



## **World Online Transactional Analysis Association CIC**

### **Codes of Practice, Policies and Procedures**

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It is hoped that these procedure may never need to be used. It is also expected that the Codes of Ethics, Codes of Professional Practices, and Diversity Policies of professional associations to which any WOTAA member belongs will take precedence over action by WOTAA.

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## Statement of Ethics

Recognising that professional ethics are a series of guidelines as to what is considered right and wrong, this World Online Transactional Analysis Association (hereinafter referred to as WOTAA) Statement of Ethics seeks to promote, in addition, the development of autonomous processing in the field of ethics.

As members of WOTAA we accept the principles and aims of WOTAA and recognise that through our public listing of those interested in and those offering services related to transactional analysis, WOTAA promotes the ethical premises and principles in this document.

We also recognise that members may not always maintain these ethical principles and, therefore, that confrontation of a member is sometimes desirable and/or necessary.

We further recognise that should an individual's behaviour show a lack of integration of, or consistency with these principles, their membership may be suspended by WOTAA until such time as that integration is assured.

1. A WOTAA member acknowledges the dignity of all humanity. Members of WOTAA are expected to conduct themselves in such a way that they promote equal opportunities for all.
2. Members of WOTAA shall at all times behave in ways that will maintain the good standing and reputation of transactional analysis and WOTAA.
3. Members of WOTAA shall in their public statements, whether written or verbal, speak with respect of other members and of WOTAA, bearing in mind their responsibility as representatives of WOTAA and transactional analysis.
4. It is the primary protective responsibility of members of WOTAA to provide their best possible services to clients and students and to act in such a way as to cause no avoidable harm to any client or student.
5. Members of WOTAA are committed to develop an awareness of functioning from a position of dignity, autonomy and personal responsibility.
6. A member of WOTAA will not exploit any other person in any manner, including, but not limited to, financial and sexual matters.
7. Members of WOTAA will not enter into or maintain a professional contract where other activities or relationships between an WOTAA member and another person may jeopardise the professional contract.
8. Members of WOTAA will operate and conduct professional services in compliance with the laws of the country in which they reside and work, whilst also abiding by WOTAA policies.
9. In establishing a professional relationship, members of WOTAA assume responsibility for providing a suitable structure, including but not limited to such things as specifying the nature and limitations of confidentiality to be observed, particularly when other parties are involved, and obtaining informed consent from all parties to the processes to be utilised.
10. If members of WOTAA become aware that personal conflicts or medical, financial or other problems might interfere with their ability to carry out a contractual relationship, they must either terminate the contract in a professionally responsible manner, or ensure that the other party/parties has/have the fullest possible information needed to make a decision about remaining in the contractual relationship.
11. Members of WOTAA accept responsibility to confront a colleague whom they have reasonable cause to believe is acting in an unethical manner, and, failing resolution, to report that colleague to the appropriate professional body.

12. In the event that a complaint should be made against a member, that member shall co-operate in resolving such a complaint and will comply in all respects with the requirements of the Procedures for Handling Ethics Charges which are current at that time.
13. WOTAA members who apply transactional analysis within their profession service(s) will demonstrate a commitment to keep up-to-date through activities such as further training, conferences and seminars, professional writing and reading.
14. Members must adhere to WOTAA Code of Professional Practice. Failure to do so, after confrontation, will in itself constitute a breach of this Code of Ethics.

# Procedures for Handling Ethics Charges

## Introduction

1. It is recognised that a request to invoke an ethics charge is indicative of the highest level of professional intent.
2. In the event of such a charge being made, the WOTAA Board will constitute an Ethics Committee to provide a structure for confrontation in a professional and respectful manner. This will consist of a Chairperson and at least three other members, whose role will be to support the Chairperson whilst the complaint is progressing through this procedure
3. A significant function of this procedure, and of an Ethics Committee, is to provide a mechanism whereby WOTAA members and members of the public may be protected, while flexibility and creativity in support of personal and professional development is facilitated.

## Standards of Behaviour

1. It is expected that all persons taking part in WOTAA Complaints Procedure shall act in a manner that does not breach confidentiality. Members who breach confidentiality may face an ethics charge in respect of their behaviour.
2. It is also expected that no person will attempt to influence the outcome of any complaint at any stage during the process. In the event that attempts are made to influence the process or outcome, the Ethics Committee will have the power to terminate the proceedings, or to order an immediate hearing, or to dispose of the complaint in any other way they consider appropriate. Members who attempt to influence the outcome of a complaint may face an ethics charge in respect of their behaviour.
3. Failure of a complainant to follow the procedures outlined in this document will mean that the complaint will be regarded as withdrawn, the person complained against will be automatically exonerated, any documentation will be destroyed and no further action will be taken.
4. Failure of a member complained against to follow the procedures outlined in this document, without good reason or due notice, may result in a Hearing Board recommending the termination of membership of that WOTAA Member. The member complained against will also lose their right to appeal.

## Initiation of a Complaint

5. Any individual having a concern that a member's professional behaviour is not consistent with their WOTAA membership is required to confront the member involved directly and invite the desired change in behaviour.
6. In the event that such a confrontation or facilitation fails to produce the desired result, or is deemed impractical for any reason, the concerned person may file a formal complaint with WOTAA Directorate in writing, accompanied by any substantiating evidence.
7. Complaints will not be considered if the alleged violation took place too long ago for there to be any reasonable prospect of ascertaining the facts or of arriving at a meaningful solution.
8. Anonymous complaints will not be considered.

## Making a Formal Complaint

9. The complaint should detail the nature of the alleged violation and indicate the sections of the Code of Ethics that are believed to have been breached. The complaint should be accompanied by any substantiating evidence. The complaint should be sent, marked as Confidential – Ethics Complaint, to WOTAA Directorate.

10. It will be submitted by email, headed as Confidential – Ethics Complaint , but with the details of the complaint and the substantiating evidence enclosed in an attachment(s) and not stated in the body of the email.
11. The complaint should clearly detail who is making the complaint, who is being complained about, and the names of anyone else who should not be involved in considering the complaint. Reasons should be given for those to be excluded.

### **Assessing the Allegation**

12. On receipt of a complaint, WOTAA Directorate will invite someone unconnected to any of the parties involved in the complaint to conduct an investigation. That person will become the de facto Chair of an Ethics Committee and will appoint someone who will review the complaint as it has been submitted and will recommend, with reasons, that either:
  13. There is reason to believe that there may be a breach of the Ethics Code and the complaint should be investigated; or
  14. The complaint should more appropriately be treated as a Professional Practices violation; or
  15. There is no evidence of a breach of the Ethics Code and the charge should not be investigated
16. The Chair of the Ethics Committee will advise the complainant of the result of the assessment and will initiate further action is needed, or will return the complaint documentation to the complainant.

### **Progressing the Allegation**

17. Should the Assessor decide that the complaint is appropriate for an investigation, the Chairperson of the Ethics Committee will be responsible for actioning the following within 7 days of receiving the Assessor report:
  18. Informing the member complained against that a case has been made in which a breach of the Code of Ethics may have occurred
  19. Sending a copy of the complainant's submissions to WOTAA Member complained against
  20. Requiring the member complained against to make a written response to the allegations within twenty-eight days of receiving notification of the alleged breach
  21. Informing the member that failure to make such a response, without sufficient reason, is in itself a breach of the Code of Ethics and may be assumed by WOTAA to indicate that the allegations are valid. In this case a Hearing Board may be convened without further reference to the member.

### **Investigating the Allegation**

22. The Chairperson of the Ethics Committee will appoint an Investigator, who is not the Assessor, and who will be responsible for:
  23. Investigating the complaint and the member's response, calling on any such additional information as may be required, either from the parties to the complaint or from witnesses or from other parties.
  24. At the completion of the investigation the Investigator shall either:
    25. Recommend that there is no case to answer and that the allegation should not be proceeded with; or
    26. Facilitate an outcome acceptable to both parties, which will be documented and ratified by the Chair of the Ethics Committee; or
    27. Recommend that the Chair of Ethics appoint a Hearing Board to determine the complaint.

### **Expectations of a member complained against**

28. Once an WOTAA member is aware that, as the result of the allegation, their current or potential course of action may not conform to WOTAA Code of Ethics or WOTAA Professional Practice Guidelines, they will seek supervision in order to determine whether they should cease such actions whilst the WOTAA Complaints Procedure is being followed.
29. It is expected that an WOTAA member who has been complained about will respond constructively and will provide as much information as possible to the Investigator.
30. A member of WOTAA against whom a complaint has been received will not be allowed to resign their membership, or allow it to lapse, until after such time as the Complaints Procedure has been completed.

### **Establishment of a Hearing Board**

31. If it is necessary to move to an adjudication procedure by a Hearing Board, the Chairperson of the Ethics Committee will comprise such a Hearing Board of at least three people other than the Assessor and investigator.
32. The Hearing Board may comprise members outside of WOTAA but must include at least one certified member from WOTAA with at least two years' professional experience post certification, who will act as chair to the Hearing Board. Members appointed to the Hearing Board have a duty to declare any interest that may threaten their impartiality.
33. The Hearing Board will examine the complaints and associated evidence in a formal manner to determine the validity, and decide whether to dismiss the complaint or recommend sanctions. Where there is more than one complaint against a member they shall be determined at the same hearing. Should there be more than one complaint against a member from different complainants they may be heard separately or together at the discretion of the Hearing Board.
34. When the Hearing Board members have been appointed, their names will be notified to both parties. Both parties have the right to ask one member of the Board to stand down. In the event that any member of the Hearing Board is excluded, an alternative member shall be appointed by the Chair of the Ethics Committee. The final Board shall always include one member of WOTAA who shall act as Chair.
35. A formal Hearing Board meeting, which may take place online, will be scheduled to take place within sixty (60) days of the appointment of the Hearing Board Members. The date of the Hearing will, whenever possible, be agreed by all parties before being confirmed. In the event that the parties to the complaint are unable to agree a date, then the Hearing Board shall have the final decision in setting the date and time of the meeting.
36. Both parties will attend the hearing, usually at the same time. In certain circumstances it may be considered desirable that the complainant and the person complained against have no direct communication. This is at the discretion of the Chair of the Hearing Board
37. Each Party may involve a 'designated friend' to the hearing for help and support, as and when required, whilst the complaint is in progress. This 'designated friend' may speak to the Hearing Board on behalf of the party but may not engage in communication with the other party. Each party has the right to legal representation should they so choose and in so doing will be responsible for the costs.
38. All written evidence and submissions must be submitted to the Chair of the Ethics Committee not less than fifteen days before the hearing date. Such papers will be circulated to the Hearing Board members, the complainant and the person complained against not less than ten days before the hearing date.
39. The only new evidence to be admitted on the day of the Hearing is at the discretion of the Chair

of the Hearing Board and will be in the form of short oral or short written submissions.

40. The Hearing Board may invite witnesses to attend the Hearing to answer questions about their written submissions.

#### **Hearing Board Meeting Procedure**

41. A summary of the complainant's case is given by the complainant (or their designated friend)
42. A summary of the case of the person complained against is presented by the person complained against (or their designated friend or legal representative)
43. The complainant or their supporter puts questions, through the Chair, to the person complained against and/or their witnesses
44. The person complained against or their supporter puts questions, through the Chair, to the complainant and/or their witnesses
45. Hearing Board members then seek clarification through questions to the complainant, the person complained against, and any witnesses present
46. When the Chair is satisfied that the Hearing Board has gained all the clarification required or possible, all parties but the Board are asked to leave the meeting.
47. The Hearing Board then determines whether or not a breach of the designated Code(s) has occurred or whether it is probable that a breach has occurred. A majority vote is required for dismissal of the complaint, for admonition, or for censure.
48. Within fourteen (14) days of the Hearing, the Hearing Board, through the Chairperson of the Ethics Committee, advises the complainant and the person complained against of its conclusion in writing.
49. If the complaint has been upheld, the notification will include the recommendations of the Hearing Board as to sanctions to be applied (see below). Such notification will include notice of the right to appeal and the time limit of 30 days for either party to notify their intent to appeal.
50. The Chair of the Ethics Committee will be responsible for advising WOTAA Directorate of any action that may need to be taken by the organisation.

#### **Possible Sanctions**

51. Consideration of sanctions will take into account the best outcome for the member complained against. Sanctions may include but are not limited to the following:
52. A warning or requirement to change or to effect improvement in a specific way, or to take suitable actions such as further training or additional and/or specific supervision, any of these to be completed within a specified time frame
53. Monitoring for a specific or for an indefinite period by a supervisor approved by the Ethics Committee and paid for by the member, in relation to the specific practice of the member. The Ethics Committee may require that the supervisor provide a periodic or final report
54. Suspension of membership or termination of membership.
55. In the event that the member is unwilling to join in and assist in the process of reaching a resolution of a complaint or to accept or co-operate in meeting the conditions of a sanction, the Hearing Board may recommend termination of membership of WOTAA.

#### **Appeals Procedure**

56. The complainant or person complained against may appeal against the recommendation of the Hearing Board. Any appeal shall be limited to a review of the procedures, evidence and findings; new evidence will not be accepted in the consideration of an appeal. To initiate an appeal, the

intent should be notified in writing to the Chairperson of the Ethics Committee within thirty days (30) of receiving the findings of the hearing.

57. The Chairperson of the Ethics Committee will source a person who is not a member of WOTAA and who is willing to act as an external Moderator. This person will be sent all papers relating to the complaint, the Investigation and the Hearing, within fourteen (14) days of the appeal being received.
58. The results of such appeal, with the reasons for the decision, will be communicated by the Moderator to the Chairperson of the Ethics Committee, who will notify the complainant and defendant.
59. The Chair of the Ethics Committee will be responsible for implementing any actions or procedure resulting from the decision about the appeal by the Moderator.

#### **Documentation**

60. Confidential records of any complaints will be maintained for a period of seven years from the date of the formal complaint that will be accessed only in the event of any further complaint against the same member.
61. A complainant can withdraw their complaint at any time. A withdrawn complaint cannot be resubmitted at a later date. All documentation relating to said complaint will be destroyed.
62. Complaints made anonymously will not be considered and all material relating to them will be destroyed.

#### **Publicity**

63. Subject to the overriding need to protect the complainant's confidentiality which is paramount and must be maintained at all costs, WOTAA reserves the right to publish any details of the outcome of the proceedings where the complaint has been found to have substance, which it considers appropriate, including:
  64. the name of the respondent
  65. the details of the offences upon which the convictions have been based
  66. the sanctions imposed and
  67. carefully edited versions of the advisory rulings or statements issued as a result of the proceedings
68. The right to confidentiality of a respondent against whom the complaint has not been substantiated will be protected so far as is possible. However, in exceptional circumstances, the Institute reserves the right to confirm the fact that complaint proceedings are or have been in progress. In such circumstances the name of the respondent and the section(s) or the Code of Ethics alleged to have been breached may be quoted, but no further details may be given and any acquittal must be stated.



# Code of Professional Practice & Guidelines for Professional Practice

*Note:* The following abbreviation is used: WOTAA – World Online Transactional Analysis Association. The word ‘Committee’ in the text refers to the ‘Professional Practice Committee’ unless otherwise stated.

## **1. Statement of Purpose**

The Committee shall inform the membership regarding WOTAA codes and guidelines for professional practice, receive complaints from all members, act to support resolution between members, and report its actions to WOTAA Board.

The distinction between the Professional Practice Committee and the Ethics Committee involves both content and process. When there is a suspected violation of one of the sections of WOTAA Statement of Ethics, then the issue is clearly an ethical one, and should go directly to the Chairperson of the Ethics Committee for action.

When, however, there is a complaint or question concerning a more general aspect of professional practice then the issue will come before the Committee. Examples of concern over professional practice include such matters as false or misleading advertising, misuse of the logo, perceived mistreatment on the part of another member, or a suspected breach of the Code of Professional Practice. Such complaints are assumed to be the result of oversight or lack of information on the part of the offending party. The individual(s) concerned is (are) contacted and asked to take action to correct the situation. If the person(s) refuses, then it becomes clear that the offending action(s) was intentional and it becomes grounds for lodging an ethical charge against the individual. The matter is then referred to the Ethics Committee for action.

When there is not a clear violation, but rather a dispute between members, the matter may be referred to the Committee for information and advice. If it is considered appropriate, the Committee may also provide some level of mediation.

It is the recommendation of the Committee that all trainers and Training Organisations provide a system whereby any disputes between trainer and trainee can be referred to an individual/individuals outside of the system for mediation services.

## **2. Code of Professional Practice**

### **2.1 Insurance:**

In countries where this is feasible and legal, practising members should have Professional Indemnity Insurance to provide cover in the event of a legal suit, or other claims that may be made against them

Members are advised to check their policy documents for clauses which may invalidate professional insurance e.g. disclosure of Professional Indemnity Insurance to a client. They are further advised to check that their insurance policy covers the full range of their professional activities, and that some provision for legal costs is included.

### **2.2 Qualifications:**

Members’ statements concerning their professional qualifications and/or experience will be an accurate reflection of their status. Misrepresentations of qualifications may be illegal in some countries.

### **2.3 Professionalism:**

- Members accepting clients who are already in a professional relationship as a client with another transactional analyst will normally only do so following consultation with the other

professional. Such clients need to be informed that normal professional practice requires such consultation to take place to ensure the client is best served.

- Members will not accept as clients anyone with whom they may have a pre-existing and potentially prejudicial relationship.
- Members are not to solicit trainees or clients from other members.
- Trainers will only agree to accept training contracts with trainees who are under contract with another trainer following full consultation between all three parties.
- Members will inform clients, and obtain their permission, if they intend to use any material from the client for Research or Publication.
- Members will maintain clear, 'above-board' contracts with their clients.
- In the case of any member having an outstanding Ethics charge against him/her, that member has an obligation to inform any client/supervisee/trainee of this should he/she be asked.

#### **2.4 Supervision:**

All practising members will ensure that they receive supervision of their work on a regular basis from someone who is suitably skilled and qualified in the appropriate field.

#### **2.5 Duality of Roles:**

Members will avoid a duality of professional relationship where such duality could mean the client or student might receive less than optimum services, or where it might lead to a breach of a contractual relationship. (e.g. being coach but also assessor).

#### **2.6 Advertising Policy: Titles**

Titles may be used that indicate the accreditation received and/or the status conferred and the body through which such accreditation was awarded.

Those in training for the qualifications shall indicate their training status in the way in which the awarding body requires.

#### **2.7 Basic Principles of Advertising:**

Members are expected to ensure that they give a clear indication in any advertising of what they offer to clients or students.

Members who have not yet reached a full stage of qualification (i.e. they are still in training or they are designate) must have their advertising approved by their sponsor.

The use in publicity of a trainer or supervisor's name to enhance one's status is not considered professional behaviour.

### **3. Guidelines for Professional Practice**

It is expected that WOTAA members will follow the Professional Practice Guidelines of the professional associations to which they belong.

## Equality of Opportunity and Inclusivity Policy

- 1.1 Equality of Opportunity means that WOTAA is positively committed to promoting equality within the provision of access to services, supervision and training regardless of race, ethnicity, culture, age, religion, gender, class, sexual orientation, disability, health status and having dependants.
- 3.1 We live nowadays in a multi-cultural society with many differences of race, ethnicity, class and religion as well as differences of age, gender, sexual orientation and disabilities, leading to rich and complex diversity.
- 3.2 We recognise that we may unconsciously discount aspects related to difference and commit ourselves to developing our understanding of the meaning of diversity and to acknowledging the impact of different cultural experiences on ourselves and those with whom we are in contact.
- 3.3 We acknowledge that discrimination exists and adversely affects access to services and life opportunities. Many people experience prejudice and discrimination on the basis of their race, ethnicity, culture, age, class, religion, gender, sexual orientation, disability, health status and having dependants. 'Discrimination' manifests itself in many forms, from the overt discrimination experienced by people with disabilities when faced with obstacles which exclude them from accessing services, to the more subtle attitudinal barriers, which may exclude a variety of groups of people from employment and impact on the quality of service received.
- 3.4 WOTAA members have a responsibility to recognise the reality of difference and of discrimination and prejudice in society and within the profession, and to take every care that they do not contribute to this. We are committed to the implementation of this Equality of Opportunity and Inclusivity Policy.

### Important Note

As proponents of TA, WOTAA recognise that much of the early literature was written in the 1950's and 1960's at a time when there was little awareness of the impact of discriminatory language. Berne, the founder of TA, uses many terms which would be unacceptable if he were writing today.

It is of course impossible to study TA without becoming familiar with the writings of the founder and other authors of that era.

We emphasise that TA has moved on since then and that WOTAA is committed to developing a TA community that embraces Equality of Opportunity and Inclusivity.

In line with this commitment, we note that much early TA literature used discriminatory labels and concepts. Such literature, if used sensitively, provides a valuable resource for training to explore and challenge discriminatory labels and concepts and move to best practice.