

explanatory guide

to the
code of ethics of the
psychologists of quebec



Ordre
des psychologues
du Québec

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NOTE

Please note that this guide has been prepared for administrative purposes and only the texts published in the *Gazette officielle du Québec* are official.

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FOREWORD

The explanatory guide, like the Code of Ethics itself, is an instrument developed by psychologists according to their understanding of the ethics of the practice of psychology respecting the various laws that govern it. The Code of Ethics, one of the profession's most important regulations, contains the obligations to the client, the public and the profession that psychologists have agreed to adopt and respect.

A code of ethics is not designed to relieve professionals from the careful thought they must apply to their actions throughout their practice, because it is impossible to anticipate every situation and codify the appropriate response to it. Nevertheless, underlying principles exist and there are rules that logically follow from them.

This explanatory guide seeks to orient psychologists in their understanding of the new Code of Ethics. It also contains definitions of the central concepts, clarification of certain, potentially confusing elements, references to applicable legislation and practical and concrete applications as well as references to texts offering greater depth on various complex issues.

Finally, it is important to remember that the Code of Ethics offers a series of sections that are intended to cover the whole field of practice of psychologists, whatever sector they work in. While each section deals with a specific obligation, it cannot be seen in isolation. Not only does each of the obligations appear in a clearly identified chapter (or division) that gives it its meaning, but to be properly understood, it must be considered in how it relates to neighbouring obligations, given the lawmakers' intentions. The same applies to the explanatory notes inserted beneath certain sections.

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CHAPTER I — GENERAL

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1. This Code determines, pursuant to section 87 of the Professional Code (R.S.Q., c. C-26), the duties and obligations of psychologists regardless of the context or manner in which they engage in their professional activities or the nature of their contractual relationship with clients.

EXPLANATORY NOTE

In this Code, unless the context indicates otherwise, the word “client” is understood to mean an individual, couple, family, group of persons, community, employer or the organization, and their differing roles, such as:

- person requesting services (or the principal)
- beneficiary of services
- payer
- employer

Most often, in the context of private adult clinical practice, the same person is simultaneously the requestor of the services, their beneficiary and the person who pays for them. But there are situations in which the person requesting the services may not be the person receiving them, the payer may be a third person altogether, and a client-employer may also be involved.

Each of these parties has rights that become duties and obligations for psychologists:

1. The right to the inviolability and integrity of the person makes it obligatory to obtain a person’s consent before providing services, making an assessment or collecting information. This right applies to the person who is receiving services, whether or not the person is also their requester or payer.
2. The right to respect professional secrecy: each client benefits from it with respect to the information he or she provides, hence the obligation to obtain free and informed consent to disclose relevant information.

3. Access to the professional file: the person who was the beneficiary of the services as well as the requester of the services, the payer and the employer have access to their information contained in the psychologist’s record. Pursuant to respect for professional secrecy, they do not have access to the information concerning the others unless the others have given prior consent.

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2. Psychologists may not exempt themselves, even indirectly, from a duty or obligation contained in this Code.

CHAPTER II — GENERAL DUTIES

3. In their practice, psychologists must show respect for the dignity and freedom of persons.

EXPLANATORY NOTE

PRACTICE OF THE PROFESSION

- Section 37 e) of the Professional Code

“Provide the public with professional services in which the principles and methods of scientific psychology are applied; in particular, advise and interview, use and interpret the standard tests of mental capacity, aptitude and personality for psychological classification and valuation and make use of psychological techniques for purposes of guidance, reeducation and rehabilitation.”

Included in the practice of the profession are such interventions as organizational diagnosis, sports psychology, counseling, coaching, consultation, mediation and the supervision of professional activities, as well as information, promotion of health and the prevention of disease and accidents.

Likewise considered related to the practice of the profession are certain activities such as the transmission of knowledge, education and applied research when they contribute directly to the practice of the profession.

Bill 50, entitled *Loi modifiant le Code des professions et d'autres dispositions législatives dans le domaine de la santé mentale et des relations humaines* proposes the following definition of the field of practice of psychology:

“The practice of psychology is to assess psychological and mental functioning, and determine, recommend and carry out interventions or treatments with a view to fostering the psychological health and restoring the mental health of a person in interaction with his environment.

Information, the promotion of health, prevention of suicide, illness, accidents and social problems are also part of the practice of the profession, with individuals, families and communities.” (unofficial translation)

DIGNITY

Respect for personal dignity means that every person has innate value as a human being that is not affected by such differences as culture, nationality, ethnic origin, color, religion, sex, marital status, sexual orientation, mental or physical capacities, age, socio-economic status or any other personal characteristic, condition or status.

In the practice of their profession, psychologists respect the dignity and autonomy of the individual by agreeing on their services with the client, by obtaining the consent of all their clients, by avoiding placing themselves in a situation of conflict of interests, by abstaining from interfering in their private life except for what is required by the practice of the profession and, except for the exceptions mentioned in this Code, by respecting professional secrecy.

4. The conduct of psychologists towards every person with whom they enter into a professional relationship, whether physical or psychological, must be beyond reproach.

EXPLANATORY NOTE

“Every person” includes third parties, i.e. persons who are not necessarily clients but with whom psychologists have a relationship as part of the practice of their profession.

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5. Psychologists must practise according to generally recognized scientific and professional principles, in keeping with good practice in psychology.

EXPLANATORY NOTE

The guidelines published by the Ordre des psychologues are an indicator of generally recognized scientific and professional principles or, if not, those that comply with standard practice. However, they cannot constitute the only type of references. Psychologists must always keep themselves informed of the best practices in their fields of activity. In fact, psychologists must in all cases apply a scientific approach, adapted to the specific characteristics of their client and taking into account all available information.

See in Appendix II the list of guidelines published by the Ordre or made in collaboration with the Ordre.

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6. Psychologists must consider all foreseeable consequences of their research and work on society.

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7. Psychologists must discharge their professional obligations with competence, integrity, objectivity and moderation.

Psychologists must avoid any misrepresentation with respect to their competence or the efficiency of their own services or those generally provided by the members of their profession.

EXPLANATORY NOTE

PROFESSIONAL OBLIGATIONS

This Code identifies and specifies several of the professional obligations that psychologists are required to discharge. In every case, psychologists have an obligation of means. Obligation of means is an obligation by

which a person is required not to produce a specific result but to employ all available means to achieve that result, whereas an obligation of results is an obligation by which the person is required to produce a particular result.

Accordingly, responsibility in the practice of the profession means that the services rendered by psychologists are intended to contribute to the well-being of clients, promote their development and psychological growth and preserve or restore their psychological equilibrium or ability to function.

In an organizational context, responsibility in the practice of the profession means that the services rendered by psychologists contribute to the development of the organization. This is achieved through development of those who belong to the organization and is closely related to a healthy work climate.

COMPETENCE

In the practice of the profession, psychologists assume their responsibility by developing and maintaining their competence and by recognizing the influence that elements such as values, attitudes, experience and social context can have on their services, by becoming involved only in activities for which they are competent without supervision or special preparation, by using generally recognized scientific or professional methods or, failing them, those that comply with standard practice, by avoiding the establishment of ambiguous or conflictual relationships with their client and by not making use of any services or procedures that risk causing harm to their client.

Psychologists maintain their professional competence by remaining informed of the development of professional and scientific knowledge related to their practice, in particular by reading relevant publications, consulting their peers or participating in continuing education activities.

When, in an emergency situation, psychologists intervene in a field for which they have not developed the necessary competence in a context where services would not otherwise be available, they may intervene to the best of their knowledge and with the professional support available to avoid the

client receiving no aid at all. They stop their intervention as soon as it is no longer an emergency or the appropriate services are available.

INTEGRITY

Psychologists make sure to display the integrity essential for maintaining the confidence of clients in their professional services and that of the public in the field and the profession, in particular by respecting their commitments, avoiding conflicts of interest, showing honesty in the presentation of their qualifications and services and adopting a professional approach with respect to their remuneration.

Psychologists also display integrity to clients by describing their qualifications, education, competence and that of their partners or persons under their supervision.

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- 8.** In their practice, psychologists must assume full personal civil liability. They may not evade or attempt to evade personal civil liability or request that a client or person renounce any recourse taken in a case of professional negligence on their part. They may not invoke the liability of the partnership or joint-stock company within which they carry on their professional activities or that of another person also carrying on activities as a ground for excluding or limiting their personal professional liability.

EXPLANATORY NOTE

Personal civil liability arises out of the Civil Code of Québec, specifically section 1457 which specifies the duties and reparations for injury that a person must assume when an injury has been caused to another. The responsibility involved in this article in the Civil Code is the professional liability of psychologists, incurred in the practice of their profession. Thus, the obligation to obtain professional liability insurance, a condition of membership in the Order, is linked to these provisions of the Civil Code and the Code of Ethics and is intended to guarantee protection in case of harm to others caused in the practice of the profession.

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- 9.** Psychologists must take reasonable measures to ensure that every person collaborating with them and any partnership or joint-stock company within which they practise complies with the Professional Code and its regulations, including this Code.

EXPLANATORY NOTE

Taking reasonable measures does not mean, for example, that psychologists must teach their employees the content of the laws and regulations governing the practice of their profession. However, they may have them sign an oath of secrecy and make them familiar with the general principles and the actions that result from them and for which they are responsible. They may also advise managers on the ethical obligations of the psychologist.

CHAPTER III — DUTIES AND OBLIGATIONS TOWARDS CLIENTS

DIVISION I

CONSENT

10. Before agreeing with a client to provide professional services, psychologists must consider the client's request and expectations and the extent of their skills and means at their disposal.

EXPLANATORY NOTE

They also consider the following:

- 1° the standards of practice and the forms of professional services that are appropriate for achieving the determined goals;
- 2° the presence of one or more clients as part of the professional services and, where appropriate, the potential impact of this situation on each of them;
- 3° any specifically required expertise.

It is likewise understood that psychologists may engage in a practice for which they do not yet have all the skills to the extent that their education has prepared them to develop these skills and that they do so in a learning context such that the client does not experience any harm as a result.

11. Before providing professional services, psychologists must, except in an emergency, obtain the free and enlightened consent of the client, the client's representative or the client's parents in the case of a child under 14 years of age, informing the client of:

- 1° the objective, nature, relevance and main terms of the professional services, the advantages and disadvantages of the services and alternatives, the limits and mutual responsibilities of the parties, including any agreement on fees and terms of payment;

- 2° the possibility of refusing the professional services offered or ceasing to receive professional services at any time; and

- 3° the rules and limits of confidentiality and the terms related to the transmission of confidential information pertaining to the intervention.

Disclosure of the information must be adapted to the context of the professional services provided.

EXPLANATORY NOTE

CONSENT FORM

When the law requires, clients so wish or the interest of the client so requires or the psychologists deems it appropriate, psychologists use consent forms specifying the various aspects of consent or acknowledging that these aspects have been explained and understood. In this case, the client and the psychologist jointly sign the form and the psychologist includes it in the record. Otherwise, the psychologist enters a report of that consent in the record.

MINOR, UNDER 14 YEARS OF AGE

Generally, when intervening with a minor child under 14 years of age, psychologists attempt to obtain the consent of one of the two parents, unless there are reasons to believe (tense family context, negative remarks) that the other parent is not aware of or would not consent to the professional services. The fact that the parents do not live together does not necessarily suggest that there would be disagreement about consent. In case of doubt or when clinical reasons require, psychologists take all reasonable steps to obtain the consent of both parents. In cases where the parents disagree, it is up to the Court to decide. Furthermore, when the absence of services risks causing harm to the child, psychologists give priority to the child, which includes providing services without the consent of the both or either of the parents, as long as the emergency situation justifies.

When the parents are separated, even if the custody of the child has been entrusted to one of them, the other retains parental authority. It is clear that the parental authority of the non-custodial parent is exercised in a more limited way because it is the custodial parent who most often makes the day-by-day decisions. Furthermore, just because a child is under the authority of the Director of Youth Protection (DYP) does not mean that the parents have lost their authority. Psychologists must make sure to obtain the consent of the parents through the DYP.

CONTEXT AND CLIENTELE

The information that psychologists provide for purposes of free and informed consent may vary as a function of the context of the intervention, in particular if it is an intervention:

- 1° in a crisis situation, where conveying information is dependent on the state of the client. If the intervention continues, the psychologist uses the measures necessary to confirm or restore free and informed consent;
- 2° with a client whose freedom of choice is limited or who consults under constraint. In this context, psychologists may limit themselves to obtaining limited informed consent to the particular objectives of the intervention by specifying to the client the constraints inherent in this situation.

The information that psychologists convey for purposes of free and informed consent may also vary in services for a specific clientele, such as a couple, family or group, as well as certain other services, such as an expert opinion, which may involve certain limits with respect to confidentiality.

As part of interventions with organizations or communities or when their services are provided at the request of a principal, psychologists clearly specify to all those involved the nature of the multiple relationships that are created in this way. This information includes, in particular, the objectives of the service, the use that will be made of the information

gathered and the limits to confidentiality inherent in such situations.

Confidentiality as part of an organizational inquiry consists of not revealing sources of information (i.e. who said what) but instead of reporting the significant elements resulting from the inquiry.

In the organizational context, psychologists develop a proposal that generally contains the following elements: the understanding of their terms of reference and the objectives sought, the procedures to be performed to achieve the objectives, the fees if any and the schedule. The issue of confidentiality is raised and the role of each of the parties involved determined. This agreement is generally signed by both parties before the project begins.

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- 12.** Psychologists must take the reasonable and necessary measures, including when the emergency has ended, to ensure that the consent is free and enlightened by ensuring that the client has properly understood the information communicated.

EXPLANATORY NOTE

Psychologists recognize that consent is a process that is part of the context of a professional relationship and they take the reasonable and necessary measures to make sure whether such consent is free and informed by using a language that is accessible to their clients according to their age, maturity or level of development and by making sure whether the client has indeed understood the information given. Furthermore, depending on the context, consent may be given in stages or gradually.

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- 13.** Psychologists must ensure that the consent remains free and enlightened throughout the professional relationship.

EXPLANATORY NOTE

It is possible for the initial objectives to change in the course of treatment. This requires psychologists to use measures that ensure that clients have understood the change of orientation and consented to it. It is also possible that during the relationship, clients may reach a different understanding of what they were initially told and to which they had initially consented. This implies that psychologists obtain renewed consent from their clients who now have a different understanding of the services offered by the psychologists.

Accordingly, psychologists must not consider that they have definitively complied with their duties regarding free and informed consent because they used a consent form at the start of the relationship.

DIVISION II

CONFIDENTIAL INFORMATION

- 14.** Psychologists must respect the privacy of the persons with whom they enter into a professional relationship, refraining from gathering information and exploring aspects of private life that have no relation with the professional services agreed on with the client.

EXPLANATORY NOTE

Certain clients tend to disclose personal information not solicited by psychologists. It is clear that this clause is not intended to hold psychologists responsible for such a situation. Instead, it is intended to prevent psychologists from actively seeking to explore aspects of the life of the client that are not related to the professional services the client is seeking from them.

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- 15.** Psychologists, for the purpose of preserving professional secrecy,

- 1°** must not disclose any information on their client, except the information authorized in writing by the client, or verbally in an emergency, or unless so ordered by law;
- 2°** must inform a client who intends to authorize the communication of confidential information to a third party of the consequences of the disclosure and of any reservations they may have;
- 3°** must not disclose that a client has requested their professional services or intends to use their professional services;
- 4°** must not mention any factual information likely to identify the client and must modify, if required, certain information identifying the client when using information obtained from the client for didactical, pedagogical or scientific purposes;
- 5°** must obtain prior written authorization from the client to record or videotape an interview or activity; the authorization must specify the subsequent use of the recording and the terms of revocation of the authorization; and
- 6°** must not disclose, without authorization, the name of a client when consulting or being supervised by another professional.

EXPLANATORY NOTE

With respect to paragraph (1), although it states that disclosure must be ordered by law (e.g. a report pursuant to the YPA), there must be consideration of the fact that a law can also authorize such disclosure in an express (explicit) provision and such authorization is sufficient for a professional to be able to lift professional secrecy. For example, the Highway Safety Code contains a discretionary obligation (professional judgment) on psychologists to report to the SAAQ the state of health of a client they considers unable to drive. In such a situation, it is recommended that psychologists give the client their opinion of the risk the client presents if he or she drives. However, if psychologists have reasons to think that their client will not respect the prohibition on driving and thus presents a serious risk to public safety, they may so inform the SAAQ.

Likewise in paragraph (1), section 10 of the Regulation respecting the keeping of records and consulting-rooms by psychologists provides that the psychologist may only release information to a third party 15 days after the date of signature by the client of consent to that effect. Thus, during this time period, the client may revoke his consent. It is important to note that this 15-day period does not apply to psychologists employed by an institution covered by the Act respecting health services and social services (ARHSS), as stipulated by section 12 of the above Regulation. Furthermore, in an emergency, the client may waive this time period. In certain circumstances, the emergency may be such that the psychologist is unable to obtain prior written consent from the client before releasing information. This section acknowledges that such an emergency situation can exist and that the information must be released. However, once the emergency is over, the psychologist must make sure to obtain a written consent from the client, which is kept in the record.

In an organizational context, promotional documents may mention the companies for which professional services have been provided. Such documents may also discuss the services provided if the client consents in writing and such a disclosure would not be prejudicial to the client.

With respect to paragraph (5), the written authorization can be sent by email or by fax, as long as appropriate precautions have been used to ensure the confidentiality of the information sent.

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- 16.** Psychologists providing professional services to a couple or a family must preserve each member's right to professional secrecy.

EXPLANATORY NOTE

Something said to psychologists by one person in the absence of others involved in the services may not be reported or made accessible to the others except with that person's consent. Preserving professional secrecy means also that psychologists may not testify or disclose information without the consent of the client, which in this context is understood to be the couple or the family.

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- 17.** Psychologists providing professional services to a group must inform the members of the group of the possibility of some aspect of the private life of one of the members or a third party being revealed. They must secure a commitment from the members of the group to preserve the confidentiality of information on the private life of the members or third party.

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- 18.** Psychologists may communicate information protected by professional secrecy to prevent an act of violence, including a suicide, where they have reasonable cause to believe that there is an imminent danger of death or serious bodily injury to a person or an identifiable group of persons.

Despite the foregoing, psychologists may only communicate the information to a person exposed to the danger or that person's representative, and to the persons who can come to that person's aid.

Psychologists may only communicate such information as is necessary to achieve the purposes for which the information is communicated.

EXPLANATORY NOTE

The possibility of disclosing information is guided by:

- the exercise of professional judgment on the extent of the danger;
- the assessment of the imminence of the danger;
- the identification of one or more persons to be protected.

Furthermore, when the Youth Protection Act applies, if there is a risk of compromising the development of a child, psychologists are required to make a report, leaving the Director of Youth Protection the task of investigating.

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- 19.** Psychologists who communicate information protected by professional secrecy to prevent an act of violence must enter the following particulars in the client's record:
- 1°** the reasons supporting the decision to communicate the information and the other available means that did not enable the psychologist to prevent the act of violence; and
 - 2°** the circumstances of the communication, the information that was communicated and the identity of the person or persons to whom the communication was addressed.

DIVISION III

RIGHTS OF ACCESS TO INFORMATION AND CORRECTION OF DOCUMENTS

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- 20.** Psychologists must respond promptly, at the latest within 30 days of its receipt, to any written request made by a client or a person authorized by the client to consult or obtain a copy of documents that concern the client in any record made in his or her respect.

Psychologists may charge the client reasonable fees not exceeding the cost of reproducing or transcribing documents or the cost of transmitting a copy of the documents.

Psychologists who intend to charge such fees must inform the client of the approximate amount to be paid before reproducing, transcribing or transmitting the information.

Psychologists may temporarily deny access to information contained in a record established in the client's respect if its disclosure would likely cause serious harm to the client's health. In such a case, psychologists must inform the client of the reasons for the refusal, enter the reasons in the record and inform the client of the client's recourses.

Psychologists must refuse to release to a client personal information concerning the client if its disclosure would likely reveal personal information concerning a third party or the existence of such information, and the disclosure could seriously harm that third party, unless the latter consents to the communication of the information or in the case of an emergency that threatens the life, health or safety of the person concerned.

EXPLANATORY NOTE

This provision results from an obligation in the Act respecting the protection of personal information in the private sector (section 40) which, it should be noted, applies to professionals. The last two paragraphs involve the limits on client access to information about them under certain circumstances.

It is also provided that psychologists can temporarily refuse a client access to information about them but only if there is some reason to anticipate a serious injury to the client's health. In this case, the issue is not one of fair and reasonable grounds for refusing access. Since this refusal can only be limited in time and the rule is that the client has the right of access and a refusal is the exception, it is in the client's interest for psychologists to avoid placing raw data that has not received any treatment or unverified information likely to cause harm to the client in the record, as provided in section 5 of the Regulation respecting the keeping of records and consulting-rooms of psychologists. Moreover,

psychologists must make sure that their reports are accessible, comprehensible and acceptable while clearly reflecting reality. It should be noted that the psychological diagnosis is not raw uninterpreted data or unverified information and must therefore be entered in the record. However, if its disclosure risks causing serious harm to the client, psychologists may refuse to disclose it. When psychologists wish to refuse access to information contained in the record, they withdraw the harmful information from the copy given to the client.

In the case of information obtained from a third party and recorded in the client's record, the psychologist is obliged to refuse the client access if such access is likely to seriously harm third parties.

With respect to the recourse for clients who are refused access to information about them, they may appeal to the Office of the Syndic of the Order or submit a complaint to the Commission d'accès à l'information.

In a related area, if one of the members of the family or of a couple asks for a copy of the record, the consent of all participating members of the family or the other member of the couple must first be obtained. If some information has been disclosed to psychologists by certain participants in the absence of others, psychologists must take care to eliminate this information before releasing the record.

21. Psychologists must respond promptly, at the latest within 30 days of its receipt, to any written request made by a client or a person authorized by the client to have information that is inaccurate, incomplete, ambiguous, outdated or unjustified corrected or deleted in any document concerning the client or to make written comments in the record.

Psychologists must provide the client, free of charge, with a duly dated copy of the document or part of the document filed in the record so that the client may verify that the information has been corrected or deleted or, as applicable, with an attestation stating that the client's written comments have been filed in the record.

Psychologists who refuse to grant a request to correct or delete information in any document concerning the client must notify the client of the reasons for the refusal, enter the reasons in the record and inform the client of the client's recourses.

EXPLANATORY NOTE

The fact that the client, for example, does not agree with the psychological diagnosis made by the psychologist does not imply that the psychologist must correct or delete it. In such circumstances, psychologists must justify their refusal to acquiesce to the request from the client and enter the reasons in the record.

With respect to the recourse for clients who are refused a request to correct or delete information in any document concerning them, they may appeal to the Office of the Syndic of the Order or submit a complaint to the Commission d'accès à l'information.

22. Psychologists must respond promptly to any written request from a client to have a document returned to the client.

DIVISION IV

CONFLICT OF INTEREST AND PROFESSIONAL INDEPENDENCE

23. Psychologists must subordinate their personal interests or, where applicable, the interests of their employer or colleagues to those of their clients.

EXPLANATORY NOTE

In a situation where psychologists are required to apply a specific treatment to a client, they must exercise their judgment on the relevance of this treatment, taking into account the specific characteristics of the client.

Moreover, in a context where the organizational setting and the service offering are determined by a third party with whom psychologists have an employment or contractual link (e.g. first, second or third line with CSSS, an EAP, SAAQ, CSST, etc.) and this third party imposes orientations and

constraints, in particular with respect to the number of sessions, the psychologists providing the service must make sure to provide the clients with services adapted to this context and relevant to the task entrusted to them. They cannot commit to treating the client without taking into account the means they have available. Acting otherwise would be following a path harmful to the client. It is understood that prior to treatment, psychologists seek to inform the client of what they can offer them by identifying, if applicable, the difference between this offering and the services that might be given in a different setting.

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- 24.** Psychologists must, except in an emergency, avoid providing professional services to persons with whom they have a relationship that is likely to affect the professional nature of the relationship and the quality of the professional services.

EXPLANATORY NOTE

Psychologists might intervene, for example, in a crisis involving the child of a friend in cases of suicide threats, school bullying, a suicide by a family member, a severe reaction to a family conflict, a death in the family or the death of another child. There are many such situations. In all such cases, the friend psychologists must act more as to refer than to intervene.

This section does not imply that psychologists may not use their knowledge of psychology to explain to colleagues, family or friends in a general way what a child or spouse might be experiencing in a situation similar to the one mentioned by the concerned colleague or family member or friend. However, when offering such explanations, psychologists must avoid speaking about the specific situation or person or making a psychological diagnosis.

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- 25.** Psychologists must refrain from interfering in the personal affairs of their client.

EXPLANATORY NOTE

This section is linked to the mandate given by clients to psychologists. There is a distinction to be made between interfering and taking an interest in the personal affairs of their clients, as part of the services provided. It is one thing, for example, to advise someone to sell shares on the stock market and another to discuss their motivation in holding onto or selling shares.

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- 26.** During the professional relationship, psychologists must not establish relations of an intimate nature likely to affect the quality of the professional services, or relations of an amorous or sexual nature with a client, and must refrain from making remarks or improper gestures of a sexual nature to a client.

The duration of the professional relationship is determined taking particular account of the nature of the problems and the duration of the professional services provided, the client's vulnerability and the likelihood of having to provide professional services to the client again.

EXPLANATORY NOTE

It should not be thought that the two-year period mentioned in section 4.07 a) of the American Psychological Association's Code of Conduct ("Psychologists do not engage in sexual intimacies with former therapy patient or client for at least two years after cessation or termination of professional services"), constitutes a standard governing psychologist members of the Ordre des psychologues du Québec. In fact, pursuant to section 26, psychologists are required to exercise their professional judgment to determine the duration of the professional relationship, which is one that cannot be established absolutely and which often extends well beyond the time when services are no longer being provided. In certain circumstances, a client may even remain a client for life.

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- 27.** Psychologists may not act as such for a third party in a dispute against a client.

EXPLANATORY NOTE

For example, psychologists who see a client for psychotherapy because of the client's involvement in a harassment complaint with their employer cannot act as the expert of the same employer seeking services so that the termination of employment settlement is arranged as harmoniously as possible.

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- 28.** Psychologists must not, for the same client, intervene in a manner that is likely to affect the quality of their professional services.

EXPLANATORY NOTE

They will abstain from providing an expert opinion for a client to whom they are now giving or have given services of a therapeutic nature because this commitment requires never having had a prior link with the requester for this expertise to be objective and credible.

This is an appropriate place to clarify what the term "expert opinion" refers to. A psychologist who is asked by a third party (such as the CSST or IVAC) to provide psychotherapy to one of their beneficiaries and, as part of this task, must prepare a report on the client's progress is not acting as an expert. The confusion is possible because in its form and substance, such a report is similar to an expert's report and, more generally, because the psychologist may be considered to be the "expert" on his client, since he has acquired extensive knowledge of the client's problems. In this example, the task of the psychologist is to provide not an expert opinion but rather psychotherapy. A psychologist who acts as an expert is being asked to express an opinion on a person he does not know and with whom he is not otherwise involved, allowing the task to be performed with all the appropriate distance and objectivity.

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- 29.** Psychologists acting as an expert may not become the attending psychologist of a person having been the subject of the expertise, unless expressly requested by the person and the psychologist has obtained authorization from the persons concerned by the change of role.

EXPLANATORY NOTE

When expert psychologists become attending psychologists, under the conditions stipulated here, they cannot again serve as expert for this same client.

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- 30.** Psychologists must not use the professional relationship established with a client for personal, political or commercial purposes.

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- 31.** Psychologists must safeguard their professional independence and avoid any situation in which they would be in conflict of interest, particularly when the interests concerned are such that they may tend to favour certain interests over those of their client or their integrity and loyalty towards their client may be adversely affected.

EXPLANATORY NOTE

The key for psychologists when judging whether they have a conflict of interests depends on what services they are expected to provide. In fact, a clear statement of such services will specify who is or are the clients (requester, beneficiary of services, payer, etc), their interests and the most appropriate forms of intervention. It is in fact possible for the psychologists' services to imply that they have relationships with more than one type of client and may use more than one type of intervention. Such a context requires special vigilance in order to assure all clients that their interests are taken into account.

32. If psychologists become aware that they are in a real or apparent conflict of interest, they must define the nature and meaning of their obligations and responsibilities, notify their client and agree with the client on the appropriate measures, if any.

33. If psychologists provide professional services to several clients who may have divergent interests, they must inform them of their duty to be objective and of the specific actions that will be undertaken to provide the services. If the situation becomes irreconcilable with their duty to be objective, psychologists must terminate the professional relationship.

EXPLANATORY NOTE

Depending on the context, psychologists may end their professional relationship with a client, several clients or even all clients involved while seeking to limit the harm from doing so.

34. Except for the remuneration to which they are entitled, psychologists may not receive, pay or promise to pay any benefit, rebate or commission in connection with their practice other than customary tokens of appreciation or gifts of small value.

EXPLANATORY NOTE

This section prohibits psychologists, for example, from referring clients to someone else for money or paying another in order to receive referrals.

DIVISION V

WITHDRAWAL OF PROFESSIONAL SERVICES

35. Psychologists may cease to provide professional services to a client solely for just and reasonable grounds, including

- 1°** loss of the relationship of trust between the client and the psychologist;
- 2°** lack of benefit to the client from the professional services offered by the psychologist;
- 3°** the likelihood that maintaining the professional services may, in the psychologist's judgment, become more harmful than beneficial for the client;
- 4°** the impossibility for the psychologist to maintain a professional relationship with the client, particularly in the presence of a conflict of interest;
- 5°** inducement by the client to perform illegal, unfair or fraudulent acts or to contravene the provisions of this Code;
- 6°** non-compliance by the client with the conditions agreed on and the impossibility of entering with the client into a reasonable agreement to reinstate the conditions, including professional fees; and
- 7°** the psychologist's decision to scale down his or her practice or to put an end to the practice for personal or professional reasons.

EXPLANATORY NOTE

The reasons listed here authorize but do not oblige psychologists to withdraw professional services.

36. Psychologists who wish to terminate the relationship with a client must give the client reasonable notice and ensure that the withdrawal of the professional services does not cause prejudice to the client or causes as little prejudice as possible. Psychologists must ensure insofar as they are able that the client may continue to obtain the professional services required.

EXPLANATORY NOTE

Even though the specific measures used may vary according to the context and the client, psychologists must consider the following provisions:

- 1° as soon as possible, and taking into account the nature to the established relationship, relevant variables associated with the client and the period of time available before terminating the services, notify the client of their intention, in order to give the client a reasonable amount of time before interrupting the services;
- 2° offer the client the possibility of a referral and provide the assistance necessary to find the appropriate resource.

It is important to emphasize that in this situation, psychologists have an obligation of means and not of results, because it may sometimes be difficult for them to find another person to help.

DIVISION VI

QUALITY OF PROFESSIONAL SERVICES

37. Psychologists must refrain from practising their profession or performing professional acts if their state of health is an obstacle to doing so, or in any condition or state that may compromise the quality of the professional services.

EXPLANATORY NOTE

Specifically, they must not practise their profession when under the influence of a substance capable of producing intoxication, impairment or disturbance of their faculties, or unconsciousness.

38. Psychologists must establish a psychological diagnosis in respect of their client and give advice to the client only if they have sufficient professional and scientific information to be able to do so.

EXPLANATORY NOTE

Psychologists can use the expression “psychological diagnosis” in their communications. This expression differs from the word “diagnosis” that the Medical Act reserves for physicians and which implies taking into account Axis 3 of the DSM-IV TR.

39. Psychologists must develop, perfect and maintain their knowledge and skills in the field in which they carry on their professional activities.

40. Psychologists must, as soon as the interest of their client so requires, consult another psychologist, a member of another professional order or another competent person, or refer the client to one of those persons.

41. Psychologists must seek to establish or maintain a relationship of mutual trust and respect with their clients.

42. Psychologists must acknowledge the client's right to consult another psychologist or any other competent person. Psychologists may not, by any means whatsoever, interfere with the client's freedom of choice.

EXPLANATORY NOTE

Addition of the adjective “competent” to the word “person” means that psychologists who have reasonable grounds for thinking that the proposed person might not be competent, given the client's problem, may offer a warning or share their reservations, and this would not constitute interference with the client's freedom of choice.

The reservations can also be of another nature (clinical grounds, for example) and it would be the psychologist's duty to inform the client of what appear to be the client's motives for consulting someone else.

43. Psychologists must be available and diligent in respect of their client. If unable to meet a request within a reasonable time that will not be prejudicial to the client, they must inform the client of the time when they will be available. If the situation could cause prejudice to the client, the client must be referred to an appropriate resource.

EXPLANATORY NOTE

Before accepting a mandate, psychologists must evaluate their availabilities with respect to the time allotted to complete the services, especially for psycholegal and neuropsychological expertise where reports are required.

Furthermore, in case of non-availability, psychologists make a referral to an appropriate resource required by the condition of the client.

44. Psychologists may not persistently or unwarrantedly urge a person to have recourse to their professional services.

EXPLANATORY NOTE

Nevertheless, it is the duty of psychologists to inform the client of the importance of consulting, without actually insisting that the client consult them in particular, if that is their conclusion based on their assessment, while leaving the client the freedom to do so.

45. Psychologists may not perform unwarranted professional acts or unnecessarily increase the number of such professional acts, and must refrain from performing acts that are inappropriate or disproportionate to the client's needs.

46. Psychologists called upon to make an assessment must

- 1° clearly inform the person who is being assessed of the person to whom the assessment report is being sent and of the manner in which a copy of the report may be requested;
- 2° avoid obtaining any information from that person or making any interpretations or comments not relevant to the assessment; any information received that is unrelated to the assessment must remain confidential; and
- 3° limit their report or recommendations and, if applicable, their deposition before the court to information relevant to the assessment.

EXPLANATORY NOTE

It should be noted that when psychologists write a report for a third party, in particular as part of the psychotherapeutic follow-up of one of their clients, they must respect the obligations described above and make the necessary adjustments to their report, even though it is not an actual "expert opinion."

DIVISION VII

USE OF PSYCHOLOGICAL MATERIAL

47. Psychologists must comply with the scientific and professional principles generally accepted in psychology when using, administering, correcting and interpreting psychological tests, and when publishing tests and information that must be provided with the related manuals and documents.

EXPLANATORY NOTE

In particular, those listed in the American Psychological Association Manual entitled Standards for Educational and Psychological Tests.

48. Psychologists must recognize the inherent limits of the measurement instruments they use and exercise caution in interpreting the psychometric material, in particular taking into account

- 1° the specific characteristics of the tests or of the client that may interfere with their judgment or affect the validity of their interpretation;
- 2° the context of the intervention; and
- 3° factors that could affect the validity of the measurement instruments and necessitate changes in the administering of tests or the weighting of standards.

EXPLANATORY NOTE

Factors such as sex, age, ethnic origin, language, education, religion or sexual orientation can affect the validity of measurement instruments and require adjustments with respect to the administration of the tests or the weighting of the standards. When such adjustments are made, psychologists must mention them in their assessment report, being careful to specify the procedure used, justify its relevance and put the results obtained in context because these adjustments can themselves affect the validity of the tests. In all situations, psychologists establish the conditions that will make it possible for the expected results to be obtained. If the issue, for example, is to decide on mental retardation, the psychologists must make sure to identify the real potential of the client with regard to IQ. If the client's agitation, decompensation or lack of medication lead to a result that corresponds to a profile of mental retardation, serious harm could result. What is important is to stick to the purpose of the services. In this same example, it would be different if the task were to see how the performance of children with ADHD can be affected by the fact that they have stopped taking their medication. Clarifications associated with the obligations stipulated in this section can be found in the guidelines prepared by the Order with respect to certain areas of expertise.

49. Psychologists may not give to a third party, other than another psychologist, any raw, unprocessed data from an assessment or resulting from a psychological consultation.

EXPLANATORY NOTE

Raw data consists of all the material collected during assessment interviews or as part of the psychotherapy (which obviously includes the transcript), direct observations and what comes from the administration of psychometric tests. It includes as well any annotations, hypotheses proposed by the psychologist and the avenues to explore.

The interpreted data is essentially information that has received an analysis, an explanation, an assessment or a validation by psychologists. This interpretation may be statistical or clinical in nature. In the latter case, it results from a convergence of indications taken from interviews, observations resulting from psychometric results and other data.

As for IQ, it is one of those scores that is not designed to be presented as such to the client or released to third parties who don't have the skills for interpreting them. If the IQ appears in a report, it must always be accompanied by the analysis, explanation, assessment or validation it was subjected to.

50. Psychologists must take the means necessary to not compromise the methodological and metrological validity of a test by revealing the protocol to the client or a third party who is not a psychologist.

EXPLANATORY NOTE

Test protocols (questionnaire, biographical data about the client, answer sheets, correction sheets, transcripts with answers to various questions asked in the test, etc.) can only be given to another psychologist with the written authorization of the client.

It is however possible to meet with the client to show the results of tests taken and if appropriate, provide explanations so that the client can understand the conclusions drawn from them.

51. In every written or verbal psychological report, psychologists must limit their comments to the interpretation of the psychological material and to the relevant conclusions.

EXPLANATORY NOTE

Psychologists must limit their report or their recommendations to only the elements relevant to the services requested, making sure to properly answer the questions they may be asked and writing in such a way that all those likely to read their reports or recommendations can understand them properly.

DIVISION VIII

FEES

52. Psychologists must charge and accept just and reasonable fees warranted by the circumstances and the costs of providing the professional services. To determine their fees, psychologists must consider the following factors:

- 1° their experience or particular competence;
- 2° the time required to provide the professional services;
- 3° the complexity and extent of the professional services;
- 4° the performance of professional services that are unusual or provided in unusual conditions; and
- 5° the performance of professional services that require exceptional competence or celerity.

53. Psychologists must provide their client with all the explanations required for the understanding of the statement of fees and terms of payment.

EXPLANATORY NOTE

In organizational psychology, psychologists may offer their services for a fixed price, such as is the case, for example, for services associated with executive potential assessments or career transitions. This amount is determined at the start of the arrangement and however much time is actually spent, the amount remains the same.

In certain contexts, in particular psycholegal or neuropsychological assessments or as part of a request for assessment of school readiness, such fixed or total amounts may prevent the client from determining if the fees are just and reasonable. It is recommended that the total amount be broken down, specifying the hourly rate and the number of hours required to perform the various tasks involved.

54. Psychologists may, by written agreement with the client,

- 1° require an advance to cover the payment of expenses necessary to perform the professional services required;
- 2° require partial payment if they act as consultants to a client in connection with a long-term contract;
- 3° require administrative fees for an appointment missed by the client according to predetermined and agreed-upon conditions, those fees not to exceed the amount of the lost fees; and
- 4° subject to the applicable legislative provisions, charge fees supplementary to those reimbursed by a third party.

EXPLANATORY NOTE

This Code allows, if expressly provided in a written agreement, asking for full payment for missed appointments as administrative expenses, taking into account financial considerations (for example, the psychologist's commitment to reserve certain fixed weekly hours for the client) and clinical considerations.

If the receipt supplied by the psychologist is for the payment of a missed appointment, the wording of this receipt must explicitly so indicate. Psychologists ought to notify their client of this procedure at the start of the relationship and include it in their written agreement.

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- 55.** Psychologists may not provide a receipt or other document that falsely indicates that professional services have been or will be provided.

EXPLANATORY NOTE

It can happen that clients require one receipt for a service in order to obtain a reimbursement from insurance and another to obtain an income tax deduction. In this case, avoid providing two identical receipts (or originals) without specifying that one is the copy of the other. If a child receives services paid for by his parents, it is important that the receipt makes this clear.

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- 56.** Psychologists may not charge interest on accounts unless the client has been duly notified. The interest so charged is at the agreed rate or, if none, at the legal rate.

EXPLANATORY NOTE

The rate agreed should be a reasonable rate and cannot, for example, be usurious.

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- 57.** Before instituting legal proceedings, psychologists must have exhausted all other means available to recover all outstanding fees and other expenses.

EXPLANATORY NOTE

Staggering of payments over several installments or postponing payment to a later date are examples of other measures available to psychologists.

CHAPTER IV — DUTIES AND OBLIGATIONS TOWARDS THE PUBLIC

58. In public statements dealing with psychology, psychologists must avoid making any exaggerated or purely sensational affirmations.

59. Psychologists who give information to the public on psychological procedures and techniques must indicate the restrictions, limits and contraindications that apply to their use.

60. Psychologists must avoid publicly discrediting, without substantiation, any traditional or new psychological techniques that differ from those they use in their practice if the techniques are consistent with the professional and scientific principles generally accepted in psychology.

61. Psychologists acting as professional consultants informing the public must stress the relative value of the information or advice being given.

EXPLANATORY NOTE

Professional consultation for informing the public refers, for example, to lectures, public demonstrations, newspaper or magazine articles, radio or television broadcasts, texts or messages sent by mail or email.

CHAPTER V — DUTIES AND OBLIGATIONS TOWARDS THE PROFESSION

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- 62.** To the extent of their resources, qualifications and experience, psychologists must seek to promote the development and credibility of the profession.

EXPLANATORY NOTE

They may contribute to the development of their profession in particular by exchanging their knowledge and experience with their colleagues and students and by their participation in courses and continuing education training periods, public lectures and media appearances.

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- 63.** Psychologists may not, in any way whatsoever, intimidate or hinder a representative of the Ordre des psychologues du Québec acting in the performance of duties assigned to the representative by the Professional Code and its regulations.

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- 64.** Psychologists recognize the Order's responsibility to ensure the protection of the public and the practice of the profession by competent professionals. They are to collaborate by

- 1° informing the Order that a candidate does not meet the conditions of admission and entry on the roll of members of the Order;
- 2° informing the Order that a person is appropriating the title of psychologist or permits or holds out that he or she is a psychologist when the person is not authorized to act as such; and
- 3° promptly answering all oral or written requests from the secretary of the Order, a syndic, a member of the review committee or professional inspection committee or an investigator, expert or inspector of that committee.

EXPLANATORY NOTE

It should be understood here that pursuant to the Order's responsibility for protection of the public, the Order requires its members to help it fulfill this role, and the reports that psychologists may be asked to make as a result must accordingly be considered actions to protect the public, not informing on colleagues or others. In this context, it can happen that psychologists feel there is a conflict of interest but their primary duty is to protect the public, not their colleague.

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- 65.** A psychologist who is informed of an inquiry into the psychologist's professional conduct or competence or of a complaint lodged against the psychologist may not communicate with any person who requested the inquiry without the prior written authorization of the syndic of the Order. A psychologist must never seek to intimidate a person or take reprisals or threaten to take reprisals against any person who has taken part or cooperated in such an inquiry or complaint or intends to do so, or has reported behaviour that is contrary to the provisions of this Code or intends to do so.

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- 66.** In their practice, psychologists must preserve their professional autonomy and recognize that they are not required to perform any task contrary to their conscience or to the principles governing their practice, including informing the Order of the pressures on them that are of a nature such as to interfere with their practice.

EXPLANATORY NOTE

It should be pointed out that the Order has power only over its members, and any representations it might make in response to information received are intended to support psychologists in their professional practice and explain or confirm that

psychologists cannot act on instructions that are contrary to their professional obligations. It is legitimate to believe that by so doing, the Order will exercise sufficient moral pressure for situations of this kind to resolve themselves.

On the other hand, it is important to distinguish this concern from the administrative or organizational decisions an employer may make, given their right of governance and that, in this context, the fact that psychologists may disagree with the orientations adopted does not necessarily mean that these violate the code of ethics or professional conduct.

67. If a psychologist learns, outside a confidential client relationship, that another psychologist is not acting professionally in his or her practice, is unfit to practise or contravenes the provisions of this Code, and has reasonable grounds to believe that the information is valid, the psychologist must inform the Order. If the information is given to the psychologist in the psychologist's practice, the information is to be disclosed only with the explicit authorization of the client.

EXPLANATORY NOTE

We wish to draw your attention to the necessity of obtaining the client's written authorization to disclose information obtained in the context of the practice of the profession. This provision is essential to maintaining the working alliance.

68. Psychologists must cooperate with their colleagues and not abuse a colleague's good faith, breach the colleague's trust or use unfair practices.

EXPLANATORY NOTE

Specifically, they must not take credit due to colleagues for their work.

69. Psychologists must respect any commitment entered into with the Bureau, the administrative committee, the secretary of the Order, a syndic or the professional inspection committee.

CHAPTER VI — RESEARCH

70. Before undertaking research involving persons, psychologists must obtain the approval of the project by a research ethics committee that complies with the standards in force, particularly in regard to the composition of the committee and its operating methods; in the absence of such a committee, a psychologist must ensure that the project complies with the standards generally recognized in research ethics.

However, in the case of research undertaken in an institution within the meaning of the Act respecting health services and social services (R.S.Q., c. S-4.2), the psychologist must obtain the approval of the project by the research ethics committee set up by the Minister of Health and Social Services or by any other research ethics committee that complies with the standards in force, particularly in regard to the composition of the committee and its operating methods.

Psychologists must ensure that all their collaborators in the research are informed of their ethical obligations and share their concern for the respect of the participants' human dignity.

Psychologists may not knowingly hide the negative results of research in which they took part.

EXPLANATORY NOTE

When research involves minors or mentally incompetent persons, psychologists must respect the obligations provided in section 21 of the Civil Code of Québec, which states the following:

“A minor or a person of full age who is incapable of giving consent may not be submitted to an experiment if the experiment involves serious risk to his health or, where he understands the nature and consequences of the experiment, if he objects.

Moreover, a minor or a person of full age who is incapable of giving consent may be submitted to an experiment only if, where the person is the only subject of the experiment, it has the potential to produce benefit to the person's health or only if, in the case of an experiment on a group, it has the potential to produce results capable of conferring benefit to other persons in the same age category or having the same disease or handicap. Such an experiment must be part of a research project approved and monitored by an ethics committee. The competent ethics committees are formed by the Minister of Health and Social Services or designated by that Minister among existing research ethics committees; the composition and operating conditions of the committees are determined by the Minister and published in the Gazette officielle du Québec.

Consent to experimentation may be given, in the case of a minor, by the person having parental authority or the tutor and, in the case of a person of full age incapable of giving consent, by the mandatory, tutor or curator. Where a person of full age suddenly becomes incapable of consent and the experiment, insofar as it must be undertaken promptly after the appearance of the condition giving rise to it, does not permit, for lack of time, the designation of a legal representative, consent may be given by the person authorized to consent to any care the person requires; it is incumbent upon the competent ethics committee to determine, when examining the research project, whether the experiment meets that condition.

Care considered by the ethics committee to be innovative care required by the state of health of the person concerned does not constitute an experiment.”

71. In their relations with participants or their legal representatives, psychologists must ensure

1° that all participants or, where applicable, their legal representatives have been properly informed on the nature of the research, its goal, objectives, the benefits they would derive from conventional professional services, if needed, and the

- major, special or unusual risks inherent in the research and any other consideration likely to assist the participants in making a decision regarding their participation;
- 2° that free and enlightened consent is obtained in writing from the participants or, where applicable, their legal representatives before they begin to take part in the research or whenever any significant change is made to the research in progress; and
 - 3° that participants or, where applicable, their legal representatives are informed that their consent may be revoked at all times verbally.

72. Psychologists must be honest and open in their relations with participants. Where the research methodology requires that certain aspects of the research not be disclosed to the participants immediately, psychologists must explain the reasons to the participants as soon as their participation is over and provide them with any other information relevant to the research that was not disclosed.

73. Psychologists must refuse to take part in any research if it appears to them that the risks to the physical or psychological well-being of the participants are disproportionate to the potential benefits that the participants could derive from the research or the benefits they would derive from conventional professional services, if needed.

74. Psychologists who undertake or participate in research must declare to the research ethics committee any interest they have and disclose any actual, apparent or potential conflict of interest.

In the course of a research project, psychologists may not enter into any agreement or accept or grant compensation that could compromise their professional independence.

CHAPTER VII — ADVERTISING

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- 75.** Psychologists must refrain from participating as psychologists in advertising that recommends that the public buy or use a product or service unrelated to the field of psychology.

EXPLANATORY NOTE

This implies that they may not participate in advertising when their reputation is such that they will be recognized as psychologists.

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- 76.** Psychologists who are involved in the commercial distribution of instruments, books or other products related to psychology must base any statement concerning the operation, advantages and performance of such products on proof scientifically and professionally recognized in psychology.

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- 77.** Psychologists must be able to substantiate the special skills or qualities they claim to possess in their advertising, in particular as to the effectiveness or scope of their professional services and to those generally provided by other members of their profession, or as to their level of competence.

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- 78.** Psychologists must keep a copy of every advertisement for a period of three years following the date on which it was last broadcast or published. The copy must be given, on request, to a syndic, a member of the professional inspection committee or an inspector or investigator on that committee.

EXPLANATORY NOTE

Psychologists have the option of destroying advertising materials three years after their publication, but it is not an obligation. Moreover, psychologists are required to retain advertising beyond the three-year period if it has been the subject of an investigation.

CHAPTER VIII — USE OF THE GRAPHIC SYMBOL OF THE ORDER

79. Psychologists who reproduce the graphic symbol of the Order for advertising purposes must ensure that the symbol conforms to the original held by the Order.

80. Where psychologists use the graphic symbol of the Order in their advertising, they may not suggest that such advertising emanates from the Order.

81. Psychologists who carry on their professional activities within a partnership or joint-stock company must ensure that any use of the graphic symbol of the Order in the partnership or joint-stock company complies with sections 79 and 80.

82. Psychologists must ensure that a partnership or joint-stock company within which they carry on their professional activities does not use the graphic symbol of the Order in connection with the advertising or name of the partnership or joint-stock company unless all the services provided by the partnership or joint-stock company are professional services provided by psychologists.

In the case of a partnership or joint-stock company which provides the professional services of psychologists and the services of persons other than psychologists, the graphic symbol of the Order may be used in connection with the name of the partnership or joint-stock company or in its advertising provided the graphic symbol

identifying each of the professional orders or organizations to which such persons belong is also used.

The graphic symbol of the Order may, however, always be used in connection with the name of a psychologist.

83. This Code of ethics replaces the Code of ethics of psychologists, approved by Order in Council 3048-82 dated 21 December 1982 and replaced by a decision dated 18 February 1983, and the Regulation respecting advertising by psychologists (R.R.Q., 1981, c. C-26, r. 153).

84. This Regulation comes into force on the ninetieth day following the date of its publication in the *Gazette officielle du Québec*.

APPENDIX I

Index of articles and ethics guidelines prepared by the Office of the Syndic

Ethics Articles

1999	
1. March	La vulnérabilité professionnelle
2. May	Conflits de rôles
3. July	Quand un client devient-il un ex-client ?
4. November	Classification des principes éthiques et déontologiques : une piste d'avenir
2000	
5. January	Les nouvelles réalités sociales et le consentement du client
6. March	Le dossier du client dans les établissements publics
7. September	Le psychologue : un professionnel à part entière
8. November	La psychothérapie à l'heure d'Internet
2001	
9. January	L'obligation de divulgation en cas de suicide appréhendé
10. March	Les enjeux éthiques et déontologiques des programmes d'aide aux employés
11. May	L'importance des réseaux professionnels
12. September	La conciliation
13. November	Et si vous receviez une demande du coroner ?
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14. January	Nouveautés sur le plan législatif
15. March	L'étendue des obligations envers le client
16. May	Problèmes d'attitude et de comportement chez le psychologue
17. September	Intervention appropriée entourant la violence chez le client
18. November	L'intervention du psychologue au lieu de résidence du client
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19. January	Les pièges entourant l'exercice du jugement professionnel
20. March	Des conceptions similaires de l'éthique pour les psychologues américains et québécois
21. May	Le subpoena et le mandat de perquisition
22. November	La cessation temporaire ou permanente de l'exercice
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23. January	Les psychologues et les médias
24. March	L'intervention auprès de groupes et de familles
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30. May	Les enjeux déontologiques de la supervision
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32. November	Le psychologue est responsable des techniques qu'il utilise
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33. January	La conclusion d'enquête
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35. May	Refus de mandat et cessation de services
36. September	La loi sur le Protecteur des usagers en matière de santé et de services sociaux et la confidentialité du dossier du psychologue
37. November	Les honoraires du psychologue témoin à la cour
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38. January	Nouvelle approche de gestion des dossiers dans les établissements publics – implications de la loi 83 sur la loi sur les services de santé et les services sociaux
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40. May	Le signalement concernant la conduite professionnelle d'un collègue
41. September	Résumé d'évolution et témoignage au tribunal

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2.	May	Recommandations concernant le témoignage en cour	25. Mai	Conflict of Roles and Conflict of Interest (part 2)	
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10.	May	Éléments de clarification en ce qui a trait à l'inconduite sexuelle	33. November	Reporting to Youth Protection and Requests for Information Made by Authorised Personnel	
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12.	September	L'expertise psycholégale (partie 1)	35. May	Working as a Member of a Multidisciplinary Team within the Health and Social Services Network	
13.	November	L'expertise psycholégale (partie 2)	36. July	Disciplinary Decisions for 2006-2007 and the Nature of Conciliation Agreements	
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15.	June	The Practice of Schools Psychologists (part 1)	b)	September 2002	Précisions sur le consentement des parents à l'évaluation
16.	July	Jurisprudence en matière disciplinaire pour l'année 2002-2003 et nature des conciliations réalisées			
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21.	July	Disciplinary Decisions for 2003-2004 and the Nature of Conciliation Agreements			
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APPENDIX II

List of Frameworks, Guides to Practice and Guidelines approved by the Ordre des psychologues du Québec

- Le rôle du psychologue en psychogériatrie (1993)
- Le rôle du psychologue en CHSLD (1997)
- Le cadre de pratique des psychologues exerçant en première ligne (2005)
- Le cadre de pratique des psychologues exerçant en milieu scolaire (2007)
- Guide de pratique en matière d'évaluation psychosociale pour l'adoption internationale (1991)
- Guidelines for Expert Assessment Concerning Child Custody and Access Rights (2006)
- Le trouble déficit de l'attention/hyperactivité et l'usage des stimulants du système nerveux central – Lignes directrices du Collège des médecins du Québec et de l'Ordre des psychologues du Québec (2001 et 2006)
- Guide to Record Keeping (2006)
- Lignes directrices pour l'évaluation du retard mental (2007)
- Guidelines for the Assessment of a Child in Connection with a Request for Derogation to the Age of School Admission (2006)

APPENDIX III

Articles and other texts from the Direction de la qualité et du développement de la pratique

2004	
November	Évaluation pour adoption : mises au point
2005	
May	Les outils et la compétence
November	Les données probantes : science et dogmatisme
2006	
March	L'expertise en matière de garde d'enfants
May	L'utilisation de tests normalisés sur des populations autres
September	L'expertise des psychologues en contexte légal
2007	
January	Les données probantes en psychothérapie : pour qui, pourquoi?
March	Divulgence du QI : éviter le préjudice
September	L'utilisation des tests
November	Dérogation scolaire : évaluation dans la langue de scolarisation
2008	
January	Du soutien à la pratique des psychologues
March	La psychothérapie : recherche et pratique
May	Les ingrédients d'une supervision réussie
July	Les rapports avec les tiers : nouvelles balises déontologiques



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