

# Code of Ethics

Official College of Psychology of Catalonia



Col·legi Oficial de  
Psicologia de Catalunya

**Code of Ethics  
of the Official College of Psychology of Catalonia**

RESOLUTION JUS/3018/2014, of 17 December, whereby the Code of Ethics of the Official College of Psychology of Catalonia is entered in the Registry of Professional Associations of the Generalitat of Catalonia.

Whereas the text of the Code of Ethics of the Official College of Psychology of Catalonia complies with relevant law.

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## Preamble

Psychology professional practitioners are an active and influential part of society, to which they are highly committed. Psychology and its practice promote research, enhance well-being, benefits society and ethics. This Professional Ethics of the Official College of Psychology of Catalonia is inspired in part by the United Nations Universal Declaration of Human Rights as a source of inspiration and improvement of the praxis and concerns of its members.

The Professional Ethics of the Official College of Psychology of Catalonia, which is binding on all of its members, lays down a framework of general principles as well as specific principles for professional practice. Its aims are to guide professional practice, to promote responsibility, professional integrity and respect for the rights and dignity of people.

## General principles

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### Doing good and doing no harm

Psychology is conducted within a sphere that is defined by the principles of doing good and doing no harm. The first principle is that psychology professionals are committed to the promotion and protection of the legitimate interests of users, as well as to their physical, mental and social well-being, of individual persons, of groups, of organisations and of communities. Consequently, one of the key duties is to refrain from any intervention that causes harm or damage whether by action or omission.

### Responsibility

The professional activities of psychology have to be conducted with professional and scientific responsibility towards persons, groups and society in general. Likewise, they must be carried out by complying with ethical standards, accepting their obligations and recognizing the responsibility that is established.

Psychology professionals must pursue continuous training and professional development throughout their professional career.

## **Integrity**

Psychology professionals must promote exactitude, rigour and truthfulness in the practice and teaching of psychology, as well as in research in this field.

Relations with users must be based on respect and governed by the principle of honesty.

Psychology professionals must refrain from any practices that involve falsehood, deliberate misrepresentation, fraud, subterfuges, intentional omissions, unfounded statements or any practice that is imprudent or dishonest.

They must not contribute to any kind of unqualified professional practice nor allow persons without the requisite training to encroach on the legitimate practice of psychology.

## **Justice**

The professional activity of psychology must be conducted equitably and fairly with no discrimination of any kind, whether it be individual or collective, or in terms of cultural identity, age, gender, race, ethnicity, religion, sexual orientation, capacity, language, socio-economic circumstances or of any other kind.

When carrying out their duties and responsibilities in public institutions, psychology professionals must use the resources at their disposal equitably and must respect the principles of equal opportunities.

## **Legality**

In the activity of psychology, the right of individuals to privacy, confidentiality and personal autonomy must be strictly respected.

The activity of psychology professionals must be conducted entirely in accordance with international, domestic and autonomous regional law, as well as with the rules and standards that regulate the profession.

# Rules

## Rule 1

### On professional competence

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#### Article 1

The professional code of ethics of the psychology profession aims to serve as a series of rules of professional conduct in the practice of psychology in any of its forms. The Official Association of Psychology of Catalonia must assess, in accordance with these rules, the professional practice of its members.

#### Article 2

The psychologist's activity is regulated, above all, by the principles of harmonious co-existence and legality that have been democratically established in Catalonia, in the Spanish State and by international bodies, and these must be implemented.

#### Article 3

The psychologist must take into account, in his or her professional practice, the implicit and explicit rules and norms that regulate the social environment in which she or he works, must consider them as elements of the situation and must assess the consequences they have in his or her professional activity in accordance with these rules and norms as well as any deviation from them.

#### Article 4

Psychology professionals, in their professional practice, must be independent and reject any kind of impediment or obstacle to their professional independence and the legitimate exercise of their profession within the framework of the rights and duties that are defined by the Statutes and Code of Professional Practice of the Official Association of Psychology of Catalonia.

#### Article 5

In their professional practice, psychologists are obliged to respect the principles shared by all codes of professional ethics: respect for the person, protection of human rights, the sense of responsibility, honesty, sincerity with patients, prudence in the use of instruments and techniques, professional competence and the soundness of the scientific basis of their professional activities.

## **Article 6**

The psychologist must be very cautious, prudent and critical in his/her professional intervention with respect to notions and terms that can easily degenerate into degrading and discriminatory labels.

## **Article 7**

The psychologist must not use his/her position in the professional relationship as a situation of power or superiority in his/her own interest or in that of third parties.

## **Article 8**

The psychologist must defend, regardless of the post and position she or he occupies, his/her independence with respect to the use of his/her knowledge and the application of the techniques that are consistent with the profession.

## **Article 9**

It is an ethical duty of the psychology professional to keep his/her training and knowledge up to date within the scope of his/her competencies. Psychologists must know the limits of their professional competence and the procedures and methods of the profession, which they must use with due care, and the limits of the outcomes.

Furthermore, they must avoid raising false expectations.

## **Article 10**

Claiming to hold an academic qualification that one does not possess constitutes a breach of the professional regulations, as does any claim to a specialisation for which one lacks the requisite capacity.

## **Article 11**

The psychologist must protect the prestige, respect and appropriate use of the terms, instruments and techniques of the profession.

## **Article 12**

The psychology professional must ensure that his/her emotional, mental and physical state does not affect his/her capacity to provide a competent psychology service and, if this is not the case, she or he must seek professional advice.

## **Article 13**

In forensic practice, psychologists must be conversant with all legal and official rules that regulate their task. In addition, they must have special training.

## **Article 14**

If new disciplines emerge for which there are as yet no generally recognised guidelines, psychologists must take the necessary measures to ensure competence in their work and to protect their clients/patients, students, researchers, organisations, and other parties from any harm.

## **Article 15**

In emergency cases, all psychologists will provide care to individuals for whom no other mental health services are available, solely to ensure that they are not denied care. The services must be interrupted as soon as the emergency has concluded or the specialised services become available.

# **Rule 2**

## **On relations with users**

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## **Article 16**

A psychologist must not practise, nor contribute to practice nor conceal practices that undermine the physical and mental freedom and integrity of persons. Direct involvement in acts of torture and mistreatment or complicity in such acts, as well as being a crime, constitutes the most serious violation of professional ethics.

## **Article 17**

The psychologist, when providing a service, must not discriminate against persons and/or groups on the basis of age, gender, culture, nationality, socio-economic level, race, religion, language, sexual orientation or identity, disability, or any other difference.

If in the course of an intervention the psychologist considers that the personal and/or ideological characteristics of the user seriously conflict with his/her own, the psychologist must withdraw from the intervention.

## **Article 18**

Psychology professionals must respect the ideological, moral and religious choices of their clients, without prejudice to questioning them, if necessary, during their intervention.

## **Article 19**

Psychology professionals must periodically review the therapeutic goals with users. If the circumstances of the intervention should change, the psychologist must make the requisite modifications.

## **Article 20**

If the user requests information regarding his or her procedure or the results of an assessment, the psychology professional must provide the user with the information or results requested.

# **Rule 3**

## **On relations with other professionals**

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## **Article 21**

Psychologists must not indulge in illegal or fraudulent malpractices whose aim is to be entrusted with cases of specific persons. It is considered a breach of ethics to exploit the situation of working in an institution to obtain cases for one's private practice.

## **Article 22**

A psychologist must not misuse his or her professional qualifications to vouch for or conceal the activities of persons who do not have qualifications in psychology. Furthermore, psychologists must report any cases of unqualified persons posing as professionals that may come to their attention to the relevant authorities.

## **Article 23**

The psychologist must inform the Official Psychology Association of Catalonia if he or she is aware of any unethical acts or breaches of professional ethics by other members.



## **Article 24**

Without prejudice to the scientific critique that he or she considers appropriate in the practice of the profession, the psychologist must not discredit colleagues or other professionals who work based on the same or other theoretical and/or methodological principles. Psychologists must discuss with respect all schools and types of interventions that enjoy scientific and professional credibility.

## **Article 25**

If the aims of the psychologist's professional practice are consistent with those of other professionals, interdisciplinary collaboration is advisable, and in some cases, necessary, without prejudice to the competencies and knowledge of each one, avoiding unnecessary duplication of effort.

## **Article 26**

A psychology professional may refuse to intervene simultaneously another professional. Members must not interfere with the interventions initiated by other psychologists.

# **Rule 4**

## **On intervention**

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## **Article 27**

The psychologist must refuse to intervene if there are serious indications that his or her participation could be misused or used against the legitimate interests of people, groups, institutions or communities.

## **Article 28**

Within the sphere of organisations, the psychology professional must seek to reconcile their needs with those of the persons they treat.

Likewise, they must cooperate with the organisation with regard to its aims provided they do not conflict with the general and specific principles of the Code of Professional Ethics.

## **Article 29**

In agreeing to an intervention involving persons, groups, institutions and communities, the psychologist must inform him/herself appropriately about the essential characteristics of the relationship established and the aims proposed.

### **Article 30**

A psychologist must not prolong his/her intervention unnecessarily and must end it either because she/he has achieved the objectives proposed or because he/she lacks the resources or training to achieve them. In this case, the psychologist must inform the party/ies concerned that the intervention can be continued by other professionals.

### **Article 31**

The psychologist must take special care not to raise or maintain false expectations that he or she is later unable to fulfil in a professional manner.

### **Article 32**

The psychologist must not cause confusing situations in which his or her role and functions are equivocal or ambiguous. The psychologist must take into account the grounds for withdrawing services established by law and must reject incompatible interventions.

### **Article 33**

In any assessment, psychologists should refrain from making appraisals about people they have not directly examined.

### **Article 34**

In the assessment process, the psychologist must use techniques and instruments with established validity and reliability that can be applied in the population that is object of the intervention. In the event that the validity or reliability has not been scientifically proven, the psychologist must describe the limitations of his/her results.

### **Article 35**

Psychologists must base the assessments contained in their reports, with regard to any field of intervention, information and appropriate techniques to support their conclusions. They can only offer assessments of the psychological characteristics of a subject after a proper examination. If direct examination is not feasible, the psychologist will state and must state the possible limitations of its study in the results.

### **Article 36**

Intervention through ICT does not exempt the psychologist from compliance with the ethical principles of the code and the collegial regulations.

## **Article 37**

A psychology professional who conducts the intervention through ICT is obliged to identify and prove his/her professional competence.

The psychologist must likewise request that the user provide identification.

## **Rule 5**

### **On the obtaining and use of information**

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## **Article 38**

The information that the professional of psychology brings together in the exercise of his/her profession is subject to confidentiality, from which she/he is only exempted by express consent of the user or by legal imperative.

Likewise, should it be used for educational or research purposes, one must ensure that the person, group or institution in question cannot be identified.

## **Article 39**

As part of the process of informed consent, one must inform the person of the limits of confidentiality. It is considered as a limit, as well as those established by law, the possible serious risk of harm to the user him/herself, to third parties or to professional.

## **Article 40**

In all kinds of professional intervention, both in person and via electronic transmission or other means of communication, the psychologist must obtain the informed consent of the individual or individuals using language that is comprehensible to the person(s) in question. In the case of minors or persons unable to give informed consent, the psychologist must provide an explanation that is appropriate to their capacity.

When working as an expert witness or consultant and/or interventions carried out within the framework of state agencies, subjects must be appropriately informed of the limits of confidentiality.

## **Article 41**

Enumerations or lists of subjects evaluated where the diagnosis and data of the evaluation that are required by other entities with a view to planning, the obtaining of resources or for other purposes, must be released without the subject's name or the identification details, unless they are strictly necessary.

## **Article 42**

The psychologist must not use information he or she acquires during the professional practice for his/her own benefit or for that of third parties, nor to the detriment of the interested party.

## **Article 43**

The oral, printed, audio-visual or other forms of exposition of clinical cases for educational purposes or for scientific communication or dissemination must be conducted in such a way that it is not possible to identify the person, the group or the institution in question, except if explicit consent thereto has been given.

## **Article 44**

Written or electronic records of psychological data, interviews and the results of the tests shall be preserved, on the responsibility of the psychologist, under conditions that guarantee confidentiality.

# **Rule 6**

## **Research and teaching**

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## **Article 45**

Psychology professionals, in their practice, must contribute to the progress of psychology by conducting research in accordance with the demands of scientific work and publicise the results through scientific publications and teaching activities.

## **Article 46**

In research carried out by the psychology professional, the informed consent of the participants or, if it is not possible, of their legal representatives, must be obtained, who must have previously been informed of the following aspects: (1) the purpose of the research, the expected duration and procedures, (2) the right to refuse to participate and to withdraw consent once it has commenced, (3) the consequences, if any (4) the risks, discomforts or the possible adverse effects of participating, (5) the potential benefits of the research, (6) the limits of confidentiality, (7) the person who can resolve any queries about the research.

## **Article 47**

If the research requires the concealment of the objectives from the participants, the psychology professional must ensure that no harm is caused to the participants and explain the need for the research design as soon as possible or at the end of the research.

## **Article 48**

Psychology professionals who conduct research through animal experimentation must take into account their rights and consider the legal provisions under relevant law. Whenever possible, they must employ alternative procedures to those that cause pain, stress or deprivation to animals.

## **Article 49**

In their teaching practice, psychology professionals must ensure that in all activities (research, assessment and interventions, among others) the student complies with the principles of the code of Professional Ethics.

# **Rule 7**

## **Advertising and communications media**

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## **Article 50**

If psychologists offer advice or public comments in any medium, they must take precautions to make sure that the statements have a scientific basis and do not breach the rules of the code of Professional Ethics.

## **Article 51**

In the case of advice or commercial advertising campaigns, politics or the like, the psychologist must ensure respect for persons and groups.

## **Article 52**

Advertising of the services offered by the psychologist must be truthful and objective, and it must not raise false expectations. The psychologist is obliged to identify himself and prove his professional competence with the qualification and/or certification necessary for professional practice.

## **Article 53**

If the psychologist lends his/her name, prestige or image for advertising purposes, she or he must do so without detriment to the prestige of the profession.

## **Rule 8**

### **Fees and remuneration**

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#### **Article 54**

When practising the profession on a private basis, the psychologist must inform the client in advance of the amount of his or her fees for professional services. Article 55

The receiving and remuneration of fees is not contingent on the success of the treatment or to a particular outcome of the psychologist's therapy.

## **Rule 9**

### **Due process**

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#### **Article 56**

The Professional Ethics Committee, set up by the Official Psychologists Association of Catalonia, will oversee the interpretation and implementation of this Code. The Official Psychologists Association of Catalonia will ensure that it is disseminated among all professionals and social institutions.

It will further ensure that the principles set out herein are studied by all university psychology students.

#### **Article 57**

Infringements and penalties are defined in the Statutes of the Association. Infringements of the rules of the Code of Professional Ethics in the practise of the profession must be reported to the Professional Ethics Committee.

The case must be processed in accordance with the principles of a fair hearing, the right to challenge one's accusers and the rule of law, and shall conclude with a resolution proposal by the Committee. The Board of Governors, having heard the individual concerned, will pass the appropriate resolution, to dismiss the case or impose the appropriate disciplinary penalty in accordance with the statutes and regulations in effect at that time.

## **Article 58**

The Official Psychologists Association of Catalonia must guarantee the defence of members who are attacked or threatened having carried out professional duties within the framework of the rights and duties of this code of Professional Ethics, and must in particular defend the psychologist's confidentiality, dignity and independence.

## **Article 59**

### **Procedure**

The disciplinary procedure will be followed ex officio at every stage, which shall respect the principles set forth in the Spanish Constitution, in the Law on the Practice of Certified Professions and Professional Associations, as well as these rules and, where not covered thereby, in the Law 30/1992, of 26 November.

## **Article 60**

### **Forms whereby a proceeding may be initiated**

1. The proceeding will be initiated ex officio, as a consequence of the initiative of the competent collegiate body itself or in response to a complaint.
2. Before commencing disciplinary proceedings, the competent body to initiate the proceeding may decide to carry out investigations or preliminary actions with the aim of determining whether the circumstances are such that justify it.

## **Article 61**

### **Decisions to commence proceedings and to dismiss the case**

1. In view of the proposal made by the person or body that has conducted the preliminary actions or investigations, the board of governors will decide to initiate the disciplinary proceeding or dismiss the case. This authority cannot be delegated.
2. The resolution to dismiss the case will be communicated to the person(s) that filed the complaint and to the respondent(s) for the appropriate purposes.
3. The resolution to initiate the proceeding will be communicated to the respondent(s) together with the names of the investigator and secretary.

## **Article 62**

### **Procedure**

#### **1. Investigation stage**

The investigator will order that the appropriate action is carried out to determine and ascertain the facts, as well as to gather all of the evidence that can lead to their clarification and the determination of any responsibilities that may be subject to penalty.

Within one month from the date of commencement of the disciplinary proceeding and in view of the actions carried out, the investigator will bring charges, as applicable, with the following content:

- a) The identity of the party/ies allegedly responsible.
- b) A description of the facts alleged against the respondent, with sufficient differentiation of the conducts and of the specific charges brought against each individual if there are more than one.
- c) The infringement or infringements which the alleged facts may constitute, with a statement of the regulation(s) breached, as well as the penalties that may apply if proven.
- d) The competent body to issue a judgement on the proceeding.
- e) The interim measures to be taken, if any.

The respondents may file pleas within ten days, to run from the day after the charges have been served, and to request permission to submit such evidence as they see fit.

#### **2. Evidentiary Phase**

At the request of the parties, or at his/her own discretion, the investigator may decide to set a period for submission of evidence, which may not exceed one month, so that all the evidence they consider relevant may be submitted.

The investigator of the disciplinary procedure may only reject evidence submitted by the interested parties on the basis of a reasoned resolution, when it is manifestly irrelevant or unnecessary, because its relation to the facts cannot alter the initial resolution in favour of the party allegedly culpable. An appeal may be lodged against this resolution if it is determined that it is impossible to continue with the proceeding or if legal rights are violated. In all other cases, the challenge must be stated by means of the appropriate submission by the affected party for the committee's consideration in the resolution that concludes the proceeding and in any appeal that may be filed against the resolution.

The accused will be notified with sufficient notice of the place, data and time when the evidence will be presented in which the investigating officer so that the accused can respond.



### **3.Proposal for resolution**

The investigator, within one month from the expiry of the period for discovery, will submit a proposal for resolution, which will have to provide for the same requirements as the charge sheet, in addition to the specific proposal of the penalty/ies to be imposed, or the dismissal of the charges.

### **4.Final submissions**

The proposal for resolution will be communicated to the respondent, in order that within the non-extendible period of ten days from the hearing of the case, may testify in the presence of the investigator in his or her defence.

### **5.Transfer of the case to the competent body for judgement**

When the above stages are complete, the investigator will transfer its proposal in respect of the original case to the competent body to issue its decision. Before issuing its decision, the competent body may decide, on the basis of a reasoned judgement, that further essential steps may be taken to resolve the case. If in view of these steps the classification of the breach or penalty imposed by the investigator is altered, a further hearing stage will be ordered for a period of ten days before a decision is made.

### **6.Resolution of the case.**

The disciplinary proceeding will conclude with a resolution whereby either a penalty is imposed or the case is dismissed, in addition to the declaration of expiry. A disciplinary proceeding may also be terminated due to the impossibility of continuing due to supervening circumstances. The resolution of the proceeding must be reasoned and resolve all the questions raised by the interested parties and those that are derived from the case file; it must evaluate the evidence submitted; it may not accept facts other than those examined at the investigation stage, regardless of how they may be assessed from a legal standpoint, or introduce new types of offenses other than those contained in the resolution proposal with the exception of the provisions in Section 5 of this article . It will also state the appeals that are appropriate, as well as all the requirements set forth in Article 89 of Law 30/1992, of 26 November.

## **Article 63**

Extension of the deadlines, suspension of the proceeding and expiration of the proceeding

1.The investigator of the disciplinary case may determine, at the initiative of the interested parties or ex officio, the extension of the deadline for making a proposal for a resolution, which may not exceed one half of the period stipulated for the same proceeding.

2. The disciplinary case will have to be suspended as and from the moment the instructor becomes aware that a criminal investigation of the same facts is under way.

The suspension will be maintained until the final judgment is entered in the file that concludes the criminal procedure.

3. The disciplinary proceeding will expire six months from the date of the start of same if the competent body to resolve it does not issue a decision. In these cases, the resolution issued by the said body must declare that the case has been closed and order that all actions be shelved.

However, the expiry of the disciplinary procedure does not release the culpable party, if any, from the disciplinary responsibility for any breaches that have not prescribed due to a statute of limitations, and a fresh disciplinary proceeding may be initiated.

In the event that the procedure has been frozen due to a cause attributable to the accused, the calculation of the deadline for issuing and notifying the resolution is put on hold, if the causes that led to it being halted do not cease to apply.

## **Article 64**

### **Summary procedure**

1. In there are elements of judgment that allow the infringement to be classified as minor, the proceedings of the summary procedure can be followed to investigate the disciplinary proceeding.

2. Once the decision to commence proceedings has been issued, the investigator, in the light of the actions carried out, will formulate the resolution proposal. The resolution proposal, where the alleged acts must be stated, the offenses that these may constitute, the applicable penalties, the competent body to judge the case and the regulations that establish its authority, will be communicated to the interested parties along with the decision to commence the proceeding and the statement that this is an summary proceeding, so that within a period of ten days they can file evidence and plead as appropriate for the defence of their rights and interests. After the aforesaid period and following the submission of evidence, the investigator, without any other procedure, will transfer the file to the competent body to reach its decision. In any case, the competent body may propose or agree to follow the ordinary procedure.

3. Summary proceedings will be resolved and judgments issued within one month of their initiation. (15.022.088)

# Official College of Psychology of Catalonia

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