

# **Memorandum on possible Member Associations' actions against members being censured by another Member Association**

## **1. Preamble**

Since its inception, the European Federation of Psychologists Associations (EFPA)<sup>1</sup> has sought to regularise the ethical guidelines available to psychologists of Member Associations. The development of the Meta-Code of Ethics provided a common basis from which Member Associations could ensure their own ethical codes were comprehensive and consistent. The Standing Committee on Ethics is developing guidance on disciplinary procedures, also to ensure consistency to high standards.

The present memorandum provides guidance to Member Associations regarding psychologists who have been subject to disciplinary actions by one Member Association, but who may be or apply to become a member of another Member Association in a different country.

As with the Meta-Code, the present guidance is addressed to Member Associations and recommends actions to be taken by them, including the inclusion of rules requiring disclosure of disciplinary offences by members or prospective members.

## **2. Introduction**

- 2.1 The European Federation of Psychologists Associations (EFPA) adopted its European Meta-code on Ethics at its General Assembly, Athens, July 1995, as guidance for the content of the Ethical Codes of its Member Associations. This should provide – in the common interest of clients, psychologists and the profession of psychology all over Europe – one ethical frame of reference for Member Associations to base their professional conduct upon, and for professional psychological associations to evaluate their members' conduct.
- 2.2 In accepting the Meta-code, EFPA Member Associations ensure that their national codes are not in conflict with the Meta-code.
- 2.3 Member Associations should have procedures to investigate complaints against members, to evaluate the alleged unethical conduct and to take eventual disciplinary actions, in order to protect the integrity and rights of clients, to safeguard and improve the ethical quality of psychology practice, and in accordance to the Preamble of the Meta-code<sup>2</sup>.
- 2.4 It is in the interest of clients, of psychologists and of the profession of psychology if these procedures provide comparable and equally fair investigation and evaluation of psychologists' professional conduct all over Europe.

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<sup>1</sup> Previously the European Federation of Professional Psychologists Associations EFPPA

<sup>2</sup> Guidance on such procedures is currently being developed by the EFPA Standing Committee on Ethics

- 2.5 This objective implies two basic principles:
- Comparable and fair investigatory and evaluative procedures;
  - Comparable cases leading to similar outcomes in evaluation and in disciplinary or other actions.

### **3. Need for transnational actions**

- 3.1 A psychologist may be a member of more than one EFPA Member Association at the same time, or successively, for example in case of international migration or when practising internationally. Consequently if a psychologist acts unethically in one country, there are implications for practice in other countries.
- 3.2 This issue is likely to become even more relevant as mobility of professionals across Europe increases. To find ways of acting appropriately in such cases will increase the credibility of EFPA and of its Member Associations as a responsible professional community within Europe.
- 3.3 A member of one EFPA Member Association may be the subject of disciplinary action. Such sanctions would apply only within the country of original jurisdiction, yet the psychologist may be practising as a psychologist in one or more other countries, or may seek to start to practise in a different country.
- 3.4 In such cases, the protection of the public requires procedures to allow Associations in different countries to take appropriate action.
- 3.5 The procedures specified here relate only to those psychologists who are the subject of a complaint which has been determined as proven.
- 3.6 Therefore, it is recommended that Member Associations should have procedures:
- On being informed about such actions;
  - On evaluating the professional status of the psychologist in order eventually to take actions.

### **4. Procedures to be taken by Member Associations**

- 4.1 Procedures concerning the transmission of information about actions being taken elsewhere should take into account national and supranational legislation on privacy and data protection.
- 4.2 Member Associations should require applicants for membership to reveal any disciplinary action taken by any other competent body, to include psychological associations in the home country, or any other country, not only those within EFPA, and any state body with legal powers for the regulation of psychology.

- 4.3 Such self-disclosures, including nil responses, should be required from all applicants as a condition of membership, and be specified in the code of ethics, and statutes and rules of the Association.
- 4.4 Member Associations should include within the tariff of sanctions following a disciplinary process a requirement that the psychologist should inform other psychological associations, of which he/she is a member, of the outcome of the disciplining procedure. This sanction, therefore, is an option for the Association to impose depending upon its judgement of the severity of the offence.
- 4.5 Where a Member Association has any concern about the validity of a psychologist's application, they should be free to contact any other Member Association for confirmation, and Member Associations should respond to such legitimate enquiries.
- 4.6 Where the law prevents an Association responding to such an enquiry without the member's specific permission the Association should include a clause in its application form requiring new members to agree to such information being provided in response to legitimate enquiries.