

## **The Role of Ethics in Career Counselling in the 21<sup>st</sup> Century**

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**Abstract:** *Ethics remain the backbone of counselling in the unfolding complicated and interconnected global space where technology has made change a constant in life style. Counselling practice is guided by code of ethics and standards which provide a common base for the application and interpretation of assessment and evaluation tools in counselling work. A common thread running through all the codes of ethical standards are ethical requirements which calls on practitioners to observe some common theme of values and principles in the delivery of counselling services. But beyond the documented standards and guides are the mores and conventions which though have no legal and enforceable powers, form the basis of resolution of ethical issues in counselling. These foundational issues are values, principles and ethical traits in practitioners. The paper will develop a framework that links these concepts in explaining ethics in counselling, while some contemporary and evolving ethical issues like culture, law, morality, counsellor-client confidentiality, rights of minors, education and training, Gender and racial discrimination et al, which impacts on counselling work will be discussed.*

**Key words:** *Ethics, Counselling, Values, Principles, Culture,*

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### **I. Introduction**

Ethics in counselling may remain nascent, exploratory and developmental in the foreseeable future because of the judgmental (Gibson, 2004) attribute of ethics and the lack of proven and uniform analytical and theoretical framework (Hodgson, 2001). Ethics can be reflective of a culture, religion, the life cycle state of an organisational, and other sets of belief system (LGBT, 2011). Therefore, ethics can be viewed differently at different time, occasion and situation and from different prisms of the counsellor. Even the explicit nature of, and seeming universal applicability of ethical standards (Niles & Bowsbey, 2009) established by counselling associations may never resolve the issues but create a minimum anchor on which the debate will continue to flourish and provide ample guide in the interpretative use of the ethical standards in counselling.

The paper will focus on ethics and standards in counselling but in order to provide a puritanical barometer for measuring the relationships amongst the issues that underlie these concepts, and impacts on counselling practice, we must commence the analyses with a clear perspective of some of the underlying issues of ethics and counselling.

The underlying issues shall form the building blocks for the analytical approach for the discussion. The building blocks are values, principles, traits and habits, practitioner-client relationship and ethics and how these influence the very nature of counselling. The paper will make commentary on the ethical counselling standards, the convergence of standards across different counselling standard organisations, and finally on the resolution of the theoretical dilemma between standards and ethics

### **II. Values**

“Values are mental processes that are both cognitive and emotional. They combine cognitive representations such as concepts, goals, and beliefs with emotional attitudes that have positive or negative valence. For example, the values associated with life and death require the cognitive concepts of life and death and the emotional attitudes that view life as positive and death as negative” (Thagard, 2013). Values are cognitive processes because the individual is enabled to make choices amongst an array of alternative actions when confronted with a dilemma/situation and at the same time emotional because those cognitive decisions are influenced by the intrinsic attractiveness or aversion which the brain associates with the current pattern of action. Emotions are guided by beliefs and beliefs are tuned by stored information and reactivation of forgotten memory.

Hence two adults with similar cognitive capabilities but with extreme polar religious faith are likely to disagree on a wide variety of moral issues like gay marriages, abortion et al because the cognitive decision making process are fired and dependent on their recall and reliance on the relationship between the event and the pattern of stored information in the brain which bear resemblance/relevance to the event. Thus their interpretation of the current event would be different. This suggest that the values and or interpretation or response of an individual to a particular situation must be contextualised within the emotional predisposition and experiential space of the individual.

An organisation on the other hand is a mere legal person whose brain and emotions are creation of man. The management and owners of the business creates the rules, behaviour and guidance principles of the organization which becomes the cradle of the organization. This informs the values of the organisation and once agreed, the values of the organisation forms the soul of the organisation.

“An organisation’s values are judged by the behaviour it rewards. Its core values and principles constitute the foundation and core guidance platform on how the organization behave, how decisions are made, what the organization is to its external audience, how they reward, how interpersonal relationships are defined, and what the organizations’ intrinsic character is” (Accenture, 2013). Leadership is an embodiment of the organizational values and how the leadership react during (perceived) crises, how they allocate resources; their role modelling and coaching; what behaviour they choose to reward and punish; and their hiring, retention, promotion, and dismissal of employees—and the criteria they use for each; will define the values held by the organization(ERC, 2014).

Values are a combination of beliefs, attitudes and norms on which behaviour and actions are embedded. The work place values determine how a person goes about conducting his work and the level of achievement on the work. It represents those criteria which are important to the person and which becomes the lever of performance and or behaviour. Values are the key assumptions that underlie the questions a counsellor asks the client, what answers he expects or gets and what defines the very assumptions upon which the communication is seated between the two (Joann Harris-Bowlsbey, 2008). The ethical problem that counsellor may convert their personal values for client adoption during therapy exist. Counsellor must look out to avoid reduction of client freedom, avoid any violation of the contract governing ethical counsellor-client relationship and provide client with all manner of information to enhance his freedom and exercise of values personal to him (Tjeltveit, 1986). The counsellor must dissuade himself in all circumstances that his personal values do not get on the way of information sharing with client in assisting the client to deal with the counselling situation. The core values of counselling help to strengthen the relationship and setting for the counselling work, and they are represented by the Counsellor’s commitment to; (BACP, 2014)

- \$ Respecting human rights and dignity
- \$ Protecting the safety of clients
- \$ Ensuring the integrity of practitioner-client relationships
- \$ Enhancing the quality of professional knowledge and its application
- \$ Alleviating personal distress and suffering
- \$ Fostering a sense of self that is meaningful to the person(s) concerned
- \$ Increasing personal effectiveness
- \$ Enhancing the quality of relationships between people
- \$ Appreciating the variety of human experience and culture
- \$ Striving for the fair and adequate provision of counselling services

These values or belief system are usually embedded in the subconscious and internalised but its exhibition becomes apparent in action when the principles of a counsellor is put to the test. This does not suggest that all counselling practitioners have these values embedded in them but it is intended to be aspirational and for counsellors to be mindful at all times that these traits are critical for the right display of professional competence and in the interpretation of the standards that guide the practice of counselling. Generally, when practitioners apply these core values to guide their work, their intervention will foster a more qualitative counsellor-client relationship.

### **III. Principles**

The values counsellors hold and have internalised informs the principles that underlie their practice. For example, a counsellor that has internalised the value of “appreciating the variety of human experience and culture” is likely to operate with a firm principle of respect for diverse traits that are typically not traditional with his clients. Gay clients in some countries today will remain a strange occurrence but a counsellor must be able to operate from the principle of equality and respect for human dignity which is informed by the value system that appreciates diversity in culture and human experience.

Humans operate from the inner core guided by some deep belief like religious values. Most religion would accommodate respect for human dignity as a primary right of existence. In the Christian faith for example, even though the Holy Bible (Gen 2:22-24, Mathew 19: 4-6, and 1 Corinthians 6-9) regard some of these behaviour as sinful and against the precepts of Christ, the faith will not in any way reduce or diminish the sanctity of the person to seek forgiveness (1 John 1:9, 2 Corinthians 5:17) and have equal right before God in seeking peace with his maker. Consequently, a counsellor would have no moral right to judge the client and treat him in a bias manner (Gibson, 2004).

According to Kitchener (as cited in Forester-Miller, & Davies, 1996) five moral principles constitute the cornerstone of the ethical guidelines. Ethical guidelines cannot address all situations that a counsellor might confront but the moral principles should provide a compass to guide the counsellor.

Counsellors must have awareness of the ethical position of these principles which represents an important way of expressing a general ethical commitment. While value remain a set of belief system that help to form the core of who we are, principles represents an expression of a well-defined code of guide that manifest in our actions. The BACP document captures an additional principle to the 5 enunciated by Kitchener;

- \$ Being trustworthy: honouring the trust placed in the practitioner
- \$ Autonomy: respect for the client's right to be self-governing
- \$ Beneficence: a commitment to promoting the client's well-being
- \$ Non-maleficence: a commitment to avoiding harm to the client
- \$ Justice: the fair and treatment of all clients and the provision of adequate services
- \$ Self-respect: fostering the practitioner's self-knowledge and care for self

According to Kitchener (1984) and Beauchamp and Childress, (as cited in Joann Harris-Bowlsbey, 2008) ethical principles provide a more solid framework for decision making than do ethical code of standards. With a vivid recall and serving as a reference point, these principles can guide the counsellor in making decisions when confronted with ethical dilemma or moral confusion.

#### **IV. Personal Traits/Moral Qualities Of Counsellors**

The adoption of the principles of counselling helps to direct attention to ethical and professional conduct. Practitioners who have a system of beliefs that have manifested in a well-defined set of guiding principles are likely to exhibit the right mix of ethical behaviour. The following are ethical traits as captured in the BACP standard;

- |               |               |
|---------------|---------------|
| \$ Empathy    | \$ Humility   |
| \$ Sincerity  | \$ Integrity  |
| \$ Resilience | \$ Respect,   |
| \$ Sincerity  | \$ Competence |
| \$ Resilience | \$ Fairness   |
| \$ Wisdom     | \$ Courage    |

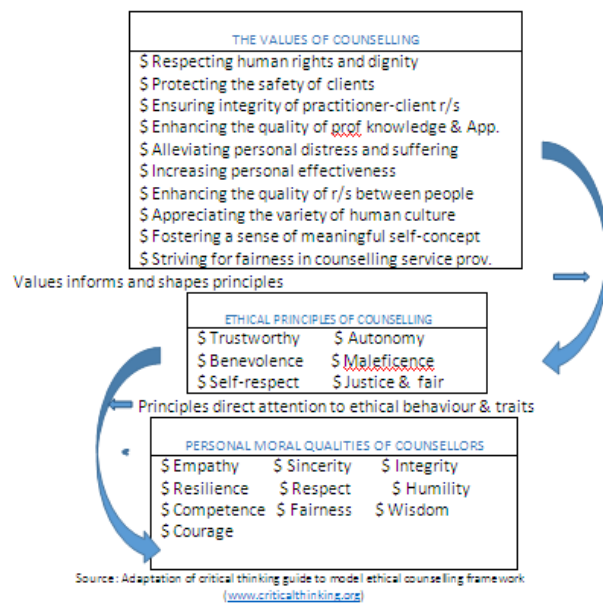
It is unlikely that any counsellor will exhibit all these ethical traits. They are meant to be aspirational and a reference point to what standard is expected in the counselling profession.

Code of Ethical standards are explicit but unlikely to capture all possible circumstances or contemplations and so the counsellors are expected to rely on the moral trait that have manifested in their personae in interpreting and applying the standards. In the event of incompatibility of the personal traits and principles in the use and application of the code of ethical standards, the counsellors are expected to resolve the difference in favour of the most apparent or persuasive moral position and or seek expert peer opinion in making such decisions. It is not uncommon to also seek legal opinion where the counsellor is of the opinion that there is a potential for conflict between the contemplation of the standards and the law.

Eventually, practitioner have never been forced nor capable of being forced in the observance of the code of ethical standards, but are usually guided by the moral codes of the profession which are embedded as principles of the profession and manifesting their outward expression of how to conduct their business. The schematics in Figure 1 illustrates the dynamical functioning of the three concepts as a foundation for ethical behaviour.

#### **Figure 1: A guide to ethical framework in Counselling.**

The values held by counselling practitioners routinely informs and shapes the principles of counselling practice, which compels or direct attention to development of aspirational moral attributes for practitioners.



## Ethics

Ethics as a concept has several nonexclusive definitions and connotations. The American Heritage Dictionary (2014) defines ethics as the general nature of morals and of the specific moral choices to be made by a person. Does this imply that each time a person makes a choice and is morally committed to such choices that we have an ethical situation on our hands? Rather, the final test is that of vicarious and societal acceptance of the moral choice as the standard on which belief must stand. For example, Hitler believed in his mission and showed strong and exceptional commitment to its realisation, yet he pursued the most draconian and reprehensible damage in the history of mankind.

The attribute of general acceptability by society (Navran, 2010) describe choices that can be constructed as ethical while those which are unacceptable to society at large are unethical. This opens up another dialectical dimension to the discussion surrounding cultural perspective of ethics. What is acceptable in one society as ethical may be totally reprehensible in another from a cultural or religious perspective. Cow eating is a normal in western civilization while the same animal is sacred and worshipped in another (Religion Facts, 2014). Anecdotally, dog eating is a normal in other societies (Southern Nigeria and parts of Asia) and viewed as animal cruelty in western civilization and sacrilege in Hinduism (Wikipedia, 2014). The Counsellor must situate the cultural background and leanings of client to have a good understanding of the self-concept and motivations before a proper diagnostic work can be meaningfully effected.

Another definition by the American Heritage Dictionary (2014) is that ethics are the rules or standards governing the conduct of a person or the members of a profession. The Ethical Research Centre (ERC, 2012) research indicates that ethics is the extent to which a strong commitment to standards is set at the top and the message is reinforced throughout all levels of management, and that employees perceive the ethical standards really matter in the organization's day-to-day operations. This is pretty much akin to walking the talk to galvanize people to action centred ethical choices.

Ethics is about actions and decisions we take. When one action choices that are consistent with beliefs and principles which we hold and which defines our personality and traits, and to the extent of its consistency with general society acceptance of those values; we generally characterize such behaviour as ethical. When such behaviour are not congruent with those respected values and principles, we maintain that such acts are unethical.

The objective of the paper is to illustrate ethics in counselling. We have developed an analytical framework demonstrated in figure 1 to show the factors that underlie ethics. We summarize that values informs the principles that underlie the counselling profession, and those principles determine the aspirational personality and moral traits we expect from practitioners. We maintain that those traits help in the interpretative use and applications of code of standards and in making moral choices and decisions even in situations where we are not guided by documented standards. Ethics therefore rest squarely on the shoulders of values, principles and moral traits developed out of those principles.

We shall take a brief note of the counselling profession and proceed to analyse some of the salient ethical standards, make comparisons where applicable and discuss contradictions. Disagreement between two or more ethical standards may occur and the counsellor is challenged as to what course of action to take in this

“between the lion and the deep sea” situation. This situation of conflict in ethics is described as ethical dilemma, and its resolution, one of the challenges of the counselling profession

## **V. Counselling**

We are all counsellors of some sort and provide solicited and unsolicited advice and counsel to friends and family freely. Why then do we need professional counselling practitioners? Even the Concise Oxford Dictionary (9<sup>th</sup> Edition) and the Chambers Dictionary (12<sup>th</sup> edition) in a manner promotes this misconception as to what counselling really is. It provides two definitions;

“Give advice to (a person) on social or personal problems, especially professionally.” and “The process of assisting and guiding clients, especially by a trained person on a professional basis, to resolve especially personal, social, or psychological problems and difficulties.”

Counselling is not about giving advice (Pike, 2014) or making judgmental position (Gibson, 2004) or attempting to place client in a manner that we could have handled our personal situation if confronted with client’s problems. It’s not about helping client make decisions based on our personal values system of beliefs (Tjeltveit, 1986). It’s all about understanding the client’s personal traits, environment, motivations and goals in life and how we can engage and tease out the relevant information to assist client in dealing with his issues in a sympathetic and friendly manner.

Counselling is typically an exploratory trip between counsellor and client into the difficulties faced by the client including emotional, career, mental and related psychological issues. The exploratory trip enables and sharpens client’s clarity and perspectives on the issues he is confronting. It enables effective insight into the problems and help fashion out probable solutions to the issues. It enables client refocus on behaviour or experiences that will facilitate a positive change in his position. (NHS, 2014)

By the very nature of counselling, client share significant private and confidential information with counsellors and this requires the highest level of counsellor-client confidentiality and trust, a very critical ethical standard all counsellors must adhere to. A counsellor that enjoys the full confidence of the client creates an enabling environment for proper diagnostic work to facilitate the right responses from client towards changing for positive results. Exceptions breaching this rule exist and captured in section B.2 of the NCDA (2007) code of ethical standards

A far more embracing definition of counselling is provided by the American Counselling Association “Counselling is a professional relationship that empowers diverse individuals, families, and groups to accomplish mental health, wellness, education, and career goals. (ACA, 2014). The definition embraces all aspects of the Counselling profession as career counselling, education counselling, health counselling, psychiatric counselling, et al. Indeed, counselling is a lifelong experience. It should be noted that while there are specializations in counselling, there is often a melting pot amongst the various parts. For example, there is evidence that high levels of career uncertainty and occupational dissatisfaction are positively correlated with high levels of psychological and physical distress (Herr, 1989; Chirino-Klevans, 2014). What is common amongst all the aspects of counselling however, is the need for proper understanding of the theoretical and practical training available to aid the practice of counselling.

Meanwhile some scholars have proposed that there is a divide between the theory of counselling and the practice of counselling, implying that not all methods and materials used in counselling are founded in established theories. Chenault (1968) proposed that research in counselling and counselling practice do not generally make explicit their roots in counselling theory, (b) this lack of connectedness to theory may represent a weakness in our theories for failing to be useful, (c) this fault may be a function of our current definitions of theory, and (d) we should focus upon philosophical premises at this time.

The philosophical premise of tuning theory in harmony to the practical work environment can help foster the development of more theories. It concludes that Counselling approaches which do not qualify as theory must at least qualify in the realm of rationale by making explicit their philosophical or value premises. This position supports the whole rationale for standardizing the practice by the establishment of code of ethical standards that at least provide a common base for the guidance of counselling practice.

Naturally, there are various models of counselling advanced at the level of theory to support the practice of counselling. These theories of counselling include Sigmund Freud’s (Blogs. Education, 1968) Psychoanalytical Theory, Alfred Adler’s Individual Psychology, Carl Roger’s Person Centred theory, Rollo May and Victor frank’s Existential Counselling theory and Fritz Perls Gestalt theory, et al. All these approaches presents how best the art of counselling should be viewed and practiced. We present a summary position of the Sigmund Freud theory as a guide to the process of appreciating the counselling practice and its execution; Psychoanalytical Theory (Sigmund Freud);

1. View human Nature as dynamic. Has personality comprising the preconscious, conscious and the unconscious mind. Unconscious mind contains hidden and forgotten memory.
2. Structure of Personality has three parts; the id, the ego, and the superego. The id is present at birth and is part of the unconscious. The ego system functions in the conscious and preconscious mind. The superego sets the ideal standards and morals for the individual.
3. Developmental Stages comprise the oral stage, anal stage, phallic stage, latency stage, Genital stage
4. Ego Defence Mechanisms. Protecting the individual against anxiety-depression, displacement and regression et al
5. Role of the Counsellor. Togo on exploration with client to gain insight into problems and help client to interpret outcomes of the process. Gives client a sense of safety and purpose
6. Goals of therapy include transference of the unconscious to the conscious. Help client work through developmental stage and troubled or fixated experiences and help the client in adjusting to the demands of work, intimacy, and society.
7. Techniques by counsellors include; a) Free Association which is a process where the client verbalizes his thoughts completely and freely. b) Dream Analysis is a process where the client relates their dreams to the counsellor who interprets the hidden meaning or latent content. c) Analysis of transference is a process where the client is encouraged to attribute to counsellor those issues that have caused difficulties with significant authority figures in their lives. The counsellor helps the client to gain insight by the conflicts and feelings expressed. d) Analysis of resistance (Chirino-Klevans, 2014) is a process where the counsellor helps the client to gain insight into what causes form the basis for a hesitation or halting of therapy. e) Interpretation is a process where the counsellor helps the client to gain insight into past and present events. Specifically, a framework for career counselling may model thus; (Chirino-Klevans, 2014);

- \$ Getting started
- \$ Helping clients deal with change
- \$ Helping clients engage in self-assessment activities
- \$ Helping clients learn more about the world of work
- \$ Helping clients expand or narrow choices
- \$ Helping clients make plans

### **The Role Of Counselling**

While the role of counselling is becoming increasingly important in a rapidly complex and interconnected global space, the level of awareness has not matched its importance in its effect on the lives of people. In a 2011 NCDA poll, only 24% of the respondents confirmed the use of a career counsellor ever. 86% reported satisfaction with the service of counselling services they received (Pennington: NCDA, 2011).

The major role of the counsellor is to enable the client to explore many aspects of their life and feelings; by talking openly and freely and without bias and emotional involvement of the counsellor. The counsellor is neither judgmental nor advisory in his outlook and approach to helping the client in resolution of issues. Most importantly, he presents the client with an enabling environment where the client is free, willing and able to share his innermost thoughts and experience with the counsellor so collective and collaborative action centred initiatives could be embarked upon by the client under the guidance of the counsellor.

Effective counselling helps to reduce confusion and enthrone clarity in the mind of the client. Through the therapy session the client is taken on exploratory journey that empowers the client to see clearly and takes responsibility for the next course of action to embark upon. The counsellor does not take decision for the client, but only helps the client in reaching his personal decision through a clear cognitive process that empowers client understanding of the circumstances of the situation leading to his decision.

### **Ethical Standards In Counselling**

We developed an ethical framework for counselling in Figure 1 wherein we made a construct that the values informs and develop the principles upon which the practitioners function; and the principles directs behaviour and develop traits which becomes embedded in counsellors; and provide a more powerful influence over their ethical conduct than the ethical code of standard (Kitchener, 1984).

There are various ethical codes of standards developed by different counselling associations in the US, Britain and other parts of the world. We have researched the code of ethical standards in a couple of the associations, including the American counselling Association (ACA), The American Psychological Association (APA), National Career Development Association (NCDA), British Association of Career Practitioners (BACP), and the accreditation body, The Council for Accreditation of counselling and Related Education

Programs (CACREP), and find commonalities in the code of ethical standards of these bodies, guiding the practice of counselling.

Even at that, the ethical standards guiding the practice of career counselling may have efficacy in other counselling areas giving the general framework the standards are written, and the fact that general counselling practically evolved out of vocational and career guidance (Chirino-Klevans, 2014). In consequence of the similarities and sheer volume of a total system review, we will be looking through the ethical standards of NCDA which is fairly robust and indeed has a near correspondence with that of ACA, being a subsidiary and having its roots from the ACA code of ethical standards (NCDA, 2014).

### **Ncda Ethical Standard Of Counselling**

The code of ethics consist of the preamble, the general principles and 9 sections covering standards in various areas of counselling. The principles are generic and are intended to be a reference point when counsellors are conflicted in making decisions on application of the codes of ethics. The principles have no enforceable legal basis but have the power of moral suasion and professionals are expected to accord it due importance in consultation work. Each of the 9 sections starts with an introduction which sets the tone and provides a serious point of reflection for counsellor in the interpretation and use of the particular code.

The purposes of the code of ethics are to a) clarify for its members the common code of ethics adopted and held by its members to guide their conduct, b) help to support the mission of the association which is to promote career development of all people over the life span, c) establish through the codes, the principles that help counsellors define ethical behaviour and conduct, d) provide ethical guidance to helping counsellors making professional decisions on ethical matters especially when conflicted and e) serve as a guide to both professional practitioners as well as the clients being served to understand their expectations and the limitations of the engagement. Counsellors will be conflicted at some point. Forester-Miller and Davies (1996) suggest the following ethical decision making model to guide counsellors;

- \$ Identify the problem.
- \$ Apply the ACA Code of Ethics.
- \$ Determine the nature and dimensions of the dilemma.
- \$ Generate potential courses of action.
- \$ Consider the potential consequences of all options, choose a course of action.
- \$ Evaluate the selected course of action.
- \$ Implement the course of action.

The NCDA code of ethics is a 50 page document in 9 parts which are decomposed to 68 sections, 238 subsections and several paragraphs and glossary. This can be viewed at [http://www.ncda.org/aws/NCDA/asset\\_manager/get\\_file/3395/code\\_of\\_ethicsmay-2007.pdf](http://www.ncda.org/aws/NCDA/asset_manager/get_file/3395/code_of_ethicsmay-2007.pdf) Because of the sheer volume and yet, non-exhaustive nature of the coverage, especially on evolving issues, we shall for the purpose of our paper, identify specific contemporary aspects of ethics which impacts on counselling services for our commentary and discussion. Some of the issues, by no means exhaustive, include culture, law, rights of minor, former client relationship, Counsellor Impairment, whistleblowing, Conflict of interest, Moral courage, gender inequality, social class structure. Gay partnership, and other related issues.

## **VI. Culture And Ethics**

Sections A.2.c and B.1.a deals with cultural sensitivities and multicultural diversity considerations for the counsellor in the prosecution of his work. Culture, indeed is a pretty sensitive phenomenon that sets apart communities, countries, and even neighbours and critical consideration must be accorded it by the counsellor. It is the way of life of a people as defined by their belief systems, taboos, dos and don'ts et al. What is ethical in one society might be unethical in another. A simple social gesture as a young man referring and calling a much older person on first name basis which is a normal in the US for example, may be openly reprimanded in Nigeria and may parts of Africa and Asia as utterly rude, unacceptable and reprehensible.

Ethics reduced to its purest form is doing what is right and what is right is defined from the prism of different societies. Therefore, the counsellor has a major role to play in dealing with ethical matters in counselling by updating himself with the cultural nuances of his clients before he commences work.

The brain function best when the immersion into the learning process is facilitated in a relaxed environment (Caine, Caine, McClintic & Klimek, 2008; Jenson, 2009). Client must be put in a position of positive relaxed environment for a clinical appraisal and examination to work. A sympathetic, listening and caring ear. An aggrieved or aggravated client who feels he has been insulted because of lack of observance of minor cultural gesture by the counsellor stands the risk of losing out on the client cooperation even before the first session starts. This role is therefore of utmost significance for any counsellor to succeed.

### **Law and Ethics**

Conflicts of interest can assume different dimension. It could be between law and ethics, ethics and culture, personal and general good. (Gilman, S., Joseph, J., Raven, C., 2002). Resolving the conflict between the law and ethics is of immense concern to every counsellor because information would be obtained from client which may suggest such conflict. The position of the ethical code of standard is very clear. Section I.1.1.b requires that the conflict should be resolved to its extent of inconsistency in favour of the law. And where the counsellor might not be fully aware of the legal position, he is required to seek expert advice. There are four possible state of occurrence under this situation (Joann Harris-Bowlsbey, 2008)

Legal and Ethical	Legal and Unethical
Ethical and illegal	Unethical and Illegal

Counsellors are advised to always stick only with the first quadrant because illegality of any form represented in the third and fourth quadrant cannot be supported nether can a position known to be clearly unethical, shown in quadrant 2, be condoned.

### **Moral and Ethical Dilemma**

First we disambiguate the terms moral dilemma and ethical dilemma. A moral dilemma is one where a decision does not compromise subsisting code of ethical standards but questions a moral standing or ethos of the counsellor or person. For example, it is legal to abort a foetus up to 24 weeks in the UK (NHS, 2014) but the Roman Catholic Church is unequivocal in its stand against such acts as a mortal sin (Vatican, 2014). Counsellors faced with situations like this are encouraged to take a moral stand, but within the context of the multicultural diversity of the environment. Another good example is a whistle-blower who sees an executive in wrongful conduct and is confronted with a decision to blow or not to. That's a moral decision.

According to Miller, (2005) what is required to deal with situations like this, he called moral courage. The individual must first recognise the presence of a moral situation. Second, is the exercise of a moral choice to decide what course of action to embark on, and third is behaviour which behoves the individual to be courageous and action the decision taken. Fourth, the individuality and readiness to risk and accept the consequences of his action as a person responsible for his action, and finally is the idea of fear and capacity to overcome the fear and follow through the decision taken. Fear cannot impede action at this stage of follow through if the initial moral decision is to be accomplished, he posits.

An ethical dilemma is a position where you are confronted with taking a position of lesser injury between conflicting ethical standards. Reporting a client who might have information to further the general good of society whereas you are sworn to secrecy and confidentiality to the client. This is an ethical dilemma and a counsellor is advised to dialogue with professional peers for counsel and advice outside relying on his core and the principles of counselling that guides the profession.

### **Rights of Minors and Ethics**

Section A.2.d deals with the inability to give consent. The relevant section deals with the lack of capacity of minors to give consent for counselling and how the counselling results should be communicated to the counselled. Anecdotal evidence shows that in many high schools across the world, parents routinely sign counselling forms to allow counsellors to advise their wards on career counselling. Children are impressionable and today's youth are likely to take advice from teachers and counsellors than from parents. This places a lot of responsibility on counsellors in the exercise of influence over the children in making their career choices

Another related point is the fact that career choices are life time choices (Super, 1990). Therefore counsellors are expected to be as flexible as possible in making stereotypical recommendations to children based on 11<sup>th</sup> grade performance. A couple of children have missed the mark because of such unguarded recommendations made without consultation with the parents.

The import of the point really is that counsellors underestimate the strength of the influence over the children in the exercise of their counsellor-ship services and how the services provided can have a long term effect on the children. In my opinion, the results of such counselling services should be shared with parents for onward release to the children so parents can actively partake in the process of assisting to manage the career direction of the children who are not empowered by law, experiential or cognitive capacity to efficiently decide. There is an ethical issue counsellors must watch against in the exercise of their counselling services to children/minors

### **Former Client, Impairment and Ethics**

Sections A.5.b and C.2.g deals with counsellors dealing with former client, and counsellors' impairment. Other relevant sections on relationships include section G.3.e. The section dealings with former client or anyone with any emotional and romantic relationship requires that counselling relationship is statute



barred for at least 5 years following the discontinuation of any such relationship. Fresh counselling relationship can commence after 5 years with such persons. The section on impairment requires counsellors to declare to peers and colleagues any suspicion of impairment that might compromise the quality of services they are to provide to clients.

There appear to be a moral and ethical compromise on these two sections of the code of ethical standards. First, a professional counsellor should be statute barred for life from consulting with any person with whom they have had romantic or such relationship that might blur their dispassionate decision making capacity. Counsellors are human beings with a subconscious mind riddled with forgotten memory which (Jenson, 2009; Canine and Klimek, 2008) when activated by the relevant stimuli, comes alive fully and a five year bar cannot undo the emotional tangling that might have occurred between counsellor and client. Therefore, the professional service to be offered might be endangered or at best challenged in inaccurate and or inappropriate procedures and methodologies.

Similarly, I would expect the association to formulate a procedure akin to the reaccreditation process for CACREP (under CHEA accreditation) such that practitioners may have peers review their capacity and competencies at regular intervals for re-certification. The once in a life time certification without further checks on the capacity of counsellors is an ethical problem. Counsellors are unlikely to report their personal impairment to anyone and a profession cannot place the long term integrity of the profession on the possibility of self-reporting of impairment. A clear process of peer group review of continuing capacity may be the way out of this ethical problem.

## **VII. Qualification, Training And Experience**

Virtually all the standards require education at the Masters Level plus additional supervised experiential training and examination to qualify as a certified counsellor. There is a clear and patterned training requirement for counsellors (NCDA sections G.1, G.2.a, G.5.aG.6, and G.7). Counsellors might also develop a bias or specialisation in any area of counselling. It is expected that counsellors will offer services to the public in areas for which they have the competence, training and supervised experience.

It is unethical therefore, for a counsellor to offer services to clients for which they have no competence. There is a common thread running through the art of counselling, in terms of counselling techniques, assessment tools and counselling methodologies, and a counsellor can reasonably pass for virtually any area of competence to an unsuspecting client. The results however may be less than par, causing more damage to client instead of succour. Client are advised to confirm the appropriateness of the certification of practitioners before they use their services

### **Confidentiality and Privacy**

Section B.2 deals with the exceptions to respect to privacy and confidentiality. One of the central principles of counselling is the mutual respect between practitioner and client for the confidentiality and privacy of the relationship. The standard however makes exceptions where such privacy may be sacrificed. Generally, in cases to promote or protect the general good of society or to safeguard further the interest of the client, the practitioner is allowed to share client private information with third parties

### **Gender, Race and Social Class**

According to Brown and Lent (2013) "Children are frequently exposed to explicit sex role stereotyping of occupation, but a subtler, less conscious form of gender prejudice also has the power to affect the lives of men and women" In an unconscious manner, gender roles are culturally defined in the subconscious of children to have a stereotype belief on gender occupational possibilities. This early psychological gender inequity accounts partly for the startling statistical skewness of the economically disadvantaged position of women. Of the world 1.3b poor, 70% are women, 80% of the world 27m refugees are women, and almost 70% of the world 1b illiterate are women.

Holland's theory of vocational personalities (1959) provides a framework that matches the personality traits of people to the work environment they are best suited for. The six basic personality types, realistic, investigative, artistic, social, enterprising, and conventional, have a match to a unique or preferred activity, self-belief or values. Therefore, if we have provided the girl child with a stereotypical belief that they have a low level of self-belief and self-efficacy, then we have created an unequal platform for the girl child to compete because part of the battle for achievement is the level of self-efficacy the individual has (Bandura, 1997). This situation cuts across all countries of the world but more pronounced in some than others and in all event is very unethical. The United Nations platform of gender mainstreaming is helping to advance the concept of gender parity across the world

The counsellor has a significant role to play in early career counselling and that responsibility must be situated within the extent of the local culture and gender permissiveness in the country. Counsellor has a responsibility to help wipe out the stereotypical characterization and enable the girl child open up to equal opportunities with the male counterpart. There are similar ethical issues surrounding racial and class discrimination and the counsellor is expected to be observant of these consideration in designinghis tools and experiments for the counselling work.

### **VIII. Conclusion**

The objective of the paper is to identify aspects of ethics in counselling. We developed a framework linking several related concepts that describe ethics in counselling and how each of the analytical components in themselves, as ethical factors, shape the art of counselling. The framework linked values, principles, and work traits as essential ingredients of ethics which causative structure affects the root of counselling activities. We established that values, as a system of belief help to inform and shape the principles of ethics that practitioners adopt and how the principles help to direct attention to the appropriate traits we expect in counsellors. We recognised that the principles and traits are aspirational and can lead to extremely effective professional counselling services. We also took cognisance that each ethical component so described can be affective individually on counselling work.

We also identified the meaning, role and essence of counselling and the interplay of counselling services with ethics. We noted the various professional counselling associations and the code of ethical standards established to guide the practice of counselling. We noted that NCDA, which is a subsidiary of ACA has a fairly robust ethical code of standards and used same as a basis of analysing the contemporary issues of ethics in counselling

We discussed at least 8 issues covering culture, law, morality, and rights of minor, related persons, impairment of counsellor, education and training of counsellor, confidentiality and privacy between counsellor and client, and gender and racial discrimination as sources of ethical concerns in counselling.

We surmise that the role of the counsellor will increasingly become more important especially in the areas of education and career counselling as well as mental and psychological counselling. Counsellors must consequentially equip themselves with the right tools to be ready for appropriate interventions. They must also be ready and continuously equip themselves to be able to handle the potentially explosive area of ethical concerns which will continue to get complicated. In the light of the increasing complexities and interconnectedness of the world where the pace of change is a cause for concern, career counselling professionals must be on the look-out and search for the social and ethical considerations impact on counselling services

Finally, we conclude that the code of ethical standard is an excellent start in terms of structured control of the practicing of counselling. However, the standards can never cover every possible human construction in the area of counselling and so when situations arise that is not contemplated, the counsellors are expected to rely more on the guiding moral values and principles on which most of the ethical codes stands in the first place.

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