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AMENDMENT OF THE ETHICAL-PROFESSIONAL CODE OF A PSYCHOLOGIST – ASSUMPTIONS AND BASES OF THE PROJECT¹⁾

In November 2015 during the General Meeting of Delegates of the Polish Psychological Association a decision was made to commence works on an amendment of the Ethical-Professional Code of a Psychologist. This challenge was given to a team of professionals who have been preparing substantively for it for the last couple of years. In the team, there are four members of the Cracow Division of the Association, professionally active psychologists, performing both psychological practice as well as scientific research and academic teaching. Two persons obtain, apart from psychological education – also a diploma in philosophy and publications in an area of general ethics, one person obtains a diploma in law.

A decision of the General Meeting was motivated mostly by a desire to amend the existing Code to the current conditions of psychological practice. The code which was in use until December 2018 – the Ethical-Professional Code of a Psychologist, in its first edition was created in year 1986, and it was re-edited in year 1992. Since that time not only legal circumstances of performing psychological practice have changed, but also some new forms of it emerged, such as on-line psychological services. What is more, a need emerged for amending the existing Code to the guidelines of the Meta-Code of the European Federation of Psychologists Associations (EFPA), as the previ-

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¹⁾ The article refers directly to the project concerning an amendment of the Ethical-Professional Code of a Psychologist created by a team including: Anna Bogatyńska-Kucharska, Katarzyna Sikora, Małgorzata Steć, Marcin Szafranski, which is presented in a different part of this issue of the journal. The aim of the article is to present justification for the proposed project. The described project was presented to delegates of the Polish Psychological Association during the General Meeting which took place in Warsaw from the 30th of November to the 2nd of December 2018. After implementation of some revisions raised by the delegates, the project was accepted on the 2nd of December 2018 as currently in force Ethical Code of a Psychologist replacing the Ethical-Professional Code of a Psychologist of the Polish Psychological Association which has been in use before.

ous Code was overall in agreement with those in content, however it differed significantly in the form.

The team members decided to conduct the works in a mode similar to one performed by a team preparing the *Universal Declaration of Ethical Principles for Psychologists* (cf. IUPsyS, 2010; Gauthier, 2010). Several dozens of ethical codes were analysed in detail as well as regulations of national associations of psychologists, and also international and professional regulations. The current literature on the topic was also familiarised with by the team. Finally, a decision was made to attempt to create the rules of the updated Code from the beginning, instead of introducing new fragments to the existing text. Still, the new version of the Code was supposed to maintain not only the spirit but also parts of literal fragments of the old version. What is more, a decision was taken to make the process of creating the new Code public: sending information concerning a progress in works to the General Board of the Polish Psychological Association, informing members of the Association by distributing information to its Sections and Divisions, and also by organising a thematic session during the XXXVI Scientific Congress of the Polish Psychological Association in Gdansk in September 2017. The session was devoted, among others, to a justification of the bases of the mode of work undertaken and to the presentation of the proposed Preamble. In November 2017, the team, in cooperation with the Cracow Division of the Association and Ignatianu Academy in Cracow, organised a national conference 'Ethical Dilemmas of Psychologists', during which one of the plenary sessions was devoted to presenting the Preamble and General Rules of the proposed Code. The text gained its final form in March 2018 and was sent for a review to members of the Association through Sections and Divisions, and in June – after considering the remarks of those – it was passed on to the General Board for further works. Accepted at the General Meeting of Delegates of the Polish Psychological Association in December 2018 text of the Ethical Code of a Psychologist, based on the project created by the team, can be found on pages of the current issue of the journal. Below there are presented, necessary in the team's opinion, explanations and justifications of the decisions made.

ETHICAL CODE AND ETHICS OF A PROFESSION. CODE'S FUNCTIONS

Ethical codes do not exhaust a whole of professional ethics or references of professional issues to general ethics. They rather stay in a certain hierarchy: general ethics – more specific ethics (including professional ethics), ethical-professional regulations.

Mutual relations between general ethics and professional ethics are a subject of research and discussions (Galewicz, 2010; Górnicka et al., 1994, pp. 168–206), however their detailed analysis is not a subject of the current article. A professional ethic alone can be treated as a set of norms a. accepted, b. implemented, c. referring to a certain group of professionals (Galewicz, 2010, pp. 33–37), wherein norms a, b, and c are not always coherent. As a difference between norms a and b concerns a potential discrepancy between proclaiming ethical rules and their implementation (which sometimes can have some negative consequences), a difference between norms a and c in turn leads to a question of who should formulate ethical rules of a given profession. It seems, that norms referring to representatives of a given profession can be formulated not only by professional environments, but also by stakeholders, which means

the people using services of given profession's representatives. They formulate not only expectations, but also conditions under which they will want (or not) to use professional services of given representatives. In this context, a receiver gains a significant importance not only as an 'object' of ethical actions of a psychologist, but above all as an equal subject in formulating ethical-professional rules.

In the discussed text of the new Code, a term 'receiver' appears and is replacing traditionally used in codes word – 'client'. The term, proposed a couple of years ago (Sikora, 2013) was widely accepted and is gradually finding its place in a Polish psychologists' dictionary. It is more capacious than the term 'client'. Professional relationships in psychologists' profession refer not only to people traditionally referred to as clients (people in a process of diagnosis, therapy, consulting, and so on), psychological services are offered also to students (psychological education), people taking part in workshops, people under supervision, and also partakers of scientific research in psychology. The team proposed to refer to all of these people as receivers of psychological actions. A certain drawback of this term is some sort of passivity it implies, while persons who use services of psychologists are most often active partakers of these actions. However, a similar critique can be applied to the term 'client', and a broader meaning of the notion 'receiver' seems to speak in favour the decision of its use.

If a base of the ethics of psychologists' profession is a contact, relationship with another person, it can hardly be expected that complexity and richness of these relations can be fully captured in any written document. The code is therefore merely a fragment of the professional ethics of psychologists. Basic questions which should be asked are: what is the code needed for? What is its role and possible dangers related to codification of moral norms concerning performing a professional role?

Opponents of professional ethics – or more precisely – opponents of creating ethical-professional codes turn attention, among others, to a danger of reducing a human being as a moral subject of interventions to a role or function they fulfil in their social life. It can sanction actions, which, from a perspective of general morality, are at least morally doubtful or simply wrong (Górnicka et al., 1994, pp. 168–206; Kołakowski, 1967). In turn, advocates of the professional ethics notice, that the professional ethic above all regulates relationships between certain social groups, and is not replacing common morality, but completing it. It does not relativize general morality, it serves different functions e.g. it creates standards or patterns of ethically correct behaviour and it also points to professional virtues (Środa, 1994, pp. 167–169).

From such perspective the ethical-professional code can be seen as a kind of public oath to maintain some ethical standards, and also is a part of a contract between psychologists as a professional environment and receivers of their services. The described project of the Code should then point to significant ethical values for performing the profession of a psychologist, to whom general rules of the project refer. It should serve a helping function in resolving moral dilemmas and also in a process of educating future professionals. What is more, it should serve to regulate relationships between psychologists and receivers of their services, defending above all receivers, but also – what is a novelty in the proposed project – taking care of psychologists' rights as partakers of a professional relationship. As such, it can be a base for an ethical assessment of a specific psychologist towards a specific receiver – in this respect it serves a regulatory function, pointing to the right direction of acting or even promoting specific behaviours. The code, fulfilling a consulting func-

tion, can be seen as a basic point of reference in a situation of uncertainty resulting from values' or norms' conflict. In a case of psychology, such conflicts are common, dilemmas in turn can occur in each branch of psychologists' work, independently of a function held by them. The code can help psychologists by being a sort of a guidepost; especially there, where a time pressure or a necessity of a public justification of own decisions occur. The code alone, however, does not exhaust the ethical-professional issue, and being familiar with it will not replace a broader ethical awareness and a personal sensitivity of a psychologist.

FORM OF THE PROPOSED PROJECT

Language of the Code

In accordance with a concept, that a way of speaking is a way of thinking, the team members devoted a lot of consideration to a language of the proposed code. Main dilemmas concerned a mode to be used – whether it should be declarative or obligatorial and also using personal pronouns. The aim was to write a text using a language, which on one hand will not be exclusive, and on the other will be in accordance with linguistic practice and also understandable and acceptable (accordingly to a contract's perspective) both for psychologists and for receivers.

In the chosen project, a declarative language was chosen, e.g.: *a psychologist acts*, instead of: *a psychologist should act*. Such language is in use in e.g. common law bills. Despite an absence of a predicative *should*, it expresses an obligation to described actions, and in essence it describes psychologists' duties. The code serves an aspirational function, and hence shows a psychologist and actions undertaken by them from an idealistic perspective, which, however, should not give a Reader an impression of trying to achieve a professional Utopia. Statements in declarative language serve this cause much better than obligatorial language. Additionally, in the case of the latter, an overall impression after reading the Code would be that a reality of psychologists' work does not look yet as it should look, and the Code is persuading to pursue it. In a case of declarative language, a psychologist's activity is shown as it is, with an assumption that some exceptions from the accepted rules can occur from time to time.

A more controversial issue turned out to be establishing what kinds of personal pronouns to use. A specificity of Polish language requires a choice between male and female forms, which is significant in psychologist's profession, because a vast majority of profession's representatives are women, however in many documents, including the existing Code, male forms are in use. Attempts were made to create the Code using both forms ('(s)he should always care for well-being of his/her receivers') and with a usage of plural forms (such solution was used in many Codes, e.g. in the British Code we will find a form *psychologists* and in the German one – *Psychologenund* and *Psychologinnen*) receiving in both cases a text ideologically correct, however hard to follow and inconsistent with lingual practice. Finally, it was decided that in the text an existing male form will remain in singular case, forms in present tense will not determine gender. What is more, a definition of the term 'psychologist' in a supplementary dictionary, will contain a note, that this term refers to all representatives of the profession, independently of their gender.

Code's structure

Accepted in December 2018 text of the Code consists of the following parts: Preamble, General Rules, Receiver's Rights, Psychologist's Rights and Dictionary. Notes preceding the Preamble determine a range of Code's applicability – it should refer to members of Polish Psychological Association, and also *other persons who declared to follow it*. The last note is significant in a context of introducing in Poland the European Certificate in Psychology (Euro-Psy) – one of the conditions to obtain the certificate is to sign an obligation to follow the Code. The certificate is available also for people who are not members of the Polish Psychological Association. Sharing the Code also with psychologists who are not part of the Association in large degree will make the process of certification easier. At the same time, thanks to it, the document will become more universal, and will not hold a label of a 'local' agreement or an inner regulation of the Association.

Preamble

In the body of the Preamble attention is turned to two sources of deepening psychological knowledge: science and professional practice. In professional practice it is necessary to base on results of scientific research, and at the same time in a range of practice new actions are postulated, which only after some time can be scientifically verified, e.g. with respect to their efficiency. During creating or introducing such actions, a carefulness regarding their ethical dimension becomes even more significant, as well as an awareness of their boundaries: both the boundaries of psychologist's capacities and also limitations of interventions used. Both within a range of scientific research as well as in a broadly understood professional practice, a psychologist enters a direct relationship with another human being, and this experience of another person should be a starting point for the professional ethics (cf. Tischner, 1993).

The text of the Preamble of the proposed Code, similarly to texts of many other ethical codes of psychologists, cites the Universal Declaration of Human Rights by the United Nations as the most basic document with international, humanistic meaning. It also refers to common law and rules of social coexistence.

In the preamble, attention is directed towards a particular character of professional relationships connecting a psychologist with a receiver. It refers to, among others, a lack of symmetry in a professional contact of a psychologist with a receiver, resulting from, on one hand, an advantage of a psychologist in a range of skills and knowledge referring to human's behaviour and psychics, and on the other hand, a specific, confidential character of information shared in the contact (a psychologist usually knows about a receiver much more than a receiver knows about a psychologist). Because of that, one of psychologist's tasks, resulting from the Code's content, is trying to level possible negative consequences of this advantage by obligating psychologists to follow the ethical norms.

General rules

In the presented Code, six ethical rules are proposed: respecting human rights and dignity, caring for receiver's well-being, competency, responsibility, honesty, and pro-

professional solidarity of psychologists. These are the rules which can be found in almost all ethical codes of psychologists around the world (cf. Leach, Harbin, 1997).

It is obvious, that a general rule of respecting human rights and dignity should be respected in every form of psychologists' activity. From the rule of respecting dignity, a rule of respecting autonomy follows, which is especially significant for the Western culture (cf. Sikora, 2013). It is however worth noting, the notion of autonomy can refer to persons (Benn, 1976, in: Beauchamp, Faden, 1986, p. 236; Dworkin, 1988), actions (Beauchamp, Faden, 1986, pp. 235–269) or rules (Łuków, 2005, pp. 195–235). Each of the concepts named can be useful for understanding and acting in accordance with the before-mentioned rule. A concept of autonomy as referring to actions is particularly useful in a situation of contracting or consenting to take a part in scientific research. During psychological services like consulting or helping, the concepts of autonomy referring to persons can turn out to be important.

In the proposed project, role of the autonomy rule is underlined in completing a rule of receiver's well-being. Determining the receiver's well-being is not an easy issue, and the very notion is hard to define. In psychological actions there is a pluralism of goods (Galewicz, presentation during the conference 'Ethical Dilemmas of Psychologists', 29.11.2017), which means that there are several categories of 'goods' which we should be directed by: a. prudential values – so-called personal goods (what is good for a given person minding their own interest), b. moral goods, c. a total ethical value (which means everything what is good considering all the things, so both personal and moral goods). Various conflicts are possible between specific categories, and moreover, a discrepancy between what a receiver specifies as what is good for them and how it is perceived by a psychologist. The presented project seeks to sensitize psychologists to such situations and turn attention to a right of a receiver to specify what is good for them in their own mind. A psychologist, in turn, following their own right to professional independence, informs whether he or she is capable to pursue a realisation of the goods chosen by a receiver. During making a contract a possibility exists of negotiating aims of psychological actions. While following a rule of pursuing the receiver's well-being, a psychologist cannot break a rule of honesty.

Already in the Preamble, a direct reference to one of the fundamental rules of psychologists' activity, which is caring about receiver's well-being, is made. The rule of being directed by receiver's well-being can be interpreted negatively as a prohibition of harm or positively as an injunction to act for this well-being. The (new) Code points to different types of goods; individualistic and social, seen as being part of various social groups. In its intention, the fragment should point to underappreciated in psychology values connected with being a part of different social groups (Doherty, 1995) as well as refer to cultural differences with respect to choosing individualistic or collective values, culturally determined. In this range, the Code would stay in accordance with the broadest ethical regulation in psychology – Universal Declaration of Ethical Principles for Psychologists (IUPsyS, 2010; Gauthier, 2010).

In this document reaching outside borders of the north Atlantic culture, there were fragments equating the rights of *persons and peoples*, which are at the same time binding psychologists to respect as equal an individual dignity of each person as well as their social-cultural membership. The proposed project however, keeps a distinction between direct and indirect receiver. Usually a direct receiver is a person towards whom psychological interventions are undertaken, so for example a person under diagnosis, psychological consulting or a person who needs a psychological opinion, and

not necessarily a person who is commissioning tasks for a psychologist. A person delegating a task, similarly to other persons who will be influenced by psychologists' actions, can be seen as more distant, in other words – they are indirect receivers. In the Code a specific position of a principal is classified as a person often responsible in legal terms for the direct receiver (e.g. a parent toward a minor) or as a person with an influence on their experiences in significant issues (e.g. an employer towards an employee).

A rule of competency is not in a strict sense an ethical rule, as competency as such is more of a prudential rather than an ethical value. The rule however is commonly seen in Codes of professional ethics of psychologists (cf. *APA Ethical Principles of Psychologists and Code of Conduct*, *EFPA Metacode of Ethics*, *The British Psychological Society Code of Ethics and Conduct*, 2018), it also is a certain completion of an incentive of caring for the receiver's wellbeing. A self-awareness of a person performing a profession of a psychologist is a significant element of competence. Competence is also an awareness of own well-being and a necessity of taking care of it, in this place: an order to maintain a high quality of performed service. A psychologist, who would be unaware of an importance of what is good for him or her, is in danger of a selfless, repeated putting of receiver's well-being before their own. Such situation creates a possible risk of a serious frustration of psychologist's needs, and therefore also – in a further perspective – a decrease in quality of services and interventions performed. A perfect situation is then to obtain self-assessment competencies regarding an importance of own well-being in order to ensure an appropriate realization of receiver's well-being.

The project presented underlines an influence of various characteristics of a psychologist (broadly understood psychological state, but also cultural or social conditions) on a quality of performed services. A psychologist is in him or herself a tool of their own work (Engel-Bernatowicz, 2013), especially in a context of a direct diagnostic or consulting contact. His or her own conditioning, including various kinds of limitations, significantly influences a quality of professional interventions. Therefore, an awareness of this conditioning and a reasonable deciding about a possibility of specific professional interventions can be seen as an ethical duty of a psychologist. In the project presented it is underlined, that competencies concerning professional ethics are included in professional competencies.

The amended Code places an emphasis on an issue of psychologists' responsibility. It results from an asymmetric relationship between a psychologist and a receiver. It is not however, a responsibility 'for' a receiver. An emphasis existing in the Code concerning a question of autonomy of the receiver excludes such understanding of responsibility. A psychologist responsible 'for' their receiver would be limiting their autonomy.

It seems, that a psychologist's responsibility should be understood as: firstly – responsibility for oneself and therapeutic or diagnostic process. Therefore, what we have here is a responsibility of a specialist for a procedure within which he or she has the competencies and applied expertise. Such an understanding of responsibility would be in accordance with Latin etymology, pointing to a term *auctor/autoritas* (precursor, founder/meaning, leadership). Second meaning, more metaphorically, could refer to a specific responsiveness of a psychologist (which follows from a sound of the word 'responsibility' alone) towards the needs of his or her interventions' receiver – to be more precise – their own well-being.

A psychologists' responsibility should be also connected with a rule of professionalism: as the responsibility assumes an awareness of limitations, and it is an important

trait of a professional. In the newest literature concerning the ethics of psychologists' profession an issue of responsibility is usually reduced to its legal aspects, and therefore to a question of legally determined responsibility which lies upon a psychologist. Dorota Bednarek (2016) writes, however, not only about criminal, civil, and disciplinary responsibility of a psychologist but also about professional responsibility as an additional specific form of responsibility. The professional responsibility of a psychologist is also joint with an issue of professionalism, it should ensure, or be related to ensuring a high quality of interventions during a professional practice of a psychologist. Bednarek (2016, p. 62) calls such type of responsibility a 'basic instrument of control over an appropriate practice of a profession of public trust' and at the same time points to a fact of insufficient regulations of an issue of professional organisations' membership among psychologists in Poland, which results in psychologists not bearing disciplinary professional consequences. The new Code is therefore the only normative act, which is concerned about the issue of professional responsibility from the perspective of the ethics of performed profession.

In a new edition of *The ethics of Psychologist's Profession* edited by Jerzy Brzeziński, Barbara Chyrowicz, Zuzanna Toeplitz and Małgorzata Toeplitz-Winiewska (2017) a meaning of responsibility of a profession's good name is underlined. It is closely related to the idea of promoting of professional practice standards and also ethical rules. It is closely related to a promotion of psychologist's profession and sharing knowledge concerning a range of his or her interventions. It turns out to be incredibly important in a context of still functioning in a society stereotypes concerning a perception of psychologists' job and psychologists themselves as specialists. Part of the care of a social dimension of psychologists' image, which is related to responsibility, is a specific sensitivity of the psychologists' community to all derogations from professional or ethical standards.

A notion of fairness is closely tied to the issue of responsibility. This notion also corresponds to other issues, connected to the quality of interventions performed by a psychologist. What we have here is e.g. reliability, which is something what validates methods and procedures used by a psychologist. This reliability concerns not only carefulness in an applied practice, but also overlooking whether the methods or procedures were used in a correct way. Professional honesty means also that a psychologist cannot work with every receiver. Strong emotions connected with some relationships can lower psychologists' ability to think objectively, which is necessary to ensure receiver's well-being. An honesty in this respect will influence a psychologist's decision concerning entering or not a situation, which can directly harm a realisation of receiver's well-being. A psychologist honest with her or himself, their profession, and above all with their receiver, will try to back up from similar situations. As can be seen in this case a factor of professionalism is in the game, but also responsibility, which only shows a rich network of connections between normative ethical norms of a psychologist's profession.

The described Code introduces to the General Rules some fragments concerning professional solidarity, seen as mutual support within psychologists' community in a care of the highest possible quality of performed services. The solidarity concerns a specific particular bond which is created between people following from a fact of performing the same profession, and also a postulate of helping adepts of the profession and less experienced colleagues. Professional solidarity is seen as a readiness for an individual and institutional support for developing high standards of psychol-

ogists' work. This attitude of professional solidarity is especially important in situations in which psychologists in a given institution are the only representatives of their profession. In such circumstances a high probability will occur of the requirements of psychologists' work not being obvious for representatives of other professions. Undertaking of informative actions in regard to it seems important. The fragments concerning professional solidarity proposed in the project by no means imply hiding mistakes in professional interventions of psychologists or defending particular interests.

Receiver's rights

Receiver's rights result directly from an accepted concept of the profession and bases of the professional ethics. The Code obligates psychologists to follow these rules – one can say that the receiver's rights are psychologist's duties. The fragments concerning psychologists' rights, in turn, should support psychologists in reaching for professional independence, to ensure conditions of the highest quality of services performed, and finally: they should protect psychologists within the range they become the tools of their on work.

The rights of a receiver named in the Code are: right to autonomy and subjectivity, right to confidentiality and privacy, right to a high quality of psychological services. They are directly rooted in the General Rules. The right of a receiver to autonomy and subjectivity is mainly founded upon the rules such as: respecting human rights and dignity, caring for receiver's well-being, fairness, and responsibility. A foundation of the receiver's right to privacy and confidentiality consists mainly from the rules such as: respecting human rights and dignity, caring for receiver's well-being, fairness, responsibility, and also competency. The receiver's right to a high quality of psychological services is based mainly on the rules of competence and fairness.

An expression of the receiver's autonomy is an act of consenting to psychological interventions. An 'informed consent' is a term used in a medical practice and research with people taking part in it (mainly in a context of medicine) since the 1950' (Beauchamp, Faden, 1986, p. 86). A detailed description of this issue in a historic, philosophical, and pragmatic aspect is presented by Beauchamp & Faden (1986). According to these authors an informed consent relies upon an autonomous authorisation of specialist's intervention towards a receiver. An informed consent refers to the receiver's actions. It means that a receiver acts: a. intentionally, b. with an understanding of what he or she agrees to, c. in a way free of external controlling influences (Beauchamp, Faden, 1986, p. 238). Expressing this informed consent requires fulfilment of all three conditions.

Receiver's right to confidentiality, which implies not sharing information about them, includes rights to privacy and intimacy (Bok, 1989, p. 6). A privacy is understood as an opposite of making something public, so this is a part of life we do not want to share with everyone or with many people. Intimacy concerns particularly personal issues, especially relationships or experiences, which are meaningful for us. A range of perceiving specific areas as intimate can be hugely individual. In the given meaning our personal data is private, although not necessarily intimate. Intimate, although not necessarily private are e.g. our relationships with children. There is also a kind of information which is both private and intimate, e.g. those concerning religion (a privacy in a context of religion would mean not sharing e.g. one's belief, inti-

macy in turn would refer to religious experiences perceived as especially important). Psychologists, fulfilling their professional roles, have an access to a lot of confidential information, both private and intimate. Because of that, in our profession, a lot of emphasis is placed upon professional confidentiality, which protects them from revealing. Also, gathering information should be conducted carefully, regarding intimate issues and dangers following from that.

In the Code's text, a notion emerges of information management, which means gathering, processing, keeping, and passing on of information concerning receivers by a psychologist. The term 'management' used in this context can raise some doubts. However, following a definition from the Polish Language Dictionary, – *management* – is a 'set of actions directed to reach a specific aim, connected with an interest (need) of a given object of management, realised in the following sequence: planning (choice of aims and ways of achieving them and specifying adequate tasks and deadlines for their completion), organising (distributing and ensuring resources necessary for realisation of planned actions, in a way which ensures efficiency and fluency of management), leadership (directing, motivating to cooperation during tasks' realisation), controlling (a constant observation of progress and taking corrective decisions)'. Therefore, this term seems adequate for psychologists' actions related to gathering, processing, keeping, and passing on information.

Minding a confidential character of a vast part of information gathered, psychologists are obliged to a careful processing and sharing. They act within legally defined boundaries, they also are aware of an importance of information they have and its potential influence and meaning for lives of direct receivers and other people. Because of that, information, given to psychologists in relation to their professional role, requires planning, organising, and also directing or controlling (e.g. a range of shared information) in order to ensure caring for the receiver's well-being. Information, because of its particular character should be: gathered, processed, kept, and shared with a particular care. Each time one should consider a meaning and possible consequences concerning gathering, processing, keeping, and sharing information, therefore one should *manage* it, following above all the rules of honesty and being directed by receiver's well-being.

The receiver's right to a high quality of services offered, similarly to the rule of competence, does not refer directly to ethical rules. However, an incompetent intervention is harming, and therefore inconsistent with ethical norms. A receiver has therefore a right to a high quality of service performed by a psychologist, and a psychologist is also obliged to ensure such services.

Psychologist's rights

The proposed text of the Code includes fragments concerning psychologist's rights: rights to professional independence, to keeping professional secrecy, rights to refuse professional service, to a protection and help from a professional environment's side and also to defence in case of ethical-professional charges. Similarly to the receiver's rights, also psychologist's rights are founded in the General Rules: a base of the psychologist's right to professional independence is the rule of responsibility. The psychologist's right to keep professional secrecy is founded mostly on the rules such as: respecting human rights and dignity, caring for receiver's well-being, and responsibility. The psychologist's right to refuse professional service results mainly from the rules regarding competency, responsibility, and fairness. The psychologist's right to protec-

tion from the professional environment's side is grounded in the rule of professional solidarity.

Psychologist's rights in the proposed text of the Code were formulated in a very frugal way, as the Code should serve to protect the receiver's rights in the first place, and the psychologist's rights included in it are – indirectly – a guarantee of a protection of the receiver's rights. A refusal of respecting these rights harms directly a high quality of performed services of psychologists (professional independence, refusal of service in case of real incapacity to perform them reliably), destroys trust, which is a base of professional relationship (confidentiality, professional secrecy), it also potentially harms psychology's and psychologists' good name (help within a community, a right to defence in case of ethical-professional charges).

The proposed version of the Code and development of professional ethics' standards

The presented Code has a hierarchical structure. Despite referring directly to the rules of particular ethics (professional ethics), still these rules are founded in higher, universal values, from which values and aims of a profession can be derived, which will in turn be referred to by the General Rules, and, followingly, detailed rules of professional conduct. A psychologist undertakes actions which, at least, do not go against presented values, and at best – promote them. From the overall rules of ethics follow rights of receivers and psychologists.

The Code's text displayed here is, out of necessity, formulated in a general way, more aspirational than regulatory. It is a well thought-of strategy which remains, in the team's members opining – in accordance with an accepted understanding of the professional ethics, its highest values and aims. It is also in accordance with generally accepted standards of creating this type of documents: a majority of existing psychological Codes has such general character, and most prominent ones of them, as for example the EFPA Code or the Universal Declaration of Ethical Principles for Psychologists, are very concise documents. The team argues strongly for the existence of a single, general Ethical Code of Polish psychologists, which includes fragments that can be applied to all forms of professional practice. Above this one single ethical Code, it is worthwhile to create ethical guidelines concerning detailed areas of psychologists' work, e.g. concerning psychological diagnosis, consulting, and so on. These guidelines can take form of conduct's standards, ethical standards, they should however be consistent with the general rules and with the receivers' and psychologists' rights following from them. Such position was also supported by delegates of the Polish Psychological Association during the general Meeting in Warsaw in 2018.

Considering a great variability of psychological practice, it can happen, that detailed standards created in one area will not necessarily be consistent with particular standards created in different area, however they can still remain in accordance with the General Rules. Works concerning a preparation of detailed ethical standards, which do not contradict the General Rules proposed in the Code are under way in the Diagnosis Section of the Polish Psychological Association. Also, the Psychotherapy Section has its own ethical code. A question therefore arises, whether detailed ethical standards concerning these areas have to be repeated in the general Code?

The Ethical Code of a Psychologist fulfils various tasks. Above all, it is an element of professional ethics of psychologists, although the psychologists' professional ethics

alone is a broader term and includes a much bigger container of notions than the Code alone will ever be able to describe. The Code is to support shaping and developing of an ethical sensitivity of psychologists. At the same time, the development of ethical awareness of psychologists can be an inspiration for a discussion concerning important problems arising together with the profession's development, which also have an ethical aspect. An exchange of views in the area does not necessarily have to lead to a creation of one accepted solution; it can and it should also influence changes in the Code's fragments. The code therefore, similarly to the whole professional ethics of psychologists, should develop, and, what follows from that – change. It is a task of psychologists' community to create regulations which will enable reasonable and regular updates in the Code's content. It is worthwhile for the Code to be 'alive'.

REFERENCES

- APA *Ethical principles of psychologists and code of conduct*. <http://www.apa.org/ethics/code/index.aspx> (access: 6.09.2018).
- Beauchamp, T.L., Faden, R.R. (1986). *The history and theory of informed consent*. New York, Oxford: Oxford University Press.
- Bednarek, D. (2016). *Zawód psycholog. Regulacje prawne i etyka zawodowa. [Profession: Psychologist. Legal regulations and professional ethics]*. Warszawa: PWN.
- Benn, S. (1976). Freedom, autonomy and the concept of a person, *Proceedings of the Aristotelian Society*, LXXVI, 109–130.
- Bok, S. (1989). *Secrets*. New York: Vintage Books. A Division of Random House Inc.
- Brzeziński, J., Chyrowicz, B., Toeplitz, Z., Toeplitz-Winiewska, M. (2017). *Etyka zawodu psychologa. Nowe wydanie [Ethics of a psychologist's profession. New edition]*. Warszawa: PWN.
- Doherty, W.J. (1995). *Soul searching: Why psychotherapy must promote moral responsibility*. New York, NY, US: Basic Books.
- Dworkin, G. (1988). *The theory and practice of autonomy*. Cambridge, New York, Melbourne, Madrid, Cape Town, Singapore, Sao Paulo: Cambridge University Press.
- Engel-Bernatowicz, A. (2013). *Diagnosta jako instrument pracy własnej. [A diagnostician as an instrument of own work]* In: K. Stemplewska-Żakowicz (Ed.), *Wywiad psychologiczny, cz. 2. Wywiad jako spotkanie z człowiekiem [Psychological Interview, part 2. Interview as a meeting with a human being]* (pp. 240–269). Warszawa: Pracownia Testów Psychologicznych.
- European Federation of Psychological Associations *Metacode of Ethics*. <http://ethics.efpa.eu/metaand-model-code/metacode/> (access: 6.09.2018).
- Galewicz, W. (2010). *Moralność i profesjonalizm: spór o pozycję etyk zawodowych. [Morality and professionalism: a dispute over professional ethics' position]*. Kraków: Universitas.
- Gauthier, J. (2010). The universal declaration of ethical principles for psychologists: A culture-sensitive model for creating and reviewing a code of ethics. *Ethics & Behavior*, 20(3–4), 179–196.
- Górnicka, J., Hansen, G., Jankowski, H., Jawłowska, A., Kiciński, K., Kraszewski, J., Lazari-Pawłowska, I., Pawlik, W., Piłat, R., Skarga, B., Środa, M., Wichrowski, M., Woleński, J. (1994). Dyskusja redakcyjna. Wokół etyki zawodowej. [Editorial discussion. Around professional ethics]. *Etyka*, 27.
- International Union of Psychological Science (2010). *Universal Declaration of Ethical Principles for Psychologists*. <http://www.iupsys.net/about/governance/universal-declaration-of-ethical-principles-for-psychologists.html> (access: 19.02.2018).
- Kołąkowski, L. (1967). *Etyka bez Kodeksu. [Ethics without a Code]* In: L. Kołąkowski, *Kultura i fetysze [Culture and fetishes]* (pp. 147–189). Warszawa: PWN.
- Leach, M., Harbin, J. (1997). Psychological ethics codes: a comparison of twenty-

- four countries. *International Journal of Psychology*, 32(3), 181–192.
- Łuków, P. (2005). *Granice zgody: autonomia zasad i dobro pacjenta [Boundaries of an agreement: autonomy of rules and patient's well-being]*. Warszawa: Wydawnictwo Naukowe Scholar.
- Sikora, K. (2013). Dobro odbiorcy w Kodeksach etyczno-zawodowych psychologów [Receiver's well-being in ethical-professional Codes of psychologists]. *Roczniki Psychologiczne*, 16(4), 587–601.
- Słownik Języka Polskiego. <https://sjp.pwn.pl/slowniki/zarz%C4%85dzanie.html> (access: 14.09.2018).
- Środa, M. (1994). *Argumenty za i przeciw etyce zawodowej [Arguments for and against professional ethics]*, *Etyka*, 27, 167–169.
- Tischner, J. (1993). Sztuka etyki. In: J. Tischner, *Myślenie według wartości [Thinking according to values]* (pp. 383–393). Kraków: Znak.
- Toeplitz-Winiewska, M. (2017). Podstawowe zasady, które powinny być respektowane przez psychologa [Basic rules which should be respected by a psychologist]. In: J. Brzeziński, B. Chyrowicz, Z. Toeplitz, M. Toeplitz-Winiewska (Eds.), *Etyka zawodu psychologa. Nowe wydanie [Ethics of a psychologist's profession. New edition]* (pp. 125–146). Warszawa: PWN.

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