



ASSESSOR GUIDE

CHCLEG001

Work legally and ethically

Assessment 2 of 2

Case Studies



Assessment Instructions

Task overview

This assessment task is divided into seventeen (17) short answer questions.

Read each question carefully before typing your response in the space provided.

Additional resources and supporting documents

To complete this assessment, you will need the following:

- Learning resources
- Counselling Contract And Agreement Template (Appendix A)

Assessment Information

Submission

You are entitled to three (3) attempts to complete this assessment satisfactorily. Incomplete assessments will not be marked and will count as one of your three attempts.

All questions must be responded to correctly to be assessed as satisfactory for this assessment.

Answers must be typed into the space provided and submitted electronically via the LMS. Hand-written assessments will not be accepted unless previously arranged with your assessor.

Reasonable adjustment

Students may request a reasonable adjustment for assessment tasks.

Reasonable adjustment usually involves varying:

- the processes for conducting the assessment (e.g. allowing additional time)
- the evidence gathering techniques (e.g. oral rather than written questioning, use of a scribe, modifications to equipment)

However, the evidence collected must allow the student to demonstrate all requirements of the unit.

Refer to the Student Handbook or contact your Trainer for further information.



Please consider the environment before printing this assessment.

Question 1

Imagine that you have started your first role as a counsellor. You want to learn more about your role's legal and ethical requirements.

- a) List three (3) sources of information that relate to the ethical requirements that apply to your role.
(Approximate word count: 10 - 15 words)

Assessor Instructions: The student's responses must provide three sources of information related to the ethical requirements involved in counselling practice.

- Codes of ethics/practice.
- Practice standards.
- Counsellor values.
- Organisational policies, protocols and procedures.

- b) List three (3) sources of information that relate to the legal requirements that apply to your role.
(Approximate word count: 10 - 15 words)

Assessor instructions: The student's responses must provide three sources of information related to the legal requirements involved in counselling practice.

- International treaties and conventions.
- Commonwealth legislation.
- State legislation.
- Common law.
- Organisational policies, protocols, and procedures.

Question 2

Imagine that you work in a counselling organisation that uses the Equity, Anti-Discrimination and Workplace Harassment Policy and Procedure presented in Section 1 of your learning for this unit. Your new colleague, Mary, confides in you that she is feeling uncomfortable because another colleague, John, has made comments of a sexual nature to her, and she is unsure what to do about it.

Considering your organisation's policy and procedure, what would you advise Mary to do?

(Approximate word count: 15 - 20 words)

Assessor instructions: The student's responses should demonstrate an understanding what Mary should do according to the policy and procedures. Wording may differ, but appropriate answers must reflect the themes and characteristics of the following example.

- Approach the manager to discuss appropriate actions or options.
- Lodge a formal complaint or grievance.

Question 3

Imagine that you have started a new counselling role with a large counselling organisation.

Part of your role requirements involves complying with the following code of conduct.

CODE OF CONDUCT

Policy: Employees and Management Committee members adhere to the organisation's Code of Conduct, which reflects the behaviour expected and is designed to encourage integrity and professionalism.

Definitions: A Code of Conduct is a set of rules, regulations and guidelines that employees are expected to observe during their employment.

Procedure

The organisation prides itself on the professionalism and ability of its employees and Management Committee to meet community needs. The organisation strives to be a leading service provider and provide a safe, healthy, happy workplace.

This Code of Conduct is designed to ensure that all employees, Management Committee and community members are treated in a manner that reflects the organisation's mission, culture and legal obligations.

All employees and Management Committee members are expected to:

- Observe all policies, procedures, rules and regulations at all times.
- Comply with all Federal, State and local laws and regulations.
- Please comply with all reasonable, lawful instructions and decisions related to their work.
- Maintain a high degree of ethics, integrity, honesty and professionalism in dealing with community members and other employees.
- Adhere to the Workplace Health and Safety Policy and Procedure.
- Take reasonable steps to ensure their health, safety and welfare in the workplace and that of other employees and community members. Employees are expected to familiarise themselves with their workplace health and safety obligations.

Employee and Management Committee behaviour

- If an employee breaches the following guidelines, disciplinary action may be taken.
- If the breach of conduct is legal, it will be addressed following relevant Federal, State or local government laws.
- Employees and Management Committee members should not:

- Discriminate against another employee or community member based on sex, age, race, religion, disability, pregnancy, marital status or sexual preference.
- Engage in fighting or disorderly conduct or sexually harass other employees and community members.
- Steal, damage or destroy property belonging to the organisation, its employees or community members.
- Work intoxicated or under the influence of controlled or illegal substances.
- Bring controlled or illegal substances to the workplace.
- Smoke on the organisation’s premises or in its motor vehicles.
- Accept benefits or gifts which give rise to an actual or apparent conflict of interest.

Dealing with aggressive behaviour

- Employees are expected to provide high standards of service provision, but the organisation does not accept any form of aggressive, threatening or abusive behaviour towards its employees by community members.
- If an employee cannot calm the person and believes the situation places them or other employees in danger, they should notify the Manager or their Program Supervisor.

(Source: Community Door)

a) What is the purpose of this code of conduct?

(Approximate word count: 35 - 45 words)

Assessor instructions: The student’s responses must demonstrate an understanding of the purpose of the code of conduct. Wording may differ, but appropriate answers must reflect the themes and characteristics of the following example.

- To provide a set of rules and guidelines for workers to help them display appropriate professional, legal and ethical behaviours.
- To provide guidelines on professional conduct that employees are expected to observe during their employment.

b) What are the consequences of breaching this code of conduct?

(Approximate word count: 35 - 50 words)

Assessor instructions: The student’s response must demonstrate an understanding of the consequences of breaching the code of conduct according to the document above. Wording may differ, but appropriate answers must reflect the themes and characteristics of the following example.

- If an employee breaches the guidelines, disciplinary action may be taken.

- If the breach of conduct is legal, it will be addressed in accordance with relevant federal, state, or local government laws.

- c) Imagine that one of your counselling clients gave you an expensive gift to thank you for your service. According to the code of conduct, is it appropriate for you to accept this gift? Explain why or why not.

(Approximate word count: 50 - 60 words)

Assessor instructions: The student's response must demonstrate an understanding that it is not appropriate to accept the gift due to a potential breach of code of conduct. Wording may differ, but appropriate answers must reflect the themes and characteristics of the following example.

Accepting any gift from clients is inappropriate because the code of conduct states that employees should not "accept benefits or gifts which give rise to a real or apparent conflict of interest." It will be a breach of the code of conduct to accept the gift.

Question 4

Edmund is a counsellor at a drug and alcohol service. One of his responsibilities is facilitating an open support group for people recovering from drug addiction.

Edmund is approached by a new potential client, Sean, who enquires about when the support group meets. Edmund thinks that Sean might be gay and assumes that this means that he will be a 'drama queen' and wants to monopolise the group conversation by talking about himself.

Edmund doesn't want to deal with clients who monopolise the conversation, so he lies to Sean, telling him that the support group is full and referring him to a support group run by another organisation.

- a) Considering what you have learned about the core responsibilities of counsellors, what do you think Edmund has failed to do as a counsellor?

(Approximate word count: 40 - 50 words)

Assessor instructions: The student's response must demonstrate an understanding of the core responsibilities of counsellors to respect the fundamental rights of clients/provide respectful and non-discriminatory service. Wording may differ, but appropriate answers must reflect the themes and characteristics of the following example.

"Edmund failed to treat Sean respectfully, non-judgemental and non-discriminately. Edmund made assumptions about Sean (for example, gay, 'drama queen', monopolising the group) and disregarded his right to attend the support group based on judgements of Sean's sexuality."

- b) What legal and ethical frameworks has Edmund most likely violated in this scenario?

(Approximate word count: 25 - 35 words)

Assessor instructions: The student's response must demonstrate an understanding of legal and ethical requirements for the counsellor to provide anti-discriminatory service. Wording may differ, but appropriate answers must reflect the themes and characteristics of the following example.

- Legal, for example, anti-discrimination legislation, the Universal Declaration of Human Rights.
- Ethical, for example, ACA's Code of Ethics and Practice.
- Organisational policy and procedures on discrimination.

c) Imagine that you are Edmund's supervisor. What would you advise Edmund to do to help him improve his practice and fulfil his core responsibilities?

(Approximate word count: 55 - 65 words)

Assessor instructions: The student's response must demonstrate an understanding of an appropriate change that Edmund could make to meet better the legal and ethical responsibilities of respecting client rights. Wording may differ, but appropriate answers must reflect the themes and characteristics of the following example.

- Research and understand the legal/ethical requirements that apply to his work.
- Maintain awareness of his values and examine how his personal beliefs may impact his work.
- Self-reflection activities.
- Attend supervision.
- Discuss with supervisor or colleagues to monitor the impact of values
- Consider referral if personal values may negatively impact the counselling process and clients.

Question 5

Stephanie is a 35-year-old counsellor. Her parents divorced when she was a teenager after her father had an extra-marital affair. Due to this experience, Stephanie strongly values honesty and truthfulness in a relationship and dislikes people who betray their partners.

Stephanie has just started working with a new client, Brad, aged 40. For the first few sessions, the focus of their counselling work had been on issues of stress related to Brad's work. However, in today's session, Brad tells Stephanie that he has been cheating on his wife with a work colleague, and he is seriously thinking about leaving his wife to be with another woman.

a) In what way do you think Stephanie's values have the potential to negatively impact her counselling practice and her therapeutic relationship with Brad?

(Approximate word count: 55 - 65 words)

Assessor instructions: The student's response must demonstrate an understanding of how a counsellor's values might negatively impact the counsellor's practice and the therapeutic relationship. Wording may differ, but appropriate answers must reflect the themes and characteristics of the following example.

- She might find it difficult to remain impartial, given her experience, emotions, and values.
- She might consciously or unconsciously demonstrate judgemental behaviours/attitudes or try to

influence Brad's actions/decision-making.

- She might have negative feelings towards Brad since he might remind her of her father, which would harm their therapeutic relationship.

b) Briefly outline two (2) actions that Stephanie could undertake to minimise the impact of her values on her work with Brad.

(Approximate word count: 65 - 75 words)

Assessor instructions: The student's response must demonstrate an understanding of two appropriate actions that Stephanie could take to minimise the impact of her issues on the counselling relationship. Wording may differ, but appropriate answers must reflect the themes and characteristics of the following example.

- Examine her values.
- Maintain an awareness of her feelings.
- Closely monitor her feelings/actions.
- Take care, avoid leaving emotions/personal experience cloud judgement and work with Brad to help him make decisions.
- Take actions that are consistent with Brad's values.
- Discuss the matter with the supervisor/engage in personal counselling.
- If unable to control emotions/values, discuss with Brad and refer him to another counsellor.

Question 6

Imagine you are a counsellor working for Wellness Counselling Service and conducting your first session with a new client, Barney. Your organisation requires counsellors to discuss and sign the counselling contract with their clients at the beginning of the counselling process.

Note: Refer to the Counselling Contract And Agreement Template (Appendix A)

- a) Identify five (5) things you will do/explain during your contracting conversation with Barney to help ensure that you have fulfilled your legal and ethical responsibilities to provide informed consent.

(Approximate word count: 40 – 75 words)

Assessor instructions: The student's response must demonstrate an understanding of five things counsellors must do/explain to ensure informed consent. Wording may differ, but appropriate answers must reflect the themes and characteristics of the following example.

- Provide Barney with information about the service offered.
- Explain the counselling approach I use.
- Provide an overview of what Barney can expect during counselling.

- Ensure that Barney knows organisational requirements such as payment schedules, cancellations, and termination procedures.
- Discuss the counselling process and the number of sessions being contracted.
- Discuss confidentiality and its limits.
- Outline the organisation’s record-keeping procedures and how he can access personal information.
- Ensure that Barney knows they can withdraw their consent at any time and have the right to refuse to engage with any strategy or technique the counsellor uses or suggests.

b) Write what you would say to Barney to explain confidentiality and its limitations in the counselling process.

(Approximate word count: 115 - 130 words)

Assessor instructions: The student’s response must demonstrate an ability to explain confidentiality and its limits. Wording may differ, but appropriate answers must reflect the themes and characteristics of the following example.

“Barney, in general, what you share with me will be confidential. If you choose to work with another counsellor or organisation and they request your information, I will not share it unless I have your written consent. However, there are some exceptions to confidentiality that I want you to be aware of. Firstly, suppose I am ever concerned about you being at risk of harming yourself or someone else. In that case, I may be legally and ethically required to breach confidentiality and report the matter. Also, if a court of law requests your counselling information, I may be obliged to provide your counselling records to them. Do you have any questions?”

Question 7

Imagine that you are a counsellor at a small community services organisation. As you walk into the waiting room, ready to greet your next client, you realise that your client, Chloe, has brought along her 4-year-old son, Tyler, and 8-year-old daughter, Hannah. Chloe tells you that she initially arranged for her mother to look after the children, but her mother is unwell today. Chloe tells you she will leave the children in the waiting room, and Hannah can look after Tyler. As Chloe talks to you, you notice that Tyler is restless and crying. You also see that other clients in the waiting room are obviously distracted by Tyler.

According to your organisation’s policy and procedures, children must be supervised for safety reasons. Children are generally not allowed to be present in appointments except when they are clients.

Briefly explain what you would do in this situation.

(Approximate word count: 45 - 55 words)

Assessor instructions: The student’s response must appropriately respond to the scenario that complies with organisational requirements. Wording may differ, but appropriate answers must reflect the themes and characteristics of the following example.

“I will discuss with Chloe my concern of Hannah and Tyler being left in the waiting room unsupervised as well as

the organisational requirement. I will help Chloe reschedule her appointment for another time when someone is available to look after the children.”

Question 8

Imagine that you work as a counsellor for Northside Counselling and Wellness Centre, a counselling service offering an anger management program, among other services. At approximately 2.35 pm today, you were in the middle of facilitating a group session when one of the participants, George Smith (aged 24), became agitated and started punching one of the other participants, Martin Brown (aged 26), in the face. George threw three punches before he was restrained by another participant, Ken Jones (aged 30). Martin sustained some facial injuries and a suspected broken nose.

An ambulance and the police were called immediately. Martin was taken to the hospital, and the police took George away. Directly after calling the police and ambulance, you called your manager, Sarah Finnley, to report the incident.

Complete the remaining fields of the following critical incident report to document this incident appropriately.

Assessor instructions: The student’s response must demonstrate an ability to appropriately record an incident in a critical incident report. An example of a complete critical incident report was provided to students in Section 2 of this unit. Wording may differ, but appropriate answers must reflect the themes and characteristics of the following example.

CRITICAL INCIDENT REPORT

Date of incident: *Date* Time of incident: **2.35 pm**

Location (include address where applicable):

Northside Counselling and Wellness Centre

Name of person completing form:

Student’s name

Position of person completing form: **Counsellor** Contact no: 12345678

Employees/Volunteers/Management Committee members involved in the incident:

1. Name: **Student’s name** Age: **Age**

Clients or community members involved in incident:

1. Name: **George Smith** Age: **24**

2. Name: **Martin Brown** Age: **26**

3. Name: **Ken Jones** Age: **30**

Description of incident and background (relevant information leading up to the incident, circumstances, whether the incident was witnessed and other relevant issues):

During the middle of a group anger management session, one of the participants, George Smith, became

agitated and punched another participant, Martin Brown, in the face three times. George was then restrained by another participant, Ken Jones. Martin sustained some facial injuries and a suspected broken nose. An ambulance and the police were called. Martin was taken to the hospital, and the police took George away.

Who was informed of the incident (Manager, Police, Fire Brigade)?

1. Police
2. Ambulance
3. Manager, Sarah Finnley

Actions taken to date: (including date and time of contact that the manager and other agencies were informed of, as well as details of support provided):

1. Ambulance called on date at approximately 2:36 pm
2. Police informed on date at approximately 2.37 pm
3. Manager informed me on 19/11/2016 at 2.50 pm
- 4.

Follow-up action planned:

1. _____
2. _____
3. _____
4. _____

Critical incident report form authorised by:

Student name

Date: Date

(Signature of Employee)

Date: _____

(Signature of Manager)

Question 9

Imagine that you work as a counsellor at the Wellness Counselling Centre. An extract from your organisation's Privacy and Confidentiality Policy is provided in the following table.

Study this policy and respond to the questions that follow.

PRIVACY AND CONFIDENTIALITY POLICY

Principles

Client confidentiality is vital in establishing a therapeutic relationship and providing professional service. The service environment needs to be one where clients can trust that their counsellor and the service will respect them and any information they choose to disclose.

Policy

- All staff, management committee members, volunteers and others who spend time in the agency must sign the Confidentiality Agreement.
- Confidentiality is at an agency level. If necessary, a counsellor may consult with a supervisor or another counsellor within the organisation about a client's situation. However, client information remains strictly confidential within the organisation.
- The client is entitled to confidentiality and privacy unless there is a risk to the safety of the client or others or the organisation is required by law to disclose a client's personal information.
- Client files are made for the use of the counsellor and the client. If necessary, other counselling staff may access the client's file. No other staff, volunteer or committee member will have access to client files.
- Clients may request access to the information in their file and a letter or report based on the information in the file. However, where a file is a family file, all people must give permission for one of the people to access information on the file. Other people/services may not access information on a client file unless client permission is obtained in writing to release that information; either the Director or the Manager of Clinical Services must clear any information provided to the client or an outside agency.

a) According to the policy, can you discuss a client case with a supervisor?

Explain why or why not.

(Approximate word count: 50 - 60 words)

Assessor instructions: The student's response must demonstrate an ability to interpret this policy and identify that this would be acceptable. Wording may differ, but appropriate answers must reflect the themes and characteristics of the following example.

"Yes, because the policy states, "Confidentiality is at an agency level. If necessary, a counsellor may consult with a Supervisor or another counsellor within the organisation about a client situation." Therefore, it is not a breach to discuss a client case with a supervisor."

b) According to the policy, briefly describe two (2) situations in which you should breach confidentiality.

(Approximate word count: 40 - 50 words)

Assessor instructions: The student's response must demonstrate an ability to interpret this policy and provide two situations in which confidentiality should be breached, for example, risk to the safety of the client or others. Wording may differ, but appropriate answers must reflect the themes and characteristics of the following example.

- When there is a risk to the safety of the client or others (for example, a client is suicidal or disclosed threats to harm another person).
- When the organisation is required by law to disclose information.

c) According to the policy, what should you do if a third party requests information about a client?

(Approximate word count: 15 - 20 words)

Assessor instructions: The student's response must demonstrate an ability to interpret this policy and identify the appropriate steps if a third party requests access to client information. Wording may differ, but appropriate answers must reflect the themes and characteristics of the following example.

- Obtain written permission, i.e. release of information from the client.
- Advise the director/manager.

Question 10

Helen is a counsellor at a multi-disciplinary health and wellness organisation based in New South Wales.

- a) Helen is interested in discovering more about the legislative requirements relating to the disclosure of health information. Which legislation would be the most appropriate for her to read through to obtain this information?

(Approximate word count: 10 words)

Assessor instructions: The student's response must refer to the Health Records and Information Privacy Act 2002.

Health Records and Information Privacy Act 2002.

- b) Helen also knows that she must comply with the confidentiality provisions in mental health legislation. What is one (1) possible consequence for Helen if she fails to comply with these requirements?

(Approximate word count: 10 - 20 words)

Assessor instructions: The student's response must demonstrate an understanding of one possible consequence of non-compliance with confidentiality requirements in mental health legislation. Wording may differ, but appropriate answers must reflect the themes and characteristics of the following examples.

- Helen's client may sue her through the civil law courts for compensation for breach of confidentiality.
- Her organisation and ACA may reprimand Helen.

- c) Recently, Helen has been working with a 14-year-old client, Jacinta. Helen noticed that Jacinta had several burn marks on her leg in various stages of healing. When Helen asked Jacinta about her injuries, Jacinta told Helen that she was not allowed to talk to other people about this or she would get into trouble. Jacinta

refused to discuss the topic further and asked Helen to promise not to tell anyone.

However, Helen suspects that Jacinta is being abused and knows she must report such information.

What legal requirement informs Helen's obligation to disclose such information?

(Approximate word count: 5 - 10 words)

Assessor instructions: The student's response must refer to a legal requirement related to child protection.

- Mandatory reporting.
- Child protection legislation.
- Children and Young Persons (Care and Protection) Act 1998 (NSW).

d) What could Helen say to Jacinta to clearly but sensitively explain the need to report this information?

(Approximate word count: 70 - 80 words)

Assessor instructions: The student's response must demonstrate an ability to clearly and sensitively explain to the client the need to comply with mandatory reporting. This question requires students to apply their knowledge of legal and ethical responsibilities and counselling and communication skills to provide a caring, respectful, and appropriate response. Wording may differ, but appropriate answers must reflect the themes and characteristics of the following example.

"Jacinta, there are some situations that I am legally and ethically required to report – and one of those situations is when I think a child or young person is being harmed. What this means is that I will need to make a report about your situation. Then, we can work together to get you the assistance you might need to be safe. Do you have any questions?"

e) Briefly describe what Helen should do next to meet her obligation to report Jacinta's information.

(Approximate word count: 20 words)

Assessor instructions: The student's response must demonstrate an understanding of responding in compliance with mandatory reporting. Wording may differ, but appropriate answers must reflect the themes and characteristics of the following example.

- Discussing Jacinta's case with her supervisor.
- Following organisational policy and procedures.
- Making a report to the relevant government department.

Question 11

Peter is a counsellor who is currently working with a client, Bree. Bree tells Peter that she has been engaging in risky drug use in the wake of the breakup of her marriage. Peter is concerned that Bree's drug use is not only impacting

her but might also be impacting her ability to care for her five-year-old daughter. While Peter has observed no indications that Bree's drug use is currently directly moving upon her daughter (in fact, Bree says that she restricts her drug use to the weeks that her ex has custody of their daughter), Peter does not personally see how Bree could genuinely be a good mother when she is engaged in drug use.

Bree has told Peter that she does not wish to change her drug use. Instead, she only wants assistance in working through her feelings surrounding the breakdown of her marriage. Peter feels he is responsible for assisting Bree with her drug use but also knows he should respect Bree's wishes.

Peter feels conflicted and raises this issue in supervision. Peter's supervisor encourages him to apply Proctor's (2014) four-step model for ethical decision-making.

Briefly outline what Peter should do to apply this decision-making model.

(Approximate word count: 80 - 90 words)

Assessor instructions: The student's response must demonstrate an understanding of applying the four-step decision-making model. Responses should refer to the following four steps:

- Identify and describe the problem or dilemma and consider all perspectives in the situation, identifying laws, ethical frameworks, ethical principles, organisational values and rules, and sociocultural factors involved.
- Consult with peers or experts, exploring one's feelings, intuitions, values, biases, self-interests and prejudices.
- Identify possible courses of action, exploring the potential impact of each course and the benefits and risks of each.
- Using all these considerations, select an action, take responsibility for justifying it, and monitor and evaluate the outcome.

Question 12

Imagine that you have been counselling Mei, a university student, for the last three months. During your work together, you have supported her in working through several interpersonal and stress-related issues. During your latest session, Mei invited you to attend her graduation ceremony, telling you that seeing you had helped her. She believed that without you, she would have failed her exams and not graduated. You are unsure what to do about this invitation.

You are concerned that accepting it would blur the boundaries of your professional relationship, but you are also worried that turning this down may damage the therapeutic relationship.

- a) Develop five (5) questions you could ask yourself when considering whether to accept Mei's invitation.

(Approximate word count: 40 - 60 words)

Assessor instructions: The student's response must provide five questions they could ask themselves to evaluate whether or not to accept this invitation. Wording may differ, but appropriate answers must reflect the themes and characteristics of the following example.

- Is the dual relationship necessary?
- Is the dual relationship exploitive?
- Who does the dual relationship benefit?
- Is there a risk that the dual relationship could harm the client?
- Is there a risk that the dual relationship could disrupt the therapeutic alliance?
- Am I being objective in my evaluation of this matter?
- Have I adequately documented my decision-making process?
- Did the client consent to the risks of engaging in the dual relationship?

b) Who would you consult with before making your decision? Why?

(Approximate word count: 25 - 30 words)

Assessor instructions: The student's response must indicate that they would consult their supervisor and outline why. Wording may differ, but appropriate answers must reflect the themes and characteristics of the following example.

"I would consult with my supervisor to benefit from their perspectives, experience, and expertise and to extend my understanding of relevant factors."

Question 13

Imagine that you are counselling Mike, who is seeking counselling to decide whether to study at university or to get a job after graduating from high school. Mike tells you that his parents would like him to go to university but that he isn't passionate about studying anything and would prefer to start making money to move out of home and begin his life. You have been brought up to highly value education in your own family.

During your counselling conversation with Mike, you imposed your values and encouraged Mike to attend university. You realise that this is not appropriate counsellor behaviour.

Briefly outline three (3) steps that you could take to address this issue and provide non-judgemental service to Mike.

(Approximate word count: 30 - 40 words)

Assessor instructions: The student's response must demonstrate an understanding of three appropriate steps to address this issue. Wording may differ, but appropriate answers must reflect the themes and characteristics of the following example.

- Take a mental step back and work within the client's value system.
- Frame interactions with clients around the professional values of counselling.
- Monitor your practice by engaging in regular supervision.

- Discuss the situation with the supervisor to monitor practice.
- Consider referring the client to another counsellor if unable to remain impartial.

Question 14

Jordan, a recent graduate in counselling, has joined the Wellness Counseling Centre as a junior counsellor. During their initial months at the centre, Jordan attends various sessions to observe and learn from more experienced counsellors as part of their onboarding process.

In one such observation session, Jordan notices a senior counsellor, Alex, engaging in a manner that raises concerns. Alex, well-regarded for their expertise in relationship counselling, is seen sharing personal contact information with a client, suggesting they could meet outside of the professional setting to "talk more freely" over dinner. Jordan also overhears Alex making disparaging remarks about another client's situation once the client leaves the room, labelling it as "hopeless" and joking about it with a colleague.

- a) Complete the following table about the identification and analysis of unethical conduct.

(Approximate word count: 200-220 words)

Assessor instructions: The student's response must demonstrate an understanding of the identification and analysis of unethical conduct. Wording may differ, but appropriate answers must reflect the themes and characteristics of the following example.

Identify Unethical Conduct - Describe the behaviours exhibited by Alex that could be considered unethical. Refer to relevant ethical guidelines or codes of conduct in your analysis.	Impact on the Profession - Discuss how Alex's conduct could affect the client's well-being, trust in the counselling profession, and the workplace environment.
<p>The behaviours exhibited by Alex that could be considered unethical include sharing personal contact information with a client to meet outside of a professional setting and disparaging remarks about another client's situation. According to the Australian Counselling Association's Code of Ethics and Practice, such actions violate the principles of professionalism, confidentiality, and respect. Sharing personal contact details for meetings outside the professional environment breaches boundaries and could compromise the client-counsellor relationship. Making negative comments about a client's situation undermines the respect and dignity owed to clients.</p>	<p>Alex's conduct could significantly affect the client's well-being by creating an environment that may not feel safe or respectful, potentially damaging their trust in the counselling process. Trust in the counselling profession at large could be eroded if such behaviour is perceived as acceptable or goes unaddressed, leading to a decrease in individuals seeking help. Additionally, this behaviour can contribute to a toxic workplace environment, impacting staff morale and the quality of care provided.</p>

- b) Reporting the Incident - Write a report detailing the observed unethical conduct. Include:
- **A factual description** of the incidents observed.
 - The **potential risks or harm** posed by such behaviour.
 - Reference to specific **ethical standards or guidelines** that the conduct violates.

- **Deciding Whom to Report To:** Identify the appropriate person or body within the organization to report this conduct. Justify your choice based on the organization's policies or the profession's ethical guidelines.
- **Recommendations for Action:** Suggest possible actions the organisation could take in response to the report. Consider measures for addressing the immediate issue and preventing future occurrences.

(Approximate word count: 350 words)

Assessor instructions: The student's response must be structured to provide clear, factual information about the incidents observed, articulate the potential risks and ethical violations involved, and recommend constructive actions to address the situation, reflecting a commitment to ethical practice and client welfare. Wording may differ, but appropriate answers must reflect the themes and characteristics of the following example.

Example Report on Unethical Conduct

To: Clinic Manager

From: Jordan Smith, Junior Counsellor

Date: [insert date]

Subject: Report of Observed Unethical Conduct

Description of Incidents:

1. **Sharing Personal Contact Information:** On 10th March 2024, during the conclusion of a counselling session, Alex was observed offering personal contact information to a client, suggesting they meet outside the clinic "to talk more freely" over dinner. This action raises concerns about the violation of professional boundaries and the potential for creating a dual relationship with the client.
2. **Disparaging Remarks About a Client:** On 17th March 2024, after a counselling session, Alex made negative comments about another client's situation in the presence of staff, describing it as "hopeless" and making jokes. This behaviour demonstrates a lack of respect and empathy towards the client, potentially breaching confidentiality and undermining the professional environment.

Potential Risks and Harm:

The behaviour exhibited by Alex poses significant risks, including:

- Eroding client trust in the counselling process and the professionalism of the clinic.
- Damaging the mental and emotional well-being of clients who may feel disrespected or objectified.
- Creating a workplace culture that tolerates disrespect and unethical behaviour towards clients.

Violations of Ethical Standards:

The incidents described contravene several key principles outlined in the Australian Counselling Association's Code of Ethics, including:

- **Principle 1 (Respect for the Rights and Dignity of the Client):** Making disparaging remarks about a client's situation fails to treat them with the respect and dignity they deserve.
- **Principle 3 (Professional Conduct):** Offering to meet clients outside of professional settings suggests a breach of professional boundaries and conduct.

Recommendations for Action:

To address the observed conduct and prevent future incidents, the following actions are recommended:

- Conduct a formal review of Alex Johnson's behaviour, including a discussion to hear their perspective.
- Provide Alex with targeted professional development focused on ethics, professional boundaries, and respect for clients.
- Implement or reinforce a comprehensive ethics training program for all staff members, emphasizing the importance of professional boundaries and client respect.
- Review and communicate the clinic's policies regarding professional conduct and boundaries with all staff, ensuring clear guidelines are in place.

Name:

Signature:

c) Reflect on recognising and reporting unethical conduct by completing the following table.

(Approximate word count: 250-300 words)

Assessor instructions: The student’s response must reflect on their journey through identifying and deciding to report unethical behaviour, emphasising the emotional and professional considerations involved. It should highlight the balance between personal convictions and professional responsibilities, showcasing a deep understanding of the importance of ethics in counselling. Wording may differ, but appropriate answers must reflect the themes and characteristics of the following example.

<p>The challenges you might face in a real-world scenario when deciding to report unethical behaviour</p>	<p>The importance of ethical vigilance in counselling and how it contributes to maintaining professional integrity and client trust.</p>
<p>In a real-world scenario, deciding to report unethical behaviour presents several challenges, primarily the fear of repercussions. There's often concern about the potential for workplace conflict, especially if the individual involved holds a position of power or is well-regarded within the organization. This fear can lead to isolation or worry about being labelled as a troublemaker, which might deter individuals from taking action. Moreover, there's the emotional toll of doubting one's judgment or the severity of the situation, questioning whether the behaviour truly crosses ethical boundaries or might be misinterpreted. These challenges underscore the complexity of standing up for ethical principles, requiring a firm understanding of ethical guidelines and courage and support from the organization to move forward with reporting.</p>	<p>Ethical vigilance is the backbone of counselling and is critical in maintaining professional integrity and client trust. It involves continuously being alert to and acting upon any actions that might harm clients or tarnish the profession's reputation. This vigilance ensures that counselling remains safe, respectful, and practical, where clients feel valued and understood. Adhering to ethical standards, counsellors demonstrate their commitment to clients' welfare, fostering an environment of trust essential for therapeutic progress. Furthermore, ethical vigilance promotes a culture of accountability and continuous improvement within the profession, encouraging counsellors to reflect on their practice, seek supervision, and engage in professional development. This ongoing commitment to ethical standards protects clients and enhances the credibility and reliability of the counselling profession as a whole.</p>

Question 15

Imagine that you work for a residential drug and alcohol counselling service. You share an administrative office with the Intake Officer. The Intake Officer conducts telephone intake assessments. After assessments, the Intake Officer records client names, dates of birth, addictions, and counselling needs on a whiteboard on the wall next to his desk. This allows the Intake Officer and other staff to track who is on the waiting list for the service and how long they may have to wait.

Residents are not typically allowed in this area; however, a resident has come looking for you and entered the office while you are not there. He sees the client information that is written on the board.

a) What client rights does this incident violate?

(Approximate word count: 10 - 15 words)

Assessor instructions: The student’s response must demonstrate an understanding that this violates the client's rights to **privacy and confidentiality**.

This violates the client's rights to **privacy and confidentiality**.

- b) You are concerned about this incident and think that organisational policies and procedures must be updated to ensure that similar situations do not happen again. Complete the following feedback form by filling in the indicated spaces, including a summary of the issue and one suggestion to address it.

(Approximate word count: 35 - 50 words)

Assessor instructions: The student's response must demonstrate an ability to complete the feedback form with one appropriate suggestion for improving organisational policy/procedure to better meet the client's rights to confidentiality.

Feedback details must outline:

- the problem (that client information is recorded in the open, which breaches client privacy) **and**
- a potential solution (client information should not be recorded on a whiteboard but in secure files).

EMPLOYEE FEEDBACK FORM

Use this form to record any workplace health and safety hazards and comments or suggestions for improvement regarding services, processes and procedures.

Please forward the completed form to the Manager or Program Supervisor.

Employee details

Name: **Student Name**

Date: **Date**

Contact no.: 12 34567899

Feedback details

(Please record your comments or suggestions)

Client information is recorded in the open, which breaches client privacy. A potential solution is for client information not to be recorded on a whiteboard, but in secure files.

The following field is to be completed by the Manager or Program Supervisor

Action taken: *To be completed by the Manager or Program Supervisor*

Question 16

Imagine you have just started working as a counsellor for a small community services organisation.

Read the organisation's policies, procedures and resources to prepare for your role. As you read through these documents, you notice that your organisation's procedures make no specific reference to the exceptional circumstances that may require confidentiality to be breached. While the organisation's counselling contract includes a confidentiality statement, the confidentiality limits are unclear.

Examine the following extract from the organisation's contract:

Confidentiality

All information shared during counselling will be kept private and confidential. However, in exceptional circumstances, counsellors may be required to break confidentiality per the legislative requirements.

- a) Briefly describe what step(s) you would take to address this issue and contribute to improving work practices.

(Approximate word count: 35 - 50 words)

Assessor instructions: The student's response should demonstrate an ability to share feedback with supervisors/managers to improve work practices. Wording may differ, but appropriate answers must reflect the themes and characteristics of the following example.

I will discuss this issue with my manager and suggest that policy/procedures and the contract statement be amended to provide clear information about the exceptional circumstances in which counsellors may be required to break confidentiality.

- b) Provide an appropriate amended statement that clearly outlines the exceptional circumstances in which confidentiality may be breached to help ensure that clients are fully informed of the limits of confidentiality.

(Approximate word count: 70 - 80 words)

Assessor instructions: The student's response must provide an appropriate amended statement that clearly outlines the exceptional circumstances in which confidentiality may be breached. Wording may differ, but appropriate answers must reflect the themes and characteristics of the following example.

"All information shared during the course of counselling will be kept private and confidential. However, counsellors are required to break confidentiality during some exceptional circumstances:

- If the counsellor considers you at risk of seriously harming yourself or someone else.
- If a court of law has requested your counselling records.
- If another party or agency has requested your information, you have agreed and provided your written consent."

Question 17

Imagine you have just started working as a counsellor for a youth services organisation that works with local high schools.

Your duties essentially involve providing general counselling support to high school students. During your induction, you review the organisation's policies and procedures. You find out that under the existing policies and procedures,

parents are automatically informed when their child requests a counselling session regardless of the client's age or issue being discussed. You raise this with one of the existing counsellors, who tells you that they think the policy is a bad idea and that they have previously received reports from students and teachers that this policy prevents students from seeking help for issues such as bullying or family conflict.

You also note that the organisation currently has no policy/procedure for responding to disclosures of abuse and mandatory reporting. Additionally, you note that client records and case notes are being stored on a shelf in the counsellor's offices with the clients' names clearly visible.

While this office is usually just for the organisation's counsellors, it is also open to various administration and cleaning staff, and clients come to it from time to time.

- a) Briefly outline three (3) legal/ethical issues the organisation's current policies and procedures are not appropriately addressing.

(Approximate word count: 10 - 15 words)

Assessor instructions: The student's response must demonstrate an understanding of the scenario's three legal/ethical issues. Wording may differ, but appropriate answers must reflect the themes and characteristics of the following example.

- Client rights to autonomy vs. parental rights.
- Mandatory reporting responsibilities.
- Confidentiality.
- Privacy and records management.

- b) You think that the organisation needs to review their policies and procedures. You write an email to your supervisor to briefly outline your concerns and suggestions for improving organisational policies and procedures to better meet legal and ethical requirements.

Compose this email. Be sure to explain the issues you have noticed and noted in your answer to Question 17 a) and one (1) improvement you suggest to improve organisational policies and procedures to address each issue you identified.

(Approximate word count: 35 - 50 words)

Assessor instructions: The student's response must demonstrate an understanding of one appropriate improvement to be made to organisational policies/procedures to address each of the issues they identified in Question 17 a). The student's response must also demonstrate an ability to appropriately share feedback with the supervisor professionally (for example, the email must be professionally worded).


Responses should include an assessment of the problem and suggestions for improvement and refer to the following:

- Developing a policy related to child protection.
- Ensuring all student information is kept private (for example, putting student files in a locked filing cabinet).

- Reviewing the policy on informing parents to facilitate client autonomy.

Assessment checklist:

Students must have completed all questions within this assessment before submitting. This includes:

1	Seventeen (17) short answer questions are to be completed in the spaces provided.	
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Congratulations, you have reached the end of Assessment 2!

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