

Before you begin...

- Read Chapter 6 in Borders and Brown (2005)
- Review the Ethical Guidelines for Counseling Supervisors published by the *Association for Counselor Education and Supervision*
- Review the sections on Ethical Considerations in the ACES Best Practices in Clinical Supervision document
- Consider what unique ethical challenges the practice of clinical supervision might present for you

Learning Objectives

- Articulate the main areas of the ethical practice of clinical supervision
- Describe effective informed consent when acting as a clinical supervisor
- Apply ethical decision making models to the practice of clinical supervision
- Summarize what effective documentation of clinical supervision entails

Responsibilities to Client

- Standards of Care – reasonable practices
 - Informed consent to clients
 - Liability

Informed Consent with Clients

- Client should know the level of training and experience of their counselors.
- Client should know that the their counselor is being supervised by you
- Client should understand the purpose and method(s) of clinical supervision used
- Client should know the types of information their counselor will share with you

Liability

- Liability is an obligation or responsibility.
- In this case we have a responsibility that ensure that clients are treated with the same level of care regardless of experience of our supervisee.

Direct Liability

- Direct liability is based upon your suggestions or directives
 - Inconsistent with professional standards
 - Incorrect clinical advice
 - Inappropriate task assignments

Vicarious Liability

- Vicarious liability is based upon the supervisor's failure to oversee the actions of a supervisee
 - Three criteria
 - Supervisor and supervisee must have an agreement
 - Supervisee acts within the defined scope of their role
 - Supervisor has direct control

Managing Liability

- Ensure that you have all necessary information
- Appropriate interventions are used
- Skills of supervisee is present and match the needs of the client
- Misinterpretation of directives are not possible
- Review your supervisee's work for errors

Managing Liability

- Approve of a supervisee's decisions
- Determine when a specialist is needed for a client
- Provide coverage for absent supervisees
- Identify any inappropriate relationships or undue influence, even if a supervisee attempts to conceal it

Case Study

Ms. Ward is supervising Cameron at a community mental health agency. She is providing both administrative oversight and clinical supervision for Cameron to obtain independent licensure in her state. Ms. Ward has worked to build an open relationship with Cameron, has provided direction for Cameron's work with clients, and made efforts to balanced support and challenge in her clinic work.

Case Study

Furthermore, Cameron has received generally positive employment reviews, although areas for growth have been identified. After 1.5 years of employment and supervised practice, Cameron knows she has completed all of her hours and expects her supervisor to sign off on the final paperwork she has provided so that she can submit it with her application for independent licensure.

Case Study

However, Ms. Ward states that she doesn't feel comfortable endorsing her at this time due to her lack of autonomy and dependence on her as a supervisor. Cameron is unable to complete her application and now has a strained relationship with her supervisor.

Responsibilities for Supervisee

- Informed Consent
- Due Process
- Competence as a supervisor
- Standards of Care
- Multiple Relationships
- Documentation

Providing Informed Consent

- Should parallel professional disclosure with a client
 - Your training, skills, experience, and qualifications
 - Your theoretical orientation to counseling
 - Models of supervision you will apply
 - Your expectations of payment and outcomes
 - Criteria and method used to evaluate supervisee
- Supervisee (and client) must understand that confidentiality does not apply to the supervisory relationship

Due Process

- Due process is a process that ensures that notice and hearing must be given before an important right can be removed (Disney & Stephens, 1994)
- Acceptable due process includes:
 - Clarity of evaluation methods and criteria
 - Opportunities for remediation
 - Informative feedback throughout process and at end
 - Procedures for complaint or problem resolution

Competence

- As a counselor:
 - Training and experience of working with client populations of your supervisees
- As a supervisor:
 - Adequate training
 - Clarity and accuracy on current capabilities as a supervisor
 - Continuing education, credentialing, or some sort of feedback of your supervision

Standards of Care

- Best agreement on standards to perform supervisory functions:
 - ACES Best Practices for Clinical Supervision
 - Roles of supervisors
 - Assessment and evaluation
 - Interventions
 - Maintaining Records

Standards of Care

- Standards are further defined by licensure regulations
 - e.g., ratio of client contact hours to hours of supervision
 - How many supervisees per supervisor
 - How supervision can be provided

Multiple Relationships with Supervisees

- Supervisor and ...
 - Another professional role
 - Sequential
 - Concurrent
 - Nonprofessional relationships
 - Circumstantial multiple roles
 - Professional and personal role conflict

How to Navigate Multiple Relationships

- Obvious boundaries
 - No sex, romance, or counseling with supervisees
- Less obvious – “potentially beneficial interactions” in ACA code
 - Minimize potential conflicts of interest, power imbalances, and seek to avoid relationships that might impair objectivity in performance or evaluation

Documentation in Supervision

- Records meeting all ethical and legal obligations, including evidence of meeting other standards of care
- Provides structure
- Way to review progress toward goals and plan for future sessions
- Manner to ensure continuity
- Helps with objectivity and accountability

Documentation in Supervision

- Supervisory Records
 - Supervisory contract/Professional Disclosure Statement
 - Supervisory notes on each session
 - A history of performance evaluations
 - Any specific consent forms or remedial contracts

Documentation in Supervision

- Professional Disclosure Statement
 - Serves to structure experience & as a supervisory contract
 - Is an intervention for accountability & due process
 - Is increasingly required by licensure boards
 - Constitutes a standard of care in clinical supervision

Documentation in Supervision

- Professional Disclosure Statement
 - Purpose, goals, and objectives of supervision
 - Supervisor's background, training, credentials
 - Context of services
 - Method(s) of Evaluation
 - Duties and responsibilities of supervisor and supervisee
 - Procedural considerations, such as emergency procedures
 - Supervisor's scope of practice

Documentation in Supervision

- Supervisory Session Notes
 - Analogous to case notes in counseling
 - Provides quality control
 - Is a safeguard against unethical practice
 - Shows evidence of due process
 - Allows you to document your assessments & directives to the supervisee

Documentation in Supervision

- Supervisory Session Notes
 - Formats of Supervisory Notes
 - SOAP
 - Subjective, Objective, Assessment, Plan
 - DART
 - Description, Assessment, Response, Treatment
 - Narrative formats

Documentation in Supervision

- What to include in supervisory notes
 - Assessment of supervisee's skills, progress on goals, or development
 - Topics, specific clients of discussion
 - Interventions used and results
 - Specific clients discussed
 - Directives, ethical issues, crisis management plans

Documentation in Supervision

- What to include in supervisory notes
 - History of Performance Evaluations
 - Self-reflections or tape reviews
 - Your analysis of the supervisees work
 - Any objective assessments or other exercises to evaluate performance

Documentation in Supervision

- Consents or Remedial Contracts
 - Consents
 - For recording your supervisory sessions
 - Remedial Contracts
 - Any agreements, additional interventions, or efforts to remedy performance as part of due process

Summary

- Clinical supervisors have ethical and legal responsibilities to both supervisees and their clients
- Professional standards provide us with guidance on providing adequate structure, boundaries, informed consent, and strategies to manage liability