## Proposed Tikanga Matatika / Code of Ethics

## **DRAFT FOR BROAD CONSULTATION 25/7/24**

## Te Tikanga Whanonga me te Matatika: The Code of Conduct and the Code of Ethics

The ethical practice of psychologists in Aotearoa New Zealand is articulated in two key documents:

- **The Code of Conduct:** Provides specific direction about how psychologists should behave in their professional and, in some cases, personal actions.
- **The Code of Ethics:** Provides a foundation for the practice of psychology by defining a set of principles and ways of thinking that can be used to guide decision making.

The purposes of the Code of Ethics and the Code of Conduct are:

- 1. To unify the practices of the profession.
- 2. To guide psychologists in ethical decision-making and practice.
- 3. To present a set of guidelines that are available to psychologists, regulatory bodies, and the public to inform them of the professional ethics of the profession.

The Code of Ethics and the Code of Conduct jointly regulate psychological practice in Aotearoa New Zealand. All practice by psychologists is governed by both of these documents and all psychological practice needs to be consistent with the requirements of both. Psychologists should consider these Codes when making decisions regarding all professional, educational, and research practice. In addition, the practice of psychologists is always bound by the laws of Aotearoa New Zealand, the Health and Disability Service Consumers' Code of Rights and the Health and Disability Commission, and by other relevant documents (such as the Health Information Privacy Code 2020). Psychologists should also consider other guidance as to practice including workplace codes of conduct or practice. If the Code of Ethics and/or the Code of Conduct establish a higher standard of conduct than is required in legislation or other guides, psychologists should adopt the Code's higher ethical standard.

The reasons for having two separate documents are:

- There are some ways of acting that psychologists are always obliged to follow to practice ethically. These are detailed in the **Code of Conduct.**
- However, in many other situations, ethical practice is dependent on the context and other factors, and in these situations overly prescriptive guidance cannot be given in the form of a list of "dos and don'ts." In these situations the psychologist needs to think and decide what is ethical practice using psychological ethical values and ethical decision making processes. These ethical values and an ethical decision making process are described in the Code of Ethics.

Te Tiriti o Waitangi (Te Tiriti) is a foundation document in Aotearoa New Zealand, and its contents and principles provide strong guidance for the practice of psychology. Reflecting the unique place held by Māori in our country as established by Te Tiriti, psychologists have a particular responsibility for ensuring equity of access and outcome for Māori. This Code recognises that ways of working that are good for Māori will often also be good for Tauiwi (any people who are not Māori) in Aotearoa New Zealand. The Code of Ethics and the Code of Conduct apply to all Registered Psychologists, all members of the New Zealand Psychological Society, all members of the New Zealand College of Clinical Psychologists, and others who choose to adopt it, in all their professional activities. These activities include but are not limited to professional psychological practice, therapy, research, teaching, supervision, development and use of assessment instruments, organisational consulting, social intervention, administration, and other workplace activities.

It is recommended that psychologists bring the Code of Conduct and Code of Ethics to the attention of those they teach, supervise and/or employ. Psychologists are advised to understand their responsibility for the work or behaviour of those they teach, supervise, and/or employ. This understanding would normally be expressed in writing in such documents as supervision agreements or employment contracts.

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# Kuputaka: Glossary of Māori Terms Used in the Code of Conduct and Code of Ethics

Te Reo Māori	Explanation in English
ahurea-ā-iwi-whanui	Diversity of cultures
Aotearoa	An alternative name for New Zealand.
Нарū	A smaller kinship group or sub-tribe. A number of hapu typically are affiliated with each other to form an iwi.
Herenga	Obligations
Hauora	Health and vigour
lwi	An extended kinship group or tribe usually descended from a common ancestor and associated with a particular territory.
Kaitiaki	Caregiver, helper, guardian, or supporter.
Kaitiakitanga	Process of guardianship and stewardship.
Kaupapa Māori	Using a Māori approach, principles, and practices.
Kawanatanga	Government, rule, and authority. In this Code it signifies psychologists self- governance.
Kawa	Expectations of behaviour and approach taken
Kiritaki hauora	User of health services
Koronga	Purpose
Mahi āhei	Practices
Mana	Authority, power, prestige, status, dignity and respect. Mana-enhancing means that an activity enhances the mana of the person it is undertaken with/for.
Mana motuhake	Autonomy, independence, sovereignty, self-determination and control over own destiny.
Mana tangata	Power and status accrued through human rights and mana of the people.
Mana whakahaere	The right to own governance, authority, and jurisdiction.
Mana whenua	Territorial rights and authority over land or other resources, and the power associated with possession of land or other resources.
Manākitanga	The process of showing generosity, respect, and care to others.
Māori	Indigenous people of New Zealand.
Mātauranga Māori	Māori indigenous knowledge and the Māori world view and perspectives.
Ngako	Essence or substance
Ngoikore	Limitations
Pāhekoheko	Interaction
Pūkenga	Skills and expertise. In this Code it relates to doing the right things in the right way.
Rangatahi	Youths / young people.
Rangatiratanga	Right to self-determination, autonomy, self-governance, sovereignty, and control. In this Code, it signifies protection of these rights for people who use psychological services.
Ritenga	Ritual and customary practice.
Takune	Intent
Tautuhitia	Defined
Tamariki	Children.
Tangata whaikaha	Person with disabilities
Tangata Whaiora	A person who uses psychological services. Literally, "a person seeking health."
Tangata Whenua	Māori people. Literally "People of the Land."
Taonga	A treasure – something of value that should be prized.
Tauiwi	Non-Māori – people without Māori heritage. Similar in meaning to Pakeha.
Te Poari	The New Zealand Psychologists Board (Formally, Te Poari Kaimātai Hinengaro o Aotearoa New Zealand).
Te taiao	The physical, social, cultural, and spiritual environment.

Tikanga Māori	The customary system of values, customs, and practices of Māori that have developed over time and are deeply embedded in Māori social contexts.
Tikanga Matatika	Code of Ethics
Te Ao Māori	The Māori world and Māori world view.
Tikanga whanonga	Code of Conduct
Te Reo Māori	The Māori language.
Te Tiriti o Waitangi	The Treaty of Waitangi.
Tika	Correctness, truth, justice, and fairness. In this Code it relates to fairness,
	honesty, and doing the right things for the right reasons.
Tuku mana	Mandatory
Ture	Rules
Wairua	Spirit, sometimes in the sense of "the spirit of a document."
Wairuatanga	Spirituality.
Whakaaro	Related points or thoughts.
Whaipāinga raruraru	Conflict of interest
Whakapapa	Line of descent.
Whakaute	Respect
Whānau	Family group, generally more extended than the "nuclear family."
Whanonga kawatau	Behavioural expectations
Whāriki	Framework.

## **TE TIKANGA MATATIKA: THE CODE OF ETHICS**

Ka maru koe i tōku pureke, he kahu pītongatonga.<sup>1</sup>

You shall be sheltered by my rain cape, an impervious garment.

## Takamua: Preamble

#### Whakapuakitanga: Declaration

In giving effect to the wairua (spirit) of the Code of Ethics there shall be due regard for Aotearoa New Zealand's cultural diversity and in particular for the provisions and the intent of Te Tiriti o Waitangi (Te Tiriti).

This Code of Ethics was prepared by the Code of Ethics Review Group that was formed from representatives of the New Zealand Psychological Society, the New Zealand College of Clinical Psychologists, He Paiaka Totara, Pasifikology, and Te Poari Kaimātai Hinengaro o Aotearoa New Zealand (Te Poari) / the New Zealand Psychologists Board (The Board). The Code of Ethics was adopted by members of the New Zealand Psychological Society, and members of the New Zealand College of Clinical Psychologists at their respective \*\*\*\* Annual General Meetings. The Te Poari / The Board resolved to formally adopt the Code for registered psychologists on \*\*\*\*. The Code of Ethics and the Code of Conduct are binding on all Registered Psychologists and all members of the organisations that have adopted it. It pertains to all their professional activities and some personal activities.

#### He Whāinga: Purposes and Limitations of the Code of Ethics.

The Code of Ethics provides the broad ethical values (principles) by which psychologists should operate, and describes decision making processes that psychologists may use to assist them in making ethical decisions in situations which are not specified in the Code of Conduct. The ethical principles specified in this Code of Ethics are informed by a variety of sources including Te Tiriti, tikanga and mātauranga Māori, previous versions of the Code, the Universal Declaration of Ethical Principles for Psychologists (2008: UDEPP)<sup>2</sup>, and western approaches to ethics in health care, social services, and social sciences.

The highly context-dependent nature of psychological practice means that operationalising ethical values may vary. Multiple factors (e.g., the ethnicity and ability of those with whom psychologists work, deprivation, practice setting, etc.), and specific matters related to the situation cannot

<sup>&</sup>lt;sup>1</sup> When a large contingent attacked Te Wherowhero, he retreated up the Waipa valley and sought shelter which was given. The pēpeha gives the well-remembered reply in which the rain cape stands for promised protection. In this instance, the use and practice of the Code of Ethics/ Tikanga Matatika will protect the psychologist, the profession, the Board and the public. *Pepeha a Nga Tupuna, The Sayings of the Ancestors.* Na Hirini Moko Mead and Neil Grove. Published by Victoria University Press. Reprint 2020, page 168, number 1028

<sup>&</sup>lt;sup>2</sup> International Union of Psychological Sciences https://www.iupsys.net/about/declarations/universal-declaration-of-ethical-principles-for-psychologists/

necessarily be anticipated or addressed. Therefore, the Code of Ethics is unable to give specific answers regarding all ethical issues. Instead, it provides a whāriki (framework) of values for considering ethical issues and supports psychologists in making ethical decisions, practising ethically, and being accountable for their psychological practice.

In applying the Code of Ethics, many ethical decisions will be resolved by reference to one or more principles contained in the Code of Ethics. However, in many circumstances there may be a conflict between different ethical principles (such as that two ethical principles cannot be simultaneously satisfied), or a conflict between contents of the Code of Ethics and other relevant documents. In these cases, or in other situations where determining the most ethical course of action proves difficult, it is suggested the psychologist uses the procedures outlined in the Ethical Decision Making Procedures section.

#### Te Hanga: Structure of the Code

To reflect the partnership between Māori and Tauiwi (people who are not Māori), sections and subsections of this Code of Ethics identify both relevant ethical concepts and principles from te ao Māori (the Māori world view) and principles outlined in the Universal Declaration of Ethical Principles for Psychologists (UDEPP). Whakaaro (related points) follow each key ethical value.

In this Code of Ethics the term "those with whom they work" is used to denote any individual, group, or organisation a psychologist works with. It may include, but is not limited to, clients/patients/tangata whaiora, family/whānau, students, supervisees, research participants, colleagues, and organisational clients. It may include individuals, groups, organisations such as companies or government agencies, and communities.

#### Principle 1. Rangatiratanga: Respect for the Dignity of Persons and Peoples

This principle relates to psychologists protecting the mana (respect, prestige, and power of a person) and rights to autonomy and self-determination, whenever possible given legal requirements. This requires that each person and all peoples are positively valued in their own right and are shown respect and granted dignity as part of their common humanity. Respect requires responsiveness to cultural and social diversity including differences among persons associated with their culture, nationality, ethnicity, colour, race, religion, gender, marital status, sexual orientation, physical or mental abilities, age, socio-economic status, and/or any other personal characteristic, condition or status. Such differences are an integral part of the person.

In any activities involving Māori, the concept of Mana has levels that need to be considered in considering autonomy. Mana tangata refers to the individual's right to choose to be informed and involved. Mana whenua refers to the right of iwi and hapū with regional authority to be involved. Mana whakahaere refers to sharing of power and control with the relevant Māori communities, and acknowledgement of mātauranga Māori (Māori intellectual property) and other aspects.

#### 1.1 Whakaute: Respect for Dignity and Rights

Psychologists act in ways that respect the dignity and autonomy (rangatiratanga) of all who they work with and are sensitive to their welfare and rights.

- Psychologists use language that conveys respect for the dignity of others in all written or verbal communication.
- Psychologists seek to avoid, or refuse to participate in, practises that are disrespectful of the cultural, legal, civil, or moral rights of others and/or practises involving any form of discrimination.

#### 1.2 Tino Hiahia: Supporting the Right to Make Own Life Choices

Psychologists recognise that those with whom they work have a right to make their own life choices (to the extent that it does not infringe on the rights of others, impact on the mana and tapu of others, or involve criminal offending) and that psychologists need to treat their choices with due respect. This includes:

- ✓ In the case of Māori, psychologists uphold the right of Māori to the following specific principles:
  - Mana motuhake: Enabling the right for Māori to be Māori (Māori selfdetermination); to exercise their authority over their lives, and to live on Māori terms and according to Māori philosophies, values and practices including tikanga Māori.
  - Mana Māori: Enabling Ritenga Māori (Māori customary rituals) which are framed by te ao Māori (the Māori world), enacted through tikanga Māori (Māori philosophy & customary practices) and encapsulated within mātauranga Māori (Māori knowledge).
- ✓ In the case of all ethnic communities and other cultures and subcultures in Aotearoa New Zealand, psychologists have a duty to support the right of those with whom they work to make their own life choices within the constraints placed on the psychologists by legislation, applicable codes, and other relevant regulatory frameworks.

#### 1.3 Rangapū: Partnership and Active Participation

Psychologists recognise the right of those with whom they work to active participation and partnership in determining their care and associated processes. Psychologists often have "multiple clients" including the people they are working directly with, family/whānau, funding agencies, government departments, organisations, and society. The psychologist seeks to balance the needs and wishes of these various clients. The responsibility of the psychologist to different clients varies between situations, but the following principles often hold true.

- ✓ As far as possible, psychologists work in partnership with people who they are providing direct services for.
- Psychologists recognise that those with whom they work should actively participate in decisions that affect their welfare and seek to obtain as full and active participation as possible from all persons using a service in decisions that affect them.
- ✓ Family/whānau and significant others may also be impacted by decisions related to care and associated processes and their participation in decision making processes is often desirable. Psychologists provide these people with adequate information, time, and support to enable active participation in decisions that affect their welfare. This information includes assessments of benefits and harms so they can appreciate the likely consequences of working with the psychologist.
- ✓ In research and related activities, psychologists always ensure that there is adequate consultation with involved and affected individuals and communities. Ideally this should move beyond consultation into active engagement of relevant communities and kaitiaki (guardians, guides), where the communities take an active role in planning, governance and execution, and ensuring that the outcomes are relevant.

#### 1.4 Motuhaketanga: Supporting the Right to Autonomy

Psychologists recognise the right of those with whom they work to choose their social and cultural paths and exercise their autonomy.

- Psychologists respect the customs and beliefs of cultures, to be limited only when a custom or belief seriously contravenes the principle of respect for the dignity of persons or people or causes serious harm to their (or others') wellbeing.
- ✓ Psychologists are obliged to ensure that all services to Māori are provided in a culturally appropriate way that recognises and supports the expression of kaupapa Māori models of care. In the case of Māori, psychologists offer referrals to kaupapa Māori health, disability, and social services where available.
- ✓ In the case of other cultural and ethnic groups, people are offered referrals to culturally appropriate psychological and other services where they exist.
- Psychologists recognise that different ontologies (what we know/believe) and epistemologies (how we know it / learn it) are relevant for the different people, peoples, and groups they work with. To work effectively they will need to respect and take into consideration these ontologies and epistemologies.
- Psychologists have a responsibility to address the needs of those with whom they work despite that person holding beliefs or having undertaken actions that the psychologist personally believes to be reprehensible.
  - In such situations, it is the psychologist's responsibility to act in their professional capacity irrespective of their personal beliefs, and to seek training, supervision, and support to ensure that they are able to practice effectively and safely, both for themselves and for others.
  - This requirement is important to ensure that there is equity of access to psychology for all people.
  - This requirement is not maintained:
    - When the needs of the person seeking service are outside the psychologist's area of competency.
    - Where some characteristic of the psychologist (e.g., ethnicity or gender) may interfere with effective delivery of the psychological services due to the beliefs of the person receiving services.
    - Where the safety of the psychologist or others is compromised by the person using the service.

## 1.5 Whakamaru: Protection of Rights of Vulnerable People

Some individuals or groups have less power than others, which permanently or temporarily places them in a vulnerable position. This increases the responsibility of psychologists to protect and promote their rights and work with them collaboratively as far as possible.

- ✓ When working with a person or persons who are unable to make informed choices or give explicit consent for reasons of diminished capacity, age and/or intellectual and/or emotional limitations, psychologists must engage the person's guardian(s) in a due process for making informed choices and giving informed consent. They should also seek to involve the person with limited ability in the process to the extent feasible, taking into account the facts of their particular case.
  - When working with children and others with diminished capacity, the psychologist should obtain informed consent from at least one appropriate guardian (a legal guardian if possible) and in most circumstances consent from all legal guardians should be sought and obtained if possible. NOTE: For Family Court work, consent from all legal guardians is required unless permission to do otherwise is gained from the Court.
  - The level of a tamariki/rangatahi (child/young person)'s emotional maturity and cognitive skills should determine the weight given to their ability make informed

choices and to give informed consent to activities and to the disclosure of personal information. Significant health, safety, and/or relationship issues may override confidentiality and the wishes of the tamariki/rangatahi.

 In the situation that a psychologist intends to convey information to a third party, the tamariki/rangatahi or other vulnerable person should be informed if possible, and the matter should be discussed to a level that is age and ability-appropriate. Account should be taken of the tamariki/rangatahi's limited capacity for individual responsibility, and the special status of tamariki/rangatahi in relation to their guardians.

#### 1.6 Manaakitia: Responding Appropriately to the Needs of Disadvantaged Groups

Psychologists provide care that recognises and responds to the particular needs of individuals and groups who are vulnerable, disadvantaged or who experience oppression, and seek to prevent or correct practices that are unjustly discriminatory. This includes:

- ✓ Psychologists recognise that people of many different groups in society may be vulnerable. This includes, but is not limited to, different ethnic groups, members of the LGBTQI+ and takatāpui community, the elderly, neurodiverse people, people with intellectual disability or acquired brain injury, people who have lost their liberty through criminal behaviour, and people experiencing poverty.
- ✓ Psychologists recognise that the decision to exclude persons from their services or activities, to fail to provide interventions that might reasonably be expected, or to otherwise minimise the services provided, are serious decisions and must not be made on capricious or unjustly discriminatory grounds. It is recognised that psychologists cannot always provide a service for reasons of resources, safety considerations, and/or expertise.
- Psychologists recognise barriers to access to psychological services and seek to address inequities by reporting and seeking change to improve equity of access.
- Psychologists do what they realistically can to change any systems or activities they identify as not promoting equity and wellbeing. This includes their own activities and ideally will also be at broader societal levels.

#### 1.7 He Kākano: Prioritising the Rights and Interests of Tamariki/Rangitahi

Psychologists recognise tamariki (children) and rangitahi (young people) as taonga. Psychologists recognise the vulnerable status of tamariki/rangatahi and at all times prioritise the rights and interests of tamariki and rangitahi in their work.

- ✓ In any work where tamariki/rangatahi are involved, psychologists recognise that the interests and welfare of tamariki/rangatahi are paramount, and therefore given precedence over other considerations. Psychologists advocate for tamariki/rangatahi who are directly users of their services, or part of a client group, in situations where the tamariki/rangatahi's welfare and best interests are threatened. Psychologists should discriminate between the needs and the wishes of tamariki/rangatahi, in that wishes should be heard, understood and taken into account within the context of their needs, general welfare, and wider social environment.
- ✓ The psychologist will take into account and seek the views of tamariki/rangatahi either directly, or indirectly (such as via whānau) to ensure their voice and wishes are foregrounded in all work being undertaken.

#### 1.8 Mātauhia: Teaching to Understand and Address Diversity

Psychologists involved in teaching programmes ensure that students are aware of the diversity of cultures and systems of belief and the importance of recognising, respecting, and working with this diversity in any area of work in which they are engaged now or in the future. This is facilitated by:

- ✓ Ensuring that students have appropriate training in understanding Māori culture, systems of belief, and tikanga to be able to offer effective services to Māori.
- ✓ Ensuring that students have appropriate training to be able to recognise and develop their understanding of relevant cultural factors, accommodate those factors, and practice with cultural safety, when working with people from cultures other than their own.
- ✓ When developing training programmes, psychologists ensure that these training programmes assist their students to understand diverse world views and as appropriate incorporate this knowledge into their practice.
- Psychologists teaching in any context about psychology understand and recognise the cultural origins, assumptions, and limitations in different cultural contexts of what they teach.

#### 1.9 Tikanga Haumaru: Cultural Safety

Psychologists ensure that their practice, irrespective of their field, is culturally safe.

- Psychologists work, and encourage organisations in which they work, to practice in ways that are culturally safe and achieve equity of outcomes for those they work with. Cultural safety requires, but goes further than, cultural awareness (being aware that another culture is different, and the nature of that difference) and cultural sensitivity (understanding of the impact of cultural differences on the experience of people from other cultures).
  - Culture includes, but is not restricted to, age or generation; gender; sexual orientation; occupation and socio-economic status; cultural and epistemological frame of reference; ethnic origin or migrant experience; religious or spiritual belief; and disability.
  - Unsafe cultural practice comprises any action which diminishes, demeans or disempowers the cultural identity and wellbeing of an individual, family or group.
- Psychologists delivering psychological services understand and recognise the cultural origins, assumptions and limitations of their psychological practices within some cultural contexts.
- Psychologists undertake a process of reflection on their own cultural identity and recognise the impact that their personal culture has on their professional practice.

#### 1.10 Tino Hiahia: Informed Choice and Informed Consent

Those with whom psychologists work in activities such as therapy, assessment, and research have, in most instances, the right to make informed choices about these activities, and their permission (consent) to proceed is required. Informed choice is where the person using the service makes their own choice after receiving information about the range of possible courses of action and the information they need to make a choice between these options. This may be different from informed consent, where the person using the service may be asked to consent to a particular course of action after being given all relevant information about that course of action without being aware of other options.

- Psychologists recognise that assisting those with whom they work to make an informed choice is fundamental. The psychologist accepts the obligation to, in most instances, undertake activities in line with the person's choices and to signify this by obtaining informed consent.
- ✓ In assisting the person using a service to make an informed choice, psychologists provide as much information as a reasonable or prudent person, family/whānau, or community would want to know before making a decision or consenting to an activity. This includes warning of any potential risks or consequences.

✓ When psychological services are court ordered or otherwise mandated, psychologists inform the individual about the nature of the anticipated services, whether the services are mandated, and the limits of confidentiality, before proceeding.

#### 1.11 Noho Matatapu: Privacy and Confidentiality

Psychologists appropriately protect the privacy and confidentiality of individuals and groups they work with.

- ✓ In the case of Māori and other collectivist cultures, concepts of privacy and confidentiality may be somewhat altered when the sharing of information leads to additional support and culturally-appropriate processes between members of the community. Determining the appropriate balance between this and the individual's right to privacy will need to be determined on a case-by-case basis.
- ✓ Psychologists recognise and promote persons' and peoples' rights to privacy. They also recognise that there is a duty to disclose to appropriate people real threats to the safety of individuals and the public.
- Psychologists discuss with persons and organisations with whom they establish a research or professional relationship (a) the limits of confidentiality and (b) the foreseeable uses of the information generated through their services/activities.
- ✓ When working as part of a multidisciplinary team, psychologists provide sufficient information to the common record to be able to support and enhance care of those with whom they work and to discharge their other responsibilities of record-keeping.
  - For sensitive information, they use their judgement as to whether it is in the interest of the person(s) using the service to have the information included, and if they believe it is not in the person's interest they can use other approaches (such as signalling) to protect the person's privacy.
  - Unless there is reason to believe otherwise, they can assume the professionalism of other team members in ethical management of privacy and confidentiality.

#### 1.12 Pārongo: Respectful Collection and Use of Information

Psychologists inform those with whom they work about information they seek to obtain from or about them, how it will be used, and whether and/or how it will be available to them.

- Psychologists explain clearly and concisely the measures they will take to protect confidentiality when engaged in services or research with, individuals, whānau/families, groups, or organisations. Furthermore, psychologists convey to family, hapu, iwi, organisations, and community members their responsibility for the protection of each other's confidentiality.
- ✓ When psychological services are court ordered or otherwise mandated, psychologists inform the individual of the nature of the anticipated services, including whether the services are mandated by an appropriate body, and the limits of confidentiality, before proceeding.

## Principle 2. Ngakau Tika: Competent Caring for the Wellbeing of Persons and Peoples

Psychology functions to promote the wellbeing of society. A key construct of importance is tikanga. Tikanga is about "doing the right thing, in the right way, for the right reason." This principle relates to competence, skilfulness, and ensuring that the activities of psychologists are safe, effective, and optimally contribute to the wellbeing of persons and peoples.

#### 2.1 Whakaharatau Haumaru: Safe and Effective Practice

Psychologists practice safely, effectively, and in partnership with those with whom they work and colleagues, using client-centred and culturally informed approaches, including mātauranga Māori (Māori knowledge and perspectives), to achieve the best possible outcomes for those with whom they work.

- ✓ Psychologists utilise techniques which are evidence-informed and that are safe and just in the context they are used. If techniques they use do not have a strong evidential basis, the psychologist must inform the person they are working of this.
- Psychologists seek to competently understand and respond to the contextual factors of people and groups with whom they work.
- Psychologists who are teaching psychological techniques ensure that appropriate safeguards are applied to ensure the safety of the trainee. These may be the same safeguards that would be used in work with another type of client.
- Psychologists who delegate work to others (including employees, supervisees, or assistants) take reasonable steps to ensure that delegated people can and do undertake the services required competently and in a manner consistent with ethical requirements.

#### 2.2 Whakaharatau Kakama: Competent Practice

Psychologists practice competently and within their limits of competence

- Psychologists utilise scientifically, culturally, and professionally derived knowledge, and are able to justify their professional decisions and activities in the light of current psychological knowledge and standards of practice.
- ✓ Psychologists attain and maintain adequate levels of knowledge and skills in order to practise competently within a particular area.
- Psychologists use the most respectful and effective assessment, intervention, research, and other strategies in their professional activities.
- Psychologists recognise the limits of their own competence and provide only those services for which they are competent, based on their education, ongoing training, supervised experience, or appropriate professional experience.

#### 2.3 Whakatikahia: Appropriate and Effective Professional Relationships

Psychologists establish and maintain appropriate and effective professional relationships.

- ✓ Psychologists are clear and explicit about their role and responsibilities and maintain appropriate structure and boundaries throughout the duration of their relationships with those with whom they work.
- Psychologists recognise that dual relationships have an impact on the integrity of relationships that may be beneficial or negative. In Aotearoa New Zealand dual relationships are a likely occurrence. Where dual relationships are present, psychologists:
  - Identify any real or potential conflicts of interest and

- Take all responsible steps to address the issue in the best interests of the persons or groups with whom they work.
- ✓ Particularly in assessment, therapy, social service, or educational settings, the development of any kind of personal relationship with people psychologists provide service to may have potentially harmful unintended consequences. Development of such relationships should be avoided. If it cannot be avoided, it should be managed as described above for dual relationships.
- ✓ Particularly in assessment, therapy, social service, or educational settings, psychologists do not encourage or engage in sexual intimacy with those they provide service to, or people closely associated with those they provide service to.
  - Please see the Code of Conduct for more detail.

#### 2.4 Whakahaumaru: Do No Harm

Psychologists ensure that, as far as possible, their actions do no harm. Psychologists work to protect the wellbeing of the physical, social, cultural, and spiritual environment.

- Psychologists practice safely and humanely in all their professional activities, including in research, teaching, assessment, therapeutic, and organisation or societal change environments with humans and non-humans.
- Psychologists take active measures to avoid harming those they work with, and to minimize harm where it is foreseeable and unavoidable.
  - If research or other activities are undertaken where harm is unavoidable (e.g., invasive laboratory studies on animals) all efforts are taken to ensure full institutional ethical review of the study and to ensure that suffering of experimental participants is minimised.
- In teaching, research, and practice, psychologists have a responsibility to conduct appropriate review in such a way as to inform preventative action and minimise harm. They act to correct any harm.
- ✓ While having the same rights and privileges as other citizens, including the right to reasonable freedom in their private life and to participate in public activities, psychologists should be mindful of, and avoid, behaviours that bring themselves into disrepute or reduce trust or confidence in the profession. This applies to their professional activities and their private life.
  - Please see the Code of Conduct for more detail.

#### 2.5 Kaupare-ā-mahi: Use of Aversive Techniques

 Psychologists do not utilise aversive techniques (techniques that use unpleasant stimuli or punishment to change behaviour) except when condoned or required by the law and when there are no better options.

#### 2.6 Aromatawaitia: Appropriate and Safe Use of Assessment Tools and Techniques

Psychologists use appropriate assessment tools and techniques to ensure competent and culturally safe standards of work. Psychologists protect and use these tools in appropriate ways.

- Psychologists who conduct psychological assessments select appropriate procedures and instruments and are able to justify their use and interpretation.
- Psychologists consider carefully the cultural context and other relevant factors when interpreting assessment tools and choosing interventions.
- Psychologists protect the skills, knowledge, and interpretations of psychology from being misused, used incompetently, or made ineffective by others.

- Psychologists do not release raw data to people who are not qualified to interpret and understand the data.
- ✓ Psychologists protect the physical security and integrity of assessment instruments and ensure that they are not used inappropriately.
  - This includes ensuring that assessment instruments are not inappropriately put into the public domain.

#### 2.7 Whakamanahia: Assisting Obtaining Appropriate Services to Meet Critical Needs

When a person's needs lie outside of a psychologist's expertise, the psychologist refers the client to other appropriate resources and services.

- ✓ This includes psychological needs that are outside of the psychologist's area of expertise and other needs such as cultural, financial, medical, and social service needs.
- Psychologists seek to be responsive to cultural and social diversity and, as a consequence, obtain training, experience, and advice to ensure competent and culturally safe service or research.
- ✓ If the reasons for on-referral pertain to factors related to the person (such as their ethnicity, sexual orientation, or subculture) rather than the psychologist's professional expertise, then the psychologist should consider whether gaining suitable training, supervision and support to undertake the work is a preferable pathway. The psychologist should be able to provide a clear rationale for choosing to not work with a person in such a situation or referring the person on.

#### 2.8 Whakamanahia: Supporting People to Meet Needs Not Directly Related to Psychology

Psychologists recognise that those with whom they work may have a broad range of needs such as cultural, financial, housing, medical, social service, and spiritual needs. The psychologist does what they can to enable the person to find the support and pathway to help with meeting these needs in a timely fashion. This includes:

- ✓ When a significant need is recognised that is outside of the psychologist's expertise, the psychologist encourages and as necessary assists the client and their whānau to obtain access to appropriate services to meet that need.
- ✓ When cultural needs are identified, the psychologist will do what they reasonably can to support the client and their whānau in gaining access to means for meeting those needs.

#### 2.9 Reretahi: Coordinated Services

When psychologists are aware that those with whom they work are involved with more than one service provider, they endeavour to provide services which are coordinated over time and avoid duplication or conflict.

✓ Psychologists provide appropriate and timely information to other services working with people with due respect to relevant privacy and information security requirements.

#### 2.10 Toku Manaaki: Psychologist Self-Care

Psychologists ensure that they maintain appropriate levels of self-care and protection of their own physical and emotional safety to ensure that they can work safely, effectively, and sustainably.

- ✓ Psychologists recognise that their own health and wellbeing, and the health and wellbeing of their colleagues, are a taonga (a treasure to be valued). Psychologists do what they can to protect their own health and wellbeing and that of their colleagues.
- Psychologists promptly take all necessary steps if personal issues impact negatively on their ability, or perceived ability, to meet their professional responsibilities and obligations.

## Principle 3. Ngakaupono: Integrity

How psychologists do their work, and the relationships formed by psychologists in the course of their work, embodies explicit and mutual expectations of integrity. Such expectations are vital to the advancement of individual and whānau wellbeing, social justice, scientific knowledge, and the maintenance of public confidence in the discipline of psychology.

#### 3.1 Ngakaupono: Practicing with Honesty and Integrity

Psychologists practice with honesty and integrity.

- ✓ Psychologists act professionally and exercise good judgement in all their professional activities.
- Psychologists strive to honour all undertakings and commitments included in any written or verbal agreements.
- Psychologists are accurate and honest in all aspects of their work, including, but not limited to, representation of themselves, their skills, and their services; their reporting of assessments and research findings; any claims or conclusions they make; and acknowledgement of sources for ideas and the work of others in publications.
- When developing teaching programmes, educators ensure that the programmes are designed to provide the appropriate knowledge and experiences to meet the requirements of the intended and advertised purposes of the course.

## 3.2 Haumaruhia: Appropriate, Honest, and Safe Use of Information Technology

When information technology, including artificial intelligence, is used to assist with psychological activities (including, but not limited to: research, assessment, teaching, report or text generation, or intervention delivery) the psychologist will ensure that:

- ✓ The security of data and personal information is protected at all times so that it does not become available to any third party in a way that exposes it to potential misuse or breach of confidentiality.
- ✓ They adhere to current standards of data sovereignty to preserve the rights of those from whom data is gathered. Data sovereignty issues may be particularly significant for data related to Māori.
- ✓ When information technology assists in the generation of any written or other reportage (for example, research and survey analysis), the psychologist is responsible for ensuring that the generated material and interpretations are accurate, appropriate for purpose and the context it is being used in, and are not misleading. The psychologist is responsible for correcting the generated material if these criteria are not met.
- ✓ When information technology is used and this use is relevant to the end user of a psychological activity (e.g., reader, tangata whaiora / person using psychological services, organisation), the psychologist informs the end users that such technologies were used.
- ✓ When information technology is used in an intervention or other psychological activity, the psychologist is responsible for ensuring that, as far as possible, those with whom they work

and others are not exposed to risk of unintended consequences arising from the use of the information technologies.

✓ Where information technology is used for activities such as telepsychology, the psychologist does their best to ensure that it is used in ways that are effective for the task it is intended for and provides adequate safety for the user of the service.

#### 3.3 Ngakaupono kaipakahi: Integrity in Business Dealings

 Psychologists are fair and honest in all financial and business dealings they have in the course of their professional activities. For further details, please refer to the Code of Conduct.

## Principle 4. Kaitiakitanga: Professional and Scientific Responsibilities to Society and Social Justice.

Psychologists are obliged to work in ways that embraces equity for all people and peoples. Ensuring equal rights to access to, and equity of outcomes from, relevant psychological activities requires that psychologists are mindful of the diverse communities and peoples of Aotearoa New Zealand, and requires that they practice in ways that are appropriate for members of these communities. In this Code of Ethics, equity refers to *social equity*, which is often defined as access to resources and conditions proportionate to the amount needed to achieve equal life outcomes (such as health, education, employment, and wellbeing)<sup>3</sup>. Equity involves psychologists taking a stance of being in partnership with those with whom they work, with each party bringing their expertise and having that expertise valued. In most instances the desired outcomes are defined by the person or peoples with whom the psychologist works.

The health, wellbeing, and social inclusion outcomes (such as education, employment, finances, and opportunities) for people, peoples, and communities have not been equitable in Aotearoa New Zealand. Psychological services and practices have been involved in perpetuating some of the inequities rather than eliminating them. One of the purposes of this Code of Ethics is to ensure that psychologists, as far as possible, meet their responsibilities to enhance equal rights, and to support the access to resources that foster equity of outcomes for all people and peoples in Aotearoa New Zealand.

Psychologists, both as individuals and as a group, have responsibilities to enhance just outcomes, irrespective of the activities and roles they are engaged in. Achieving just outcomes is assisted by acknowledging the psychologists' position of power and influence in relation both to individuals and groups within communities. In the broader context, it is about addressing and challenging unjust societal norms and behaviours that disempower people at all levels of interaction.

#### 4.1 Kia Mau: Adhering to Relevant Regulatory Documents

Psychologists apply legislation, regulations, standards, codes, and policies relevant to their work in ways that protect and enhance the mana (authority, respect) of those with whom they work.

<sup>&</sup>lt;sup>3</sup> Social equity can be contrasted with *Simple Equity*, which can be defined as having equal access to resources and conditions irrespective of need, and Industrial Equity, which can be defined as access to resources and conditions in proportion to the contribution one is adjudged as making.

- ✓ If psychologists' ethical responsibilities conflict with law, regulations, or other legal authority, psychologists uphold the law and utilise the Code of Ethics and ethical decision making to resolve the conflict as far as possible.
- Psychologists identify and avoid compromising their professional responsibilities when these conflict with organisational requirements.

#### 4.2 Mana Ōrite: Equal Benefits from the Contributions of Psychology for All

Psychologists recognise that all persons and peoples are entitled to equal benefits from the contributions of psychology. Enacting this involves:

- ✓ Respecting the cultural needs and values of all people. To ensure culturally safe and respectful practice, psychologists are expected to:
  - Support and respect diversity and inclusion. This includes respecting gender identities, sexuality, cultural values, religious beliefs, and the lived experience of people and their family/whānau.
  - Identify and challenge colonisation and systemic racism, and social, cultural, behavioural, and economic factors which impact on individual and community health and social outcomes.
  - Acknowledge and address individual racism, your own biases, assumptions, stereotypes, and prejudices and provide service that is holistic and free of bias and racism.
  - Recognise the importance of self-determined decision-making, partnership and collaboration in psychological practice which is driven by the individual, family/whānau, and community.
  - Particularly with people who come from collectivist cultures, including Māori, ensure to the fullest extent possible the involvement of family/whānau in ways appropriate for their culture and individual circumstances, while appropriately maintaining their privacy and confidentiality.
  - Seek cultural safety advice early in all psychological activities such as assessment and therapy work, research, teaching, community interventions, and organisational change processes.
  - Address these issues in a professional manner, acting as a role model and advocate for the needs of those with whom they work and their whānau.

#### 4.3 Mātauhia: Understanding Te Tiriti o Waitangi

Psychologists practising in Aotearoa New Zealand recognise that Te Tiriti sets out the basis of respect between Māori and Tauiwi (non-Māori) in this country. Some important implications of this for psychological practice include:

- ✓ A working knowledge of Te Tiriti is fundamental to ethical practice in Aotearoa New Zealand.
- ✓ A working understanding of the principles established by Te Tiriti and how these principles relate to the practice of psychology in Aotearoa New Zealand is also fundamental in practice. While the understanding of these principles is evolving over time, some key principles are:
  - Tino rangatiratanga: The guarantee of tino rangatiratanga enables full participation by Māori, provides for mana motuhake (Māori autonomy, authority, and self-determination) in the design, delivery, and monitoring of psychological research, services, education, and training programmes.
  - Partnership: The principle of partnership in good faith, and mutual respect, requires psychologists and Māori to work in partnership in the governance, research, design,

delivery, and monitoring of services, education and training programmes. Māori must be co-designers or lead in the delivery of psychological services for Māori.

- Active protection: The principle of active protection requires psychologists to act, to the fullest extent practicable, to protect and advance the rights and aspirations of Māori.
- Equity: The principle of equity, requires commitment to achieving equitable health and social outcomes for Māori by specifically targeting disparities, promoting social inclusion, and ensuring equal access to the expected benefits of citizenship.

Understanding and recognising the importance of key Māori concepts and mātauranga Māori (Māori knowledge), and incorporating these in psychological practice with Māori is expected. Ensuring similar mana-enhancing approaches are appropriately practiced with tauiwi is also beneficial.

#### 4.4 Rangahaua: Appropriate and Respectful Research and Knowledge-Gathering

In research and other knowledge-gathering activities, psychologists ensure that the methodologies they use are humane and respectful (to human and non-human participants), effective, accurate, necessary, and fair.

- ✓ Psychologists only conduct research that is ethically sound and that meets current standards for adequacy of research design. Psychologists ensure that their research activities receive appropriate ethical review for the nature of the research and the participants.
- ✓ In research and other knowledge-gathering activities, psychologists as far as possible utilise techniques that are sustainable and non-extractive (that is, gathering the knowledge benefits and enhances the mana and wellbeing of people from whom it is gathered, and does not negatively impact on them or their culture).
- ✓ In some Māori contexts, such as where research involves issues related to whakapapa, gaining individual informed consent may need to be augmented by gaining consent from any groups holding mana whenua for the area in which the research is undertaken.
- Psychologists ensure that their own reporting of the findings and conclusions of their research and knowledge gathering activities (and as far as they are able to control, the reporting of their findings by others) is accurate, fair, and non-misleading.

#### 4.5 Takohanga: Cultural and Social Responsibility

Psychologists recognise their contribution to manaakitanga (cultural and social responsibility). They work individually and collectively to contribute to the general wellbeing of society. Psychologists ensure that their actions benefit those with whom they work, groups, and society.

- Psychological knowledge will be increased, and psychology will be practised, in such ways as to promote the hauora (health) and wellbeing of all.
- ✓ Psychologists are sensitive to the needs, current issues, and problems of society and take account of these in the research they undertake, the services they are involved in, their contributions to education and public discourse, and other aspects of their work.
- Psychologists work to support the wellbeing and safety of te taiao (the physical, social, cultural, and spiritual environment) at a macro level (for example, in relation to issues such as climate change, improving social determinants of wellbeing, and creating conditions for equity) through or alongside other work they do.

#### 4.6 Kia Tūpato: Ensuring Own Practice, and the Practice of Others, is Safe and Ethical

Psychologists ensure that their practice is safe and ethical. Psychologists encourage, support, and require ethical and competent practice by others with whom they interact.

- ✓ Psychologists develop ethical awareness and sensitivity and use this to guide practice.
- ✓ Psychologists do what they can to ensure that their workplaces have systems that foster safe, effective, and culturally informed practice.
- Psychologists encourage ethical and competent behaviour by other psychologists, professionals, and organisations.
- ✓ Where psychologists believe that there may have been an ethical violation by another psychologist, professional, person in a position of power, or organisation, a first line of addressing the issue is to bring it to the attention of that person and, if appropriate, an informal resolution may be undertaken. If this is not successful, the psychologist may take further reasonable steps to address the issue.
- ✓ Psychologists seek supervision and cultural supervision to ensure that they are able to practice safely and effectively.

## WHAKATAUHIA: ETHICAL DECISION MAKING

The Code of Ethics and the Code of Conduct present the values, principles, and requirements of ethical practice as a psychologist. However, a Code of Ethics cannot outline what ethical practice is in every situation because:

- 1. Ethical dilemmas often arise because there are competing ethical principles that cannot all be met in the current situation, or ethical principles may conflict with legal requirements For example, the requirement for ensuring the safety of a client or others may conflict with the ethical principle of confidentiality.
- Contextual factors such as ethnicity may impact on the operationalisation of specific ethical principles. For example, members of some cultures may have different expectations regarding the balance of individual autonomy versus the involvement of families in decision making.

In such situations additional ethical decision making frameworks are often helpful in guiding ethical action. The following ethical decision making framework can be used to help you understand and make ethical decisions. When looking to make an ethical decision, be aware of, and include thinking about Te Tiriti at each step in the process.

## **Taura Here: Ethical Decision Making Framework**

#### (Adapted from Koocher & Keith-Spiegel, 2016<sup>4</sup> and Beauchamp and Childress, 2009<sup>5</sup>)

This ethical decision making framework can be used in its entirety to make decisions in the case of complex and significant ethical dilemmas. Working through this process a few times will help develop the skills to manage more day-to-day ethical dilemmas with confidence. Remember that discussing the issue with your supervisor, cultural supervisors, or other trusted colleagues is often an important part of making ethical decisions. The goal of this framework is to help you to make and document ethically defensible decisions. An ethically defensible decision is one for which you are able to provide a reasonable, ethics-based rationale.

#### 1. Tautuhi: Define the Ethical Decision you need to make

This involves getting clear on what the ethical issue is. It can involve asking questions like:

- ✓ What is the decision I need to make?
- ✓ What is the ethical question I am attempting to answer?
- ✓ What are the ethical issues involved in this situation?

Generally, the more you can clarify the ethical issue, the better and easier it will be to make an ethical decision.

#### 2. Whaiwhakaaro: Self-Reflect on the ethical issue

This is to understand your reaction to the ethical issue. This can involve questions like:

- ✓ What is your immediate ("intuitive") reaction? This reaction can be valuable as part of decision making but should also be cross-checked with ethical principles such as outlined in the Code of Ethics and Code of Conduct.
- ✓ What are your biases / morals / fears / desires / countertransference that are relevant to this ethical issue?

Considering these questions will (amongst other things) help to guard against personal biases and issues interfering with your ability to manage the ethical decision making process well.

#### 3. Arotakehia: Review the information you know, and the information you need to know.

Getting as much as possible of the information that will help you make a good ethical decision is important. Some question that can help you to do this are:

- ✓ What are the relevant facts of the case? What else do I need to know to understand this well? Do I know enough to make a decision? Should I seek supervision and/or cultural supervision about this issue? Are there relevant people to consult?
- ✓ What are the ethical issues, organisational or professional standards, or laws relevant to this ethical question?

<sup>&</sup>lt;sup>4</sup> Koocher, G, & Keith-Spiegel, P, (2016) Ethics in Psychology and the Mental Health Professions: Standards and Cases. Oxford University Press.

<sup>&</sup>lt;sup>5</sup> Beauchamp, T.L. & Childress, J.F. (2009) Principles of Biomedical Ethics. New York. Oxford University Press.

✓ What individuals and groups have an important stake in the outcome? Are some concerns more important than others? Why?

As with many complex decision-making processes, we often need to proceed with some information not being knowable, but doing the best you can to gather the relevant information is important.

#### 4. Kowhiringa: What are possible courses of action in the current situation?

Now identify the different possible courses of action. Try to think broadly about the possibilities – often the first options that come to mind won't include the best and most ethical course of action. Brainstorming the possibilities with someone else can often be helpful. Write down all the options. Include options that seem risky, expensive, or impractical as these will often lead to thinking of better options, or may be the best option. Relevant questions are:

- ✓ What are the options for acting?
- ✓ Have I identified creative options?

#### 5. Whaiwhakaaro: Consider the ethical values connected with the situation

Having defined the possible courses of action, important ethical values should be considered. The Code of Ethics and Code of Conduct articulate many of these ethical values and professional expectations. However, sometimes a course of action that simultaneously honours all values and ethical principles is not possible – that can be what makes it an ethical dilemma!

In such situations the Four Principles Approach (Beauchamp and Childress, 2009) can help you with ethical decision making. This approach considers that all ethical principles can be grouped under four overarching principles. These principles are described in the table below:

Overarching Principle	Brief description
Beneficence	Obligation to act for the benefit of people whenever possible, and
(Do good)	produce the best outcome for others by choosing actions from which the
	benefits maximally outweigh the costs and risks.
Nonmaleficence	Obligation to refrain from causing deliberate harm and to avoid actions
(Do no harm)	that might be expected to cause harm. If harm is unavoidable, ensure it
	is minimised as far as possible and the benefit outweighs the cost/ risks.
Respect for Autonomy	Supporting people's ability to be self-determining, make informed and
	reasoned decisions, and act on the basis of such decisions.
Justice	Seeking fairness in all dealings. This includes, but is not limited to,
	ensuring that the benefits of our activities are fairly distributed.

Our job with ethical decision making when ethical principles are in conflict is to recognise which of these overarching principles are in conflict and undertake a thinking process to identify the best balance we can achieve between the competing principles to get the best outcome for the person or persons we are serving. In such cases, resolving the dilemma requires that some overarching ethical principles will, at least temporarily, be prioritised over others. Which principles are prioritized is often dependent on the situation. No overarching ethical principle always has the highest priority and any principle may be trumped by any other, depending on the circumstances.

#### 6. Aromātai: Evaluate Each of the Options

With the understanding you now have of the ethical issue, consider each of the options identified in Step 4 from the perspective of the Code of Conduct and Code of Ethics, and if there is no clear course of action indicated by these documents, utilise the process described in Step 5 to help you make your decision.

This can be done by writing down in separate columns the benefits and negative consequences of each potential course of action, and how likely they are to occur. Consequences include adverse short or long-term effects; psychological and social costs, any violation of personal rights, and any resource implications. Armed with this information, you are ready to evaluate each of the options.

#### 7. Whakatauria: Make a Decision and Document it

Now you are ready to make a decision about your ethical course of action. Synthesising this information and deciding on the most ethical course of action is not simple and is somewhat subjective. Different psychologists may come to different conclusions. However, most frequently by this stage the decision that seems to be the right thing to do will have become obvious. As with other stages in ethical decision making, it can be very useful to talk this through with your supervisor or other trusted colleague.

It is often useful to do a quick check on your decision by asking the following questions:

- If your decision and actions were described in a newspaper or TV programme, how would a thoughtful audience regard it?
  If you explained your decision and the reasons for it to your family, would they still be proud of you / respect you?
- 2. Does your decision concur with your own values, beliefs, and understanding of your professional obligations?

With significant ethical dilemmas it is important to document the thinking process that has led you to your decision. Many highly ethical decisions do not protect everyone involved (including you) from some injury, disadvantage, challenge, or emotional reaction. Therefore, documenting the basis of your decision is important in case your rationale for your decision and action is questioned.

#### 8. Mahia: Act, Monitor, and Reflect on the Outcome

You are now ready to act and implement the decision you have made, taking care to implement it with the greatest care and attention to the concerns of all stakeholders.

After you have implemented your decision it is important to be aware of the outcome of the decision, to re-evaluate as necessary, and be prepared to change your approach if it appears that the result is not working out as intended.

If the outcome is not as expected, this gives you new and better information for reviewing the situation to see if, and what, further action may be needed.