.

(b) If following investigation, an allegation against a member is upheld by a Disciplinary Committee, one of several actions may be taken. The member found guilty of professional misconduct may be expelled or suspended from membership of the Society, have his or her name removed from the Register of Chartered Psychologists, or both. Alternatively a reprimand or severe reprimand may be accompanied by a request for an undertaking to refrain from continuing or repeating the offending conduct.

(c) For any allegation against a member of the Society to be considered formally, the Statutes require that 'the allegation shall be in writing and shall be accompanied by as full an account of the relevant facts as possible'.

(d) However, where a person has been the recipient of sexual harassment, she or he may be

reluctant to put the complaint in writing and counselling or advice upon the appropriate course of action may be needed. In such situations an informal and, if deemed necessary, anonymous approach, should be made to the Society's Investigatory Committee.

(e) The Clerk of the Investigatory Committee will listen to the complaint sympathetically and,

on request, promptly arrange for a member of the appropriate gender (the complainant may choose) to meet and listen to the complainant or someone seeking advice on their behalf.

(f) During any such confidential, informal meeting when the complaint is discussed, the complainant may wish to be accompanied by a friend or advisor of their own choice, including a legal representative.

A briefing paper on sexual harassment at work and the ethics of dual relationships

1. INTRODUCTION

1.1 Sexual harassment

The history of the term sexual harassment is relatively short and it is only in the past decade that the behaviour has been researched, anecdotes being replaced by systematic investigation of the situational correlates and the characteristics of victims and perpetrators. In the main, survey and self-report data form the basis for a variety of social, psychological, biological and organisational explanations, none of which satisfactorily accounts for behaviour which is increasingly regarded as socially, economically and legally unacceptable (Tangri *et al.*, 1982; Rubenstein, 1989). In the US survey research has bolstered the view that harassment is a problem in the work place and that it represents a cost to business. Now, in the UK sexual and racial harassment are well defined in law (The Sex Discrimination Act 1975, The Employment Protection (Consolidation) Act 1978). Various public sector employing authorities and Higher Education establishments have policies on harassment and within the National Health Service a recent Advance Letter (GC 2192) makes it clear that employing authorities are expected to ensure that sexual harassment is prevented.

A variety of effects have been noted as occurring consequent upon sexual harassment (Salisbury *et al.*, 1986; Bartell & Robin, 1990). These include psychological, occupational and physical effects. Livingstone (1982) also describes the way in which cultural norms may exacerbate women's feelings of intimidation following sexual harassment 'since sex role stereotypes and socialisation seem to give men the right (if not the duty) to pursue sexual encounters with women aggressively and women are encouraged to be nice and avoid challenging males'. Sexual harassment is difficult to measure and difficult to prove (Fitzgerald, 1989). It may occur between men and women, or between members of the same gender with or without the same sexual orientation; thus, men may harass other men, or women other women. In a large scale survey conducted by Tangri (op cit) victims were more likely to be women and those under supervision or younger workers were more likely to be affected. The perpetrators were more likely (but not exclusively) to be men and older than their victims (if the victims were women) and supervisors were two and a half times more likely

to be harassers of women. Despite evidence of its frequency, however, individuals are apparently reluctant to report sexual harassment (Gottlieb, 1990) and men seem to perceive it differently (Saal, 1989; Guteck, 1985; Hartnett *et al.*, 1989).

Livingstone (1982) argues that to inspire remedial action it is first necessary to legitimise the problem. Policy documents should contain definitions of harassment and examples of unacceptable behaviour, contain an explicit statement of disapproval, information about how to complain, where to get support, and they should detail the disciplinary actions which could be taken.

1.2 Dual relationships

Whilst enough information exists about sexual harassment to make it plain that it should be proscribed, that it is a matter for grievance, and may sometimes be a matter for disciplinary action by the Society, less is known about what are called 'dual' relationships or 'unethically' intimate relationships. Dual relationships are those in which individuals engage in a personal loving and/or sexual relationship with someone to whom they also have professional responsibilities. Sexual relationships between supervisors and postgraduate or undergraduate students, like sexual harassment, have been demonstrated to be more common than is generally assumed (Fitzgerald, 1988). Glaser and Thorpe (1986) in a large-scale US survey of almost 500 female clinical psychologists found 17 per cent reporting sexually intimate relationships with 'educators' and Richardson (1992) in the UK found a rate of just under 10 per cent for a sample of men and women. In both these studies, however, the reported rate of negative consequences was relatively low; some trainees, but by no means all, experienced negative effects upon their work and

professional relationships. Despite this, it is interesting to note the suggestion (Glaser & Thorpe) that trainees (unlike staff) come to regret the relationships, feeling that they were unethical, irresponsible and unprofessional, despite feeling comfortable at the time.

A link between harassment and dual relationships appears on examination of the social psychological models which are invoked to explain them. An understanding of the social psychology of power, the American research argues, will explain both (Bogart *et al.*, 1987). But the social psychological analysis of power, an approach favoured explicitly by the feminist literature, is only one amongst several approaches invoked to explain harassment, rape, assault and the predominance of male over female supervisors in the incidence of sexually intimate relationships between staff and trainees. Other explanations include the 'natural/biological model' (behaviour is the product of biological drive and represents the expression of sexual attraction); the 'organisational model' (certain environments, like open plan offices and overcrowding, make it more likely); and the 'socio-cultural model' (certain hierarchies and authority relations designed to protect male dominance of women promote it). These models, which are essentially no more than preferences for viewing sexual harassment or dual relationships in particular ways, are described fully by Tangri *et al.* (1982). All the models are, to some extent, supported by the evidence which Tangri *et al.* present concerning harassment; they conclude that 'sexual harassment is not a unitary phenomenon' and that there may be different patterns of causes between supervisors and trainees or between co-workers. More work is needed in this area to develop psychological models which have explanatory power. It is clear that dual

relationships will seldom be the subject of the Society's disciplinary procedures; this is not least because dual relationships by definition require the consent of both parties. Whilst many dual relationships do not cause harm, however, it is certain that they carry a risk of exploitation or of impaired judgement. The question of the degree to which such relationships may therefore be regarded as unethical is raised. There may be qualitative changes in the way that professional responsibilities are carried out, or difficulties between peers in a group of students when one is known to be in a relationship with a member of staff; in fact, it may be particularly difficult to convince other students or trainees that their colleague was not advantaged by the relationship and third parties may wish to complain about this. For these reasons, it is argued that psychologists (particularly those in the more 'powerful' position of teacher or trainer) should avoid such relationships or act immediately to remove, substitute or exchange their professional role once a sexual or loving relationship has been established. The APA *Ethical Principles of Psychologists and Code of Conduct* (1992) makes this point very plainly and contains several items which refer to this.

1.3 The legal position

Direct and indirect discrimination and victimisation are against the law. Although harassment is not defined or mentioned in the legislation it is held to be discriminatory under the Race Relations (1976) and Sexual Discrimination (1975) Acts following, amongst others, two cases heard in 1986 (*Strathclyde Regional Council vs. Porcelli* and *De Sousa vs. the Automobile Association*). Individuals as well as employers can be liable following a case of sexual harassment, and an individual subjected to sexual harassment can claim constructive dismissal if no

action is taken once a complaint is made and he/she therefore resigns. The test here is whether or not the trust and confidence necessary to sustain the employment relationship is at an end. If an employer fails to take steps once harassment is reported then the employer is liable – but not if the employer took such steps as were reasonably practicable to prevent the employee from engaging in the behaviour. The dismissal of an individual after an employer has reasonably concluded that he/she is guilty of harassment is not unfair, but an employer should not forcibly remove the person who has made the complaint as this can be seen as a detriment, regardless of motive. There are numbers of steps to follow when harassment or discrimination or victimisation are thought to have taken place and these are outlined in Section 4.

There is no case law in Britain concerning dual relationships, although the Codes of Conduct in many HE establishments contain reference to the inadvisability of staff having relationships with their students, because of the risks described earlier of accusation by third parties of unfair advantage, of bias in judgement about assessments of the trainee's progress or examination results, of negligence (e.g. of clinical case supervision) and of damage to the professional status, progress, opportunities or prospects of the supervisees. In the United States clients have attempted to sue supervisors for negligence on the grounds that their clinical case supervision was flawed because a dual relationship existed. Despite the typical power imbalances, however, it seems unwise to assume that dual relationships are exploitative or to assume that they always lead to negative consequences; dual relationships are consensual and many appear to be successful and long-lasting. Nevertheless, such relationships may present difficulties, third parties may complain and

psychologists should be prepared for these eventualities.

2. SOME DEFINITIONS AND EXAMPLES

2.1 Direct discrimination

Where a person is treated less favourably than others in the same circumstances on the grounds of colour, race, nationality, ethnic or national origin or some other characteristic (e.g. age, sexual orientation, gender, marital status) which is unrelated to the circumstances.

Examples

An Occupational Psychology training course operates a selection policy which excludes people over the age of 40.

A teacher or trainer repeatedly ignores the contribution made in a tutorial group by the one homosexual in the group.

2.2 Indirect discrimination

Where an unjustified requirement or a condition is made which adversely affects a particular ethnic minority, group or sex more than others.

Examples

- ◆ A lecturer conducts an evening tutorial in the pub, making it impossible for the Muslim students to attend.
- ◆ A clinical psychology training course makes certain kinds of occupational experience a pre-requisite for selection; it appears that this precludes black and ethnic minority candidates from being selected.

2.3 Sexual harassment

Any unwelcome verbal or physical sexual advances, requests for sexual favours or other

verbal or physical conduct of a sexual nature when either:

- (a) the conduct interferes with another person's work or creates an intimidating, hostile or offensive working environment;
- (b) submission to this conduct is made implicitly or explicitly a term or condition of a person's education or employment; or
- (c) submission or rejection of such conduct is used as a basis of decisions affecting a person's employment and/or educational prospects.

Sexual harassment can consist of a single intense or severe act or of multiple persistent or pervasive acts and it does not have to be explicitly sexual in nature. Any behaviour which ridicules, denigrates or abuses a person because of his or her gender may be deemed harassment.

Examples

- ◆ A tutorial group leader (male or female) regularly shows favouritism to one particular sex.
- ◆ A clinical supervisor regularly interprets case material in a sexist manner.
- ◆ A lecturer makes habitual sexist references or uses suggestive material in teaching (e.g. photographs of nude obese women in a lecture on eating disorders).
- ◆ A supervisor (male or female) asks questions about your sex life.
- ◆ A member of staff uses terms of endearment (darling, love, dear) and regularly asks the students out.

- ◆ A teacher, trainer or supervisor (male or female) makes unwelcome sexual advances to a male or a female trainee (lunges, grabs, tries to kiss or touch) or implies that there may be adverse consequences of not complying with a sexual invitation.

2.4 Victimisation

Where a person is treated less favourably than others in the same circumstances because proceedings were brought under the Sex Discrimination Acts, because the person gave evidence in connection with proceedings or because they alleged that sexual discrimination or harassment occurred.

Examples

- ◆ A trainee complains to her supervisor about a sexist comment he made. He apologises. At a staff meeting the following day he makes a remark and then adds jokingly: 'I shouldn't say that sort of thing in front of Linda, should I?'
- ◆ A member of staff is accused of sexual harassment and is subsequently exonerated; he makes a complaint about his alleged victim and he is then vilified by the rest of the trainee group.

2.5 Dual relationships

Dual relationships are those in which the psychologist is acting in at least one other role besides a professional one; for example, the psychologist is supervising a student to whom he/she is married or the psychologist is teaching a student he/she is dating. Some dual relationships may be not be harmful. Potentially unethical dual relationships are those where there is a conflict of interests or a risk of impairment to professional judgement as a direct or indirect result of the 'duality'.

Examples

- ◆ A lecturer develops and maintains a consensual loving and/or sexual relationship with a student in his or her seminar group. The lecturer will be required to examine the student's work and/or write a reference for him/her.
- ◆ A clinical supervisor participates in a general selection board for a clinical psychology training course to which his child or a sibling has applied.

3. THE BPS CODE OF CONDUCT

Section 5 of the BPS Code of Conduct is concerned with the personal conduct of psychologists and contains three items (5.3, 5.4 and 5.10) which have relevance for sexual harassment. These items state that psychologists shall:

5.3 'not exploit any relationship of influence or trust which exists between colleagues, those under their tuition, or those in receipt of their services to further the gratification of their personal desires';

5.4 'not allow their professional responsibilities or standards of practice to be diminished by consideration of religion, sex, race, age, nationality, party politics, social standing, class, self interest or other extraneous factors';

5.10 'bring allegations of misconduct by a professional colleague to the attention of those charged with responsibility to investigate them, doing so without malice and with no breaches of confidentiality other than those necessary to the proper investigatory process, and when the subjects of allegations themselves take all reasonable steps to assist those charged with responsibility to investigate them.'

Item 5.3 of the Code of Conduct states that members in positions of influence or trust may not exploit their position to further the gratification of their personal desires. Thus, members of the public, students, trainees and other Society members may seek to complain to the Society about a member of the Society if they feel that he/she is guilty of what are commonly called the sexual 'quid pro quo' harassing behaviours. These include the implication that influence can be bought with sexual favours, seductive behaviour, unwelcome attempts to touch, or repeated suggestive verbal remarks of a sexual nature to individuals or groups.

Item 5.4 concerns general standards of professional practice and can be compared with the legislation on equal opportunities (Sex Discrimination, Race Relations and Disabled Persons Employment Acts). It states that members should not discriminate on grounds of e.g. race, sex, age, etc. This item of the Code of Conduct may therefore be invoked in cases where an individual is thought to be guilty of sexual harassment which, whilst not explicitly sexual in nature, discriminates against any particular group on the grounds of sex or sexual orientation. Favouritism shown to one particular sex is an example of this, as is the use of highly biased or suggestive material in teaching. The thoughtless use of terms of endearment would also fall into this category if it continued after requests to stop. It is important to note that an individual may be guilty of harassment despite the absence of any intention to offend, because it is the effect upon the recipient which defines it as a problem. It is also important to recognise the impact that staff-trainee relationships can have upon the group of trainees as a whole; complaints by third parties of favouritism or bias may also be made under Section 5.4 of the Code of Conduct

if it is felt that high standards of professional practice are not being maintained.

Item 5.10 concerns the responsibilities of members to behave in a professional way once allegations of misconduct have been brought to their attention; it is self-explanatory and probably does not require elucidation here. Nevertheless, there are important points to make about what is good practice in general terms and about the procedures which psychologists should follow in their places of work. Many Higher Education establishments, public and private institutions have policies on sexual harassment and BPS members are urged to read and follow these carefully.

4. INTERPRETING THE CODE OF CONDUCT

Psychologists faced with complaints of sexual harassment, or who are victims or colleagues of those directly involved, may wish to take complaints to their employing institution. They may additionally or independently wish to make a case to the Society that an individual is guilty of sexual harassment and should be disciplined under the Code of Conduct. Such complaints will be dealt with by the Society without prejudice and will be investigated quite independently of any investigation held by an employing authority. There are certain guidelines to good practice which apply equally to complaints taken to the Society and to complaints taken to an employer. It is hoped that these guidelines will be of value to members.

It follows from the above that all psychologists have a responsibility to refrain from behaviours which can be identified as sexual harassment. In addition, following the discussion of the ethics of dual relationships in Section 1, those in positions of management or authority would seem to have

additional responsibilities. Staff should recognise the difficulties which may be consequent upon consensual sexual and/or romantic relationships or other (e.g. familial) dual relationships between supervisors or teachers and trainees or students.

These difficulties include problems associated with the maintenance of boundaries of professional and personal life, disruption of teaching or learning, bias in assessment or damage to the quality of the working environment. There may also be difficulties for other members of the group of trainees or staff. Given the disparity of power and authority between staff members and students or trainees it is the responsibility of the staff member concerned to withdraw from any professional responsibility towards the student or trainee. Staff should also be aware that failure to initiate this course of action will make them vulnerable to allegations of bias or favouritism. Limited research evidence suggests that around 10 per cent of postgraduate psychologists in training have relationships with their 'educators'. Because there are a number of potential professional risks in a situation which can at first seem exciting, flattering and positively helpful, it may be of value for psychologists in training to be aware of this data. Whilst many dual relationships do not cause harm to either party, and whilst there may be no detrimental professional consequences, it is nevertheless good practice to be mindful of the risks. It may be good practice for a psychologist in training to discuss the situation with a colleague and seek advice.

4.2 Conduct in responding to complaints

If an individual comes to you as someone in authority to complain about a colleague on the grounds that they are guilty of sexual harassment, the following points maybe helpful to observe:

DO

Read in advance any existing employment policy or policy of the HE establishment and be familiar with local procedures. Make an appointment quickly to see the complainant. Clarify the scope and limits of your role (manager, senior colleague, advocate, confidante) and agree the purpose of your interview. Remind the complainant of confidentiality. Establish their rights. Inform them of any harassment investigatory procedure. Ask whether they need additional personal support. Ask clear, specific questions. Remind them you can't take up a complaint on their behalf – only guide and support them to do it themselves (a colleague or manager ought not to present evidence on behalf of someone else).

DO NOT

Take sides. Give reassurance about the outcome – you can only say that a fair assessment will take place. Get personally involved; if it is difficult to be objective because the alleged harasser is a friend or a close colleague, refer the case on to someone else. Ask leading questions or make personal comments (Was it meant to be a joke? Oh yes, X is known to be a bit of a rogue!)

4.3 Conduct in making a complaint

People who feel they are being harassed should first understand that such behaviour is not acceptable, that it runs counter to the employment legislation as well as the Society's Code of Conduct, that most organisations proscribe it and that there should be support at a number of levels for the case to be dealt with and ultimately heard, if appropriate. The first step, ideally, is to ask the person to stop and to make it clear that the behaviour is unwelcome. In many cases the problem can be solved by a clear, balanced statement of the facts and a description of the reasons for discontent. If this feels too

difficult, then the initial approach may be made by a friend or a colleague. It is good practice to make a note (or keep a diary) of the behaviour and any action taken. If the initial approach does not result in the harassment ceasing, then the next step is to approach someone in authority within the organisation where the behaviour has occurred (your own manager or a supervisor or teacher) and describe the events. It might be a good idea to take a friend along. Be prepared to confirm in writing the dates and the details of the incidents and the approaches made to request the harasser to stop. You are entitled to prompt consideration of your complaint and to know the details of what action it is possible for the organisation to take. You do not have to agree to move away from the environment yourself, if this is suggested, although you do have the right to ask to be moved. You should understand that you should be offered support by your work place, that the organisation should respond if there is sufficient evidence of harassment, but that only you can give evidence. A complaint about harassment cannot be followed on hearsay.

4.4 Conduct when someone complains about you

It is important to note that sexual harassment is a problem which may be identified solely on the basis of the recipient's view. Jokes which were not meant to give offence, or the habitual (perhaps unconscious) use of terms of endearment, constitute harassment if the recipient finds them offensive and has told you so. This can seem unfair and is sometimes the basis for unthinking victimisation (see Section 2). It is advisable to be mindful of the guidance contained in Section 5.10 of the Code of Conduct and take all reasonable steps to listen to and understand the complainant's view. It is commonplace for complaints of harassment to go no further than a

discussion of the facts and the associated feelings, followed by an apology and an undertaking not to allow the behaviour to be repeated. If a complaint is carried forward to disciplinary action at work or by the Society, members are encouraged as part of the Code of Conduct to help those who are required to investigate the complaint. It is important to know that the Society undertakes to listen carefully to your view of the facts, as well as that of the complainant. In the situation where a dual relationship has developed, or seems likely to develop, it is also important to understand the risks of third party complaints. There may be some difficulty in removing yourself from the professional element of the dual role (some of your courses may be compulsory for your private partner, or there may be no other suitable supervisor). It is wise to think through these facts in advance of the relationship starting if you can.

5. THE ROLE OF THE SOCIETY

The British Psychological Society recognises the problem of sexual harassment in the workplace and is committed to helping to prevent it. Sexual harassment will not be tolerated and such behaviour runs counter to employment policy and to the BPS Code of Practice. The British Psychological Society is committed to responding promptly to complaints about members. Proven sexual harassment will constitute grounds for disciplinary action under the Code of Conduct. The Society also regards consensual sexual relationships between staff and trainees or students as an important professional issue. Such relationships raise serious questions of conflict of interest, of trust, confidence and dependency in working relations and of equal treatment in teaching, learning and selection, assessment and research. Whilst consensual dual relationships may not form the basis for disciplinary action by the Society, it is important to note that

unprofessional behaviour consequent upon such relationships (bias in assessment, for example) may be pursued by third parties under Section 5.3 of the Code of Conduct. The Society would also respond to complaints under Sections 5.3 and/or 5.4 if a complainant made the case that consent was not given.

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Guidelines for penile plethysmography (PPG) usage

These guidelines were first published in The Psychologist (September 1994) where they were accompanied by recent references at that date.

These brief guidelines are intended to inform good practice in the penile plethysmography (PPG) assessment, while allowing for the exercise of professional judgement in particular situations.

They should be read in conjunction with existing guidelines on professional conduct published by the Society and articles on PPG assessment in the scientific and professional literature.

1. Responsibility for the supervision of the PPG assessment should rest with a psychologist who is eligible to be registered as a Chartered Psychologist. The psychologist should have up-to-date knowledge of relevant practice, legal issues and literature.
2. Staff participating in this work at any level should be adequately briefed and have the option not to be involved should they find the procedure or material distressing.
3. The PPG test should be carried out only in the context of an appropriate range of other assessment and treatment procedures or in the course of research that has been professionally and ethically approved by the relevant body.
4. Selection of the stimuli should take into account ethical consideration of how the material was produced or obtained, e.g. if it was under abusive circumstances.
5. Selection of PPG stimuli (content and mode of presentation) should take into account an appropriate balance between obtaining the best possible assessment and risk of exposing the subject to material which may be therapeutically counter-productive if it is outside their own suspected or known experience.
6. The psychologist should brief the subject on the purpose and procedures involved in PPG assessment including possible results and their interpretation. He/she should explain limits of confidentiality and likely consequences of participation, non-participation and withdrawal and check that the subject has understood.
7. Debriefing should be carried out at the end of each assessment. This should include consideration of the impact of the assessment on the client and the need for support and advice.
8. A record that the subject has been properly briefed/debriefed should be kept where appropriate.
9. Stimuli material for PPG assessment should be kept secure and access limited to those using it for professional purposes.
10. Assessment should only be carried out in appropriate physical conditions with due regard to the standards of safety, privacy, comfort and current hygiene recommendations.

