



The Ethics Guidelines are produced by the Office of the Syndic in collaboration with the Professional Inspection Committee. These guidelines do not constitute legal opinions; each case is particular and must be analyzed in the light of the circumstances peculiar to it.

**ETHICAL REQUIREMENTS ARE THE SAME FOR ALL AREAS OF SPECIALIZATION. WHAT DIFFERS IS THE WAY IN WHICH THE RULES ARE APPLIED, AS ACCOUNT MUST BE TAKEN OF THE CHARACTERISTICS OF EACH FIELD OF PRACTICE.**

# THE PRACTICE OF INDUSTRIAL AND ORGANIZATIONAL PSYCHOLOGISTS

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## INTRODUCTION

According to certain members of the Order<sup>1</sup> who have contacted the Syndic's Office for information, the clarifications needed by industrial and organizational psychologists to guide them in their work cannot necessarily be found by reading the *Code of Ethics of Psychologists* and the *Regulation respecting the keeping of records and consulting-rooms by psychologists*. Furthermore, the nature of the services provided to clients as part of this field of practice, and the environment in which the work is done, appear at times to be irreconcilable with the requirements of the above documents.

Let us note at the outset that a distinction must be made between ethical rules and the procedures that are used in the practice of a profession. Regardless of the area of specialization, the ethical requirements remain the same. However, the nature of the work done varies with each field of practice. For example, if we consider psychologists working in schools, youth centres, private practice in psychology clinics or neuropsychology at residential and long-term care centres, we realize that the realities they deal with differ significantly. For industrial and organizational psychologists, there are also differences in the ways in which ethical rules are applied.

The purpose of this article is to show how the industrial/organizational field of practice can be made to align with the regulatory framework. Industrial and organizational psychologists work in a number of areas, including staffing and assessment of potential, organizational diagnosis and development, training and coaching of managerial, professional or technical personnel, career management and re-assignment and employee assistance and psychological health at work programs.<sup>2</sup> As it is not possible to cover all the ethical aspects of each of these specific areas, we will deal with topics that apply to everyone working in this field of practice.

# SOME CLARIFICATIONS

## 1. The Client, the Mandate and Conflict of Interest

When a psychologist works for an organization, he or she must take care at the outset to delineate the role of the person requesting the services and of the client to whom the services will be provided. These may be, but are not necessarily, the same person.<sup>3</sup> The psychologist may have as clients two or more persons, with regard to whom he has to assume responsibilities. Clearly, working in the organizational setting can create difficulties, because, as required by the *Code of Ethics of Psychologists*, the psychologist must ensure that the client understands "the extent and implications of the professional services" (sec. 17), as well as "the nature and scope of the problem" (sec. 18) arising from the facts brought to his attention. Furthermore, there is always a possibility that the psychologist's mandate will change over time and that new problems will emerge. For these reasons, psychologists must be aware of the question of client consent. Following are two cases which illustrate the important issues involved.

In a mandate for evaluation of the working climate, it would be appropriate for the person requesting the services (for example, the director of an organization) to define the goal of the work to be done with the employees. The psychologist may have to use considerable skill to establish a relationship of trust and rally the participants around a common objective, especially in a climate of conflict. If, owing to the goals pursued, it is not possible to guarantee these clients that confidentiality will be maintained, the psychologist must ensure that they understand this fact. He must also ascertain that they understand what will be done at different stages of the process, and the use that will be made of the information they agree to disclose to the psychologist.

If the mandate is for a selection, all participants in the evaluation should, as the client, be informed what the process will entail, whether they will have access to the psychologist's evaluation, and if yes, how. They should also be told what information about them will be disclosed and to whom. It goes without saying that written consent should be obtained from each person. This consent should comply with the terms of the agreement made with the person requesting the services.

The psychologist should be aware of the limits to the services he can provide to the evaluated candidates. For example, he cannot see them individually in private to help them with their career paths, unless a sufficient amount of time has elapsed to ensure that his responsibilities towards the others parties involved are not compromised. However, this type of service could be provided, without risk of conflict of interest, to the company director who contracted the selection services, should he or she make such a request.

In the same example, if a candidate refuses to continue the evaluation, the psychologist has to comply with his request. Should the candidate formally withdraw his initial consent, the psychologist has to ensure the confidentiality of the candidate's information. This possibility should be understood from the start by all the interested parties.

The initial agreement made with the person requesting the services involves different obligations towards that person and the other people concerned. The psychologist's role and responsibilities with regard to each party must be made clear through the use of free and informed consent. This enables the psychologist to perform the expected work in compliance with section 32 of the *Code of Ethics*, which stipulates that the psychologist "shall safeguard his professional independence and avoid any situation that would create a conflict of interest."

## 2. Professional Secrecy

There exists a clear consensus among psychologists about the need to maintain professional secrecy regarding information provided confidentially. However, in the organizational setting, information collected from certain persons must be conveyed to others for the purpose of advancing a project or achieving an objective related to the psychologist's work.

In some cases, the confidentiality requirement may be satisfied by clarifying to the interested parties the use that will be made of information collected from them and obtaining their consent. This way, the persons concerned are informed of the impact of their co-operation (*Code of Ethics*, sec. 40). The psychologist must also make participants aware of the need to respect the confidentiality of information received during a work session (sec. 44). Usually, the best way for the psychologist to discharge his obligation to maintain professional secrecy concerning a client is to obtain his written authorization to disclose information (sec. 46).

**THE CLIENT TO WHOM THE PSYCHOLOGIST RENDERS SERVICES AND THE MANDATE HE NEGOTIATES MAY CHANGE. THEREFORE, CARE MUST BE TAKEN TO OBTAIN FREE AND INFORMED CONSENT AT EVERY STAGE OF THE PROCESS**

**THE IMPLICATIONS OF PROFESSIONAL SECRECY**

**INDUSTRIAL AND  
ORGANIZATIONAL  
PSYCHOLOGISTS MUST USE  
THEIR PROFESSIONAL  
JUDGMENT WHEN DECIDING  
WHETHER PARTICIPATION IN A  
PROFESSIONAL ACTIVITY  
OUTSIDE THE ORGANIZATIONAL  
FRAMEWORK WOULD ENHANCE  
THEIR WORK OR RISK  
ADVERSELY AFFECTING  
ITS QUALITY.**

### 3. Conflict of Roles

This is an important issue for industrial and organizational psychologists. Given the type of work they do, some accommodations may be required to take account of the client's needs, the problem being dealt with and the objectives pursued. In this environment, the psychologist may encounter such situations as being invited to lunch with his client and his team or being asked to participate in activities of a social nature. Although the Order's Disciplinary Committee has repeatedly deemed such conduct unacceptable, especially within the framework of psychotherapy, it is worth exploring this issue a little further.

Psychologists have provided themselves with a Code of Ethics that prohibits behaviours which are deemed unacceptable as they may affect the quality of the psychologist's work and thereby have an adverse impact on protection of the public. It is unthinkable for a psychologist to violate the relationship of trust and transgress his therapeutic role by establishing a social relationship with his client, either during or immediately after the therapeutic process. In such a case, psychotherapy is deprived of meaning. The situation is completely different for the director of an organization who has lunch with a specialist and uses the opportunity to discuss issues relating to his organization's operation and development. Such practice is part of the corporate culture. In this environment, a psychologist may feel that there would not be any conflict of interest if he were to participate in an activity of this type. In fact, declining to participate could deprive him of a prime opportunity to plan or pursue his work for the organization.

However, it must be borne in mind that participating in such an activity may be ethically unacceptable, if the context and purpose of the activity make it part of "a relationship that could adversely affect the quality of his work," as stated in section 20 of the *Code of Ethics*. The issue is not that an act is necessarily prohibited, but rather, that its context must be taken into account. Obviously, a good dose of professional judgment is required. Although the professional aspect of an activity may render it useful for the psychologist to attend, he must consider whether his presence would risk affecting the relationship of trust established within the organization; if so, he would be best advised to stay away.

The relationship with a client must be safeguarded. A conflict of roles arises when the nature of the relationship changes: the client becomes a friend, financial partner or supplier during the period of the psychologist's provision of services, or less than two years after the end of these services. This constitutes a breach of the professional relationship into which the psychologist has entered. Although such conduct in the organizational setting does not entail any disciplinary sanction, a number of decisions have deemed conflict of roles an ethical breach. The Disciplinary Committee would take these decisions into account if a complaint were made against an industrial or organizational psychologist on these grounds.

### 4. The Client's Record

Section 3 of the *Regulation respecting the keeping of records and consulting-rooms by psychologists* also applies to industrial and organizational psychologists. The psychologist may create a record on the organization based on the information provided by the person requesting the psychologist's services.

The offer of services prepared for this person is the principal means used by the psychologist to explain the nature and scope of the problem, the services he intends to provide and the consent to be obtained, as required by sections 16, 17 and 18 of the *Code of Ethics*. It is also the means for clarifying the question of fees, as mentioned in Division VII, chapter II of the Code. Therefore, the offer of services should be entered in the record.

In the event of doubt, what must be kept in mind is the purpose of the psychological record, which is to document the work performed and serve as a tool for planning and managing the psychologist's intervention. There are no specific standards applying to industrial and organizational psychologists. The psychologist should use a method that is appropriate for the work he is doing, while complying with the guidelines provided here and arising from the Code. It should be noted that if a session is recorded (sec. 47), the psychologist must obtain written permission from the client. For all psychologists, the minimum retention period for information contained in records is five years.

## SITUATIONAL SCENARIOS

1. *An employee consults an industrial psychologist through the company's internal assistance service. In this situation, who is the client: the employee who consults the psychologist or the employer for whom the psychologist works?*

The psychologist who agrees to work in this type of environment must ensure from the start that his employer recognizes his professional independence. He must explain his obligation to maintain professional secrecy and establish record-keeping mechanisms which comply with his obligations. He must also obtain agreement on the terms of disclosure of information, that is, with the written authorization of the employee who consults him.

The place where the psychologist meets the employees must be conducive to safeguarding and maintaining the confidentiality of services. All these requirements reflect the importance of the psychologist's responsibilities towards the client, that is, the employees who benefit from the assistance service. The employer cannot impose rules which contravene the psychologist's professional obligations, as has been pointed out by the Professions Tribunal: "an employer cannot require that a professional behave in a manner contrary to that prescribed by his Code of Ethics, the Professional Code or, if applicable, the particular legislation and regulations governing his professional order [translation]."<sup>4</sup>

2. *A company asks a psychologist to evaluate a candidate for a vacant position. The psychologist believes that the candidate has the potential to do the job. However, she is recovering from burnout and lacks the personal resources to deliver an optimum performance in the short term. On the other hand, being given the opportunity to do this job would probably contribute to her recovery. Given that the candidate is also a client, whose interests should the psychologist favour – hers or the company's?*

The psychologist has responsibilities with regard to each of his clients, that is, the employer and the candidate. He cannot remain silent about the candidate's condition to promote her interest to the detriment of the employer's. The psychologist's mandate is to obtain information to facilitate the employer's decision making. Usually, the psychologist is able to disclose information "with integrity and objectivity" (sec. 14 of the Code of Ethics) when presenting his findings and recommendation in his report, because he has obtained the candidate's written authorization. He can express his opinion about the candidate's condition and the likely positive impact of being hired for this job if this does not risk harming the employer. However, it is up to the employer to decide whether to act on the psychologist's recommendation. The psychologist cannot violate the relationship of trust with his client and usurp the client's role in judging what is appropriate for his organization.

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## REFERENCES

1. *The comments made by these members led to a clarification process with the members of the Société québécoise de psychologie du travail et des organisations (SQPTO). A meeting was held for this purpose at UQAM in June 2004, and served as the basis for publication of these ethics guidelines. We would like to thank Pierre Gendreau and François Leduc, psychologists, and Roland Foucher, Associate Professor at UQAM and Professor at UQQ, for their valuable contributions.*
2. Source: Foucher, R., and Leduc, F. (2001).
3. For additional information, see the Ethics Guidelines for September 2004 in *Psychologie Québec*.
4. Bich, M.-F. Le défi du droit nouveau pour les professionnels. Les journées Maximilien-Caron, 1994, Éditions Thémis, p. 66. Cited by the Professions Tribunal in Decision no. 500-07-000167-977, p. 12.

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*Regulation respecting the keeping of records and consulting-rooms by psychologists*. C-26, r. 154.1.

The practice of a profession is defined by two co-existing realities: one the one hand, a recognition of the professional's right to decide on the most appropriate course of action, with every decision having an underlying ethical dimension, and on the other, the existence of a regulatory mechanism aimed at ensuring the protection of the public. The ethics guidelines are intended to inform psychologists about the existing regulatory framework to help them in the process of making informed decisions.



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