



**European Association for Transactional Analysis**

A non-profit educational association, registered in Geneva, Switzerland

**STATUTES OF EATA**

**EATA COUNCIL REGULATIONS**

**EATA ETHICS CODE**

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## **STATUTES of EATA – European association for Transactional analysis (voted on 2012)**

### **PREAMBLE TO THE STATUTES**

EATA's guiding principle is to develop, sustain and protect Transactional Analysis philosophy, theory and practice. Fundamental to this is respect for autonomy and the dignity of all humanity. EATA will, therefore, actively promote individuality, diversity and community at affiliate association and individual membership levels. The association is underpinned by a commitment to TA principles, especially those of confidence and trust in self and others, a contractual method and the human capacity to solve problems and grow. The association is governed by democratic principles and accountability as defined by contracts between the affiliated associations and EATA.

### **NAME - DURATION - SEAT - PURPOSE**

#### **Article 1**

- a. The European Association of Transactional Analysis (EATA) is a non-profit association. It is governed by article 60 and following articles of the Swiss Civil Code and by the present statutes.
- b. The organisation pursues objectives which are exclusively and directly purposes in the public interest. EATA works unselfishly. Any income can only be used in accordance with purpose and goals mentioned in Article 2. Members do not get any share in possible profits and in case of dissolution do not have any claims on the funds of the organisation.
- c. Its duration shall be unlimited.
- d. Its seat is in Geneva, Switzerland.

#### **Article 2**

The purpose of the association is to contribute to public well-being through the use of Transactional Analysis. It is the task of the association to promote and develop the knowledge of Transactional Analysis, founded by Eric Berne, as well as to rule and coordinate the professional practice and training of Transactional Analysis.

Concrete goals are:

- a. - to promote TA knowledge and research on Transactional Analysis, to develop its theory and to ensure agreed standards of practice
- b. - to promote co-operation in Europe in the field of Transactional Analysis
- c. - to work to ensure conformity to agreed standards of certification, training and practice of Transactional Analysis in Europe
- d. - to assist European TA associations to co-ordinate their activities, including conferences, training and certification, publications and information
- e. - to organise European and international conferences on Transactional Analysis
- f. - to provide information by way of publications and the distribution of documents and texts
- g. - to support translation of publications and documents about Transactional Analysis into European languages
- h. - to provide codes of ethics and professional practice and facilitate their implementation
- i. - EATA finances the execution of its tasks with membership fees, donations and other income from its activities. The assets of the organisation shall be administered economically

### **AFFILIATION**

#### **Article 3**

EATA may affiliate with either national, regional, international or specialist Transactional Analysis associations. Except as laid down by the statutes, the rights and conditions of affiliation shall be decided by council. They will be specified in council's regulations subject to article 11.c., and in the agreements between EATA and the affiliating associations.



## **MEMBERS OF THE ASSOCIATION**

### **Article 4**

- a. The members of the affiliated associations are members of EATA.
- b. The members of EATA are the supreme authority for amendments to the statutes and the dissolution of the association under the procedures specified in Article 8.a. and 17.

### **Article 5**

Membership implies the obligation to comply with the statutes and council's regulations and with any decisions taken by the organs of EATA.

### **Article 6**

#### **Affiliation or membership may be terminated:**

- a. by resignation
- b. by exclusion, which the council may pronounce in case of harm being caused to the association's interests or breach of obligations inherent to membership. The right of appeal to the general assembly according to Article 8.a.III. hereof is reserved. The decision to exclude remains valid until such time as it is reversed following appeal
- c. by exclusion, after due notice, in case of non-payment of dues as specified in council's regulations.

## **ORGANIZATION**

### **Article 7**

#### **The organs of the association are:**

- a. the general assembly of members
- b. the council of delegates
- c. the financial auditor

### **Article 8**

#### **General assembly**

- a. The general assembly has in particular the following non-transferable powers:
  - I. - to vote on changes of the statutes of the association. See also 8.k
  - II. - to elect the financial auditor
  - III. - to decide on appeal against expulsion or refusal of admission taken by council, if such appeal is made within thirty days from the date the decision has been notified in writing
  - IV. - to approve the report of the council and the accounts
  - V. - to give discharge to the council and the treasurer.
- b. The ordinary general assembly shall be convened by the president once a year by publication in the EATA Newsletter, sent to all members with the agenda, not less than 50 days in advance.
- c. The president may, in agreement with the council, convene an extraordinary general assembly at any time and in a place fixed by the council, respecting the same advance notice as for the ordinary general assembly.
- d. The president must call an extraordinary general assembly upon the request of at least one-fifth of the EATA members or one-fifth of the affiliated associations.
- e. The minutes from general assembly shall be signed by two authorised representatives of the organisation.
- f. The general assembly may only put to the vote items and their attendant proposals which have appeared explicitly on the agenda sent to all members.
- g. The agenda is composed of items proposed by the president or any member.
- h. To appear on the agenda items must be received in writing by the president at least 70 days before the general assembly. Any item received after that deadline and before the beginning of the meeting may be discussed under the heading «any other business» but may not be submitted to a vote.
- i. Quorum: the general assembly may correctly be held and validly deliberate however many members are present, and can vote on all propositions, provided they appeared on the agenda sent out with the convocation at least 50 days before the general assembly.
- j. Unless otherwise provided for by these statutes, the resolutions of the general assembly shall be adopted by majority vote of those voting.
- k. Changes of the statutes shall require a majority of 75% of those voting. Article 1.b and Article 17.c shall be definite and cannot be changed.
- l. Each member shall have one vote.
- m. At general assemblies a member may be present in person or may vote by mail or may be represented by a duly authorised representative, as specified in council's regulations.



## **COUNCIL OF DELEGATES**

### **Article 9**

#### **Composition and representation**

- a. Each country with one or more affiliated associations may send one or more delegates to EATA council as specified in council's regulations.
- b. Affiliated associations undertake to use a democratic process in the selection of their delegate(s) to EATA.
- c. Affiliated associations undertake to appoint an official replacement when their delegate serving on council is unable to attend a council meeting.
- d. EATA will contribute to the expenses of delegates attending council meetings as specified in council's regulations.
- e. The members of the council normally serve for a period of four years, as specified in council's regulations, or as provided for in Article 10.d.

### **Article 10**

#### **Officers and executive committee**

- a. The council elects from amongst its members the following officers:
  - I. the president elect, who later becomes president
  - II. the three vice-presidents
  - III. the general secretary
  - IV. the treasurer
- b. The president serves for a term of three years, which starts after the general assembly, and which can exceptionally be extended under point d below. The president elect is elected in the year preceding the end of the current president's mandate.
- c. The treasurer is a co-opted member of council for the duration of his/her period of office, as determined by council, without the right to vote.
- d. In order to ensure continuity in officers' functions, officers, at the end of terms as council delegates, can, with the agreement of their home associations, exceptionally remain as council officers and delegates for their associations for one or at most two additional years. This prolongation will be at the request of EATA council, made to the officer's home association.
- e. Executive Committee consists of the officers of EATA. The committee conducts business of the organisation between council meetings and is liable to council.

### **Article 11**

#### **Council**

- a. The council shall implement the decisions of the general assembly and pursue the purposes of the association.
- b. Council may issue regulations governing the conduct of its business and that of the general assembly concerning matters as provided in the statutes.
- c. Council's regulations and any changes thereof are approved by a three quarters majority of all possible votes on council.
- d. During the financial year and between the general assemblies, the council shall have all powers to manage the association's activities in all matters not specifically attributed to another organ by these statutes.
- e. The council shall have the following powers and duties:
  - I. - to consult with affiliated associations on decisions which would cause significant changes in their organisational, professional or financial functioning. Such decisions, after consultation with affiliated associations, will be subject to the same ratification conditions as in point c. above. They will subsequently be binding on EATA and all its affiliated associations.
  - II. - to pronounce by a vote of a majority of 75% of those voting the exclusion of a member or of an affiliated association of EATA who has acted against the interests of EATA.
  - III. - to create or dissolve any standing or temporary committee and task force as it may deem necessary to the carrying of EATA's work. All such committees are accountable to the EATA council, as specified in council's regulations.
  - IV. - to admit new affiliated associations.
  - V. - to determine the year's budget for the ordinary activity of the next financial year.
  - VI. - to fix members' contributions, subject to points c. and e.I above.
  - VII. - to create an administrative secretariat working for the association and directed by the council.
- f. The council may interpret the clauses of these statutes in light of the preamble to deal with new situations.



## **Article 12**

### **Convening and procedure**

- a. The council shall meet as often as required by the association's affairs, but at least once a year. It shall be convened by the president or upon the request of the majority of its members.
- b. The agenda for the council meetings will be sent to reach all delegates and affiliated association presidents in advance of the meeting.
- c. In order that the council be validly held, the majority of the serving delegates should be present.
- d. Delegates will reflect their home association's view point when voting in council.
- e. Serving delegates may call for the following modes of voting on any specific council decisions, except when making changes in council's regulations as specified in article 11.c., or on matters which could cause significant changes as specified in article 11.e.I. above.
- f. Voting modes
  - I. Each delegate has one vote.
  - II. A weighted voting (as specified in the council regulations) can be requested by any delegate any time.

## **Article 13**

The association shall be validly bound, for specific purposes, by the signature of two officers as specified in council regulations.

## **Article 14**

### **Auditor of the accounts**

- a. The audit of the association's accounts is made by a member of the association, elected by the general assembly and by a professional auditor, non member of the association.
- b. The auditor submits to the general assembly a report on the financial situation of the association together with a declaration from the professional external auditor.

## **RESOURCES**

### **Article 15**

- a. The resources of the association consist of:
  - I. any subsidies, legacies and gifts
  - II. any resources which may derive from the association's own activities
  - III. its members contributions.
- b. The council shall fix the annual sum to be paid to EATA by affiliated associations, subject to Article 11.e.I.

## **LIABILITY**

### **Article 16**

- a. The association is only financially liable to the extent of its assets; the association is not liable for professional misconduct of a member; the members are not personally liable for the association's debts and liabilities.
- b. The financial liability of members and of the affiliated associations is limited to payment of the yearly membership fees and fees for services or other commitments made in the affiliation agreements.
- c. No organ or officer of the association is personally liable for the debts or other liabilities of the association.

## **DISSOLUTION**

### **Article 17**

- a. All members must be consulted in a postal vote for the dissolution of the association. The dissolution must be approved by a 51% majority of those voting.
- b. In case of dissolution, the council carries out the liquidation or appoints a liquidating committee.
- c. Any remaining assets can only be used according to article 2 of these statutes (i.e. can only be given to non-profit associations, exempted from taxes, with equal or similar purpose and goals).

## **JURISDICTION**

### **Article 18**

All lawsuits which concern the association, involving members or organs of the association, shall be submitted to the courts of the canton of Geneva, and possibly to the Swiss Federal Tribunal, Lausanne.



## EATA COUNCIL REGULATIONS (modified 2012)

### MEMBERSHIP CATEGORIES

1. **Members** are defined within the following categories:

- a. Associate members of an affiliated TA association, who do not have any TA qualification.
- b. Regular members who have demonstrated an interest in Transactional Analysis by the completion of an introductory TA Course (TA 101) or equivalent exam, and participating in and being a member of a TA association.
- c. Regular members in contractual training according to EATA rules.
- d. Certified Transactional Analyst members.
- e. Provisional Teaching and Supervising Transactional Analyst members, CTA trainers and Teaching and Supervising Transactional Analysts

### AFFILIATION

EATA will consider affiliation with Transactional Analysis associations who agree to abide by the following conditions:

#### Professional practice

- a. The training standards must at least be equivalent to the common European standards as established by EATA.
- b. Training and exam contracts must be recognised by EATA. The affiliated association will keep an up-to-date file of all their members' training contracts, both RM's in training and PTSTA's.
- c. The ethical code must conform to the legal national standards and to EATA's ethical guidelines.
- d. Ethical and professional issues will only be passed "upwards" (personal, regional, EATA) if resolution has not been possible at the lower level.
- e. The affiliated association will inform the Senior Ethic Advisor of EATA if an ethics charge is found proven.
- f. In case of exclusion of a member the affiliated association will inform the executive secretaries of EATA.

#### Purpose and governance

- a. All members of the affiliated association are members of EATA.
- b. The goals of the affiliated association will be to extend the knowledge of TA, encourage the exchange of opinions and in no way be contrary to the statutes of EATA.
- c. The affiliated association must be a non-profit organisation, with a democratic structure and no arbitrary exclusions of membership.

#### Size and representation

- a. The minimum size of an association affiliating with EATA is 25 membership units.
- b. EATA will consider time limited exceptional application for affiliation with a group of less than 25 membership units decided by executive committee.
- c. Each member counts as ONE membership unit. Each associate member counts as HALF a membership unit.

#### Council delegates

- a. Each COUNTRY with one or more affiliated associations may appoint one delegate to council. Above 300 membership units, a COUNTRY may have 2 delegates. The manner in which a country negotiates to co-operate, in order to provide one or two delegates, is an internal country matter. Only in the case of severe conflict will EATA be involved.
- b. New delegates will be announced to EATA via the "NOTIFICATION OF DELEGATE TO EATA COUNCIL" form.
- c. Delegates are appointed to serve on and attend all council meetings over a period of four years.



### **Allocation of votes in council for weighted voting**

- a. One vote is allotted for every 25 membership units up to 100 MU's of the total membership units of the associations in a country. From 101 to 300 MU's an additional vote is allotted for each additional 50 MU's. Above 300 MU's a further vote is allotted for each additional complete 100 units.
- b. A country may not have more than 25% of the total votes (T). Should this occur the president reduces the voting rights of that country to T/4.
- c. If no country delegate or replacement is present the country's voting power is lost, except under special circumstances, as defined by the President.
- d. If country delegates disagree on how to vote, their voting power is split equally.

### **Delegates rights and duties**

- a) Delegates serve on committees or task forces of EATA.
- b) Duties are specified in the EATA delegates job descriptions.

### **Delegates terms of office**

- a. Delegates agree to serve on council for 4 years. They are replaced or renewed at the expiry of their mandate. A delegate's mandate runs from the council meeting after the general assembly till the general assembly 4 years later. To facilitate continuity, an incoming delegate will attend the council meeting before the general assembly of her/his term of office in an observer capacity.
- b. Officers of council may be asked to have their mandate prolonged in accordance with article 10.d. of the EATA statutes.

### **Eligibility**

- a. Only regular members in contractual training, certified Transactional Analyst members and certified Teaching and Supervising Transactional Analyst members may be delegates to council. They must be chosen in a democratic electoral process by their home association or country.
- b. If a delegate is unable to attend a council meeting his country/association undertakes to appoint a replacement for that meeting in order to avoid empty seats on council and so the work can always be representative of all the affiliated associations.

### **Expenses**

EATA will pay travel costs according to the current regulations for reimbursement of travel costs.

### **Required affiliation procedures**

- a. Admission to affiliation will be managed by the president who will lead the process with the Senior Ethic Advisor and the affiliation committee with the help of the general and executive secretaries.
- b. There will be a signed agreement between EATA and each affiliated association.
- c. Candidate associations agree to bring ALL their members into the affiliation. Transition arrangements to reach full membership participation may be negotiated.
- d. The candidate association for affiliation sends a copy of their statutes to EATA, together with an English translation and any training standards and ethical guidelines operating in their association. These will be examined by the president, the Senior Ethic Advisor and affiliation committee.
- e. The candidate association makes a translation of the EATA Code of Ethics, publishes it to its members, sends a copy to EATA, and agrees to send it to all new members.
- f. The candidate association will agree to support its country delegate(s) financially and to pay the annual dues for its members and any service costs according to the agreement between EATA and the affiliated association.
- g. If one or more other affiliated associations exist in its country, the candidate association will negotiate with them to choose the delegate(s) to council.



## Services

The candidate association will agree to offer its services (publications etc.) to EATA members and EATA, if asked.

## THE MEETING OF THE GENERAL ASSEMBLY

- a. The agenda for the annual meeting of the general assembly shall comprise at least the following substantive items:
  - annual report by the president
  - treasurer's report
- b. A convocation to the general assembly, together with the agenda, will be sent to all members 50 days in advance. Items for discussion only can be received by the president at the beginning of the meeting.
- c. Members may send a duly authorised representative to the general assembly. The representative will bring a written and signed authorisation to the meeting which authorises the representative to cast votes for those persons. An authorisation is not transferable.

## OFFICERS OF EATA

- a. At the beginning of the council meeting the president elect will be inaugurated as president if the current president's term of office is at an end.
- b. The president will preside over the election of officers to council which follow immediately after the president's inauguration. Any council delegate may offer him/herself or may nominate another member for office (or offices) providing that the latter signifies agreement.
- c. Officers will be elected in the order:
  - president elect (see statutes article 13)
  - vice presidents (see statutes article 10)
  - general secretary elect
  - treasurer elect
- d. The president, the 3 vice presidents, the general secretary and the treasurer will be the authorised representatives of EATA and any two of them may sign documents in the name of the organisation.
- e. Holding 2 council offices at the same time is not excluded but should only happen when no other solution can be found.
- f. Office election shall be by simple majority and by ballot. No weighted or proxy voting are allowed. A full council is ensured by the obligation to provide replacements for any absentees.
- g. A sole candidate for a particular office shall be declared duly elected, provided there is a majority vote.
- h. Where two are nominated, a simple majority of the votes cast shall decide.
- i. Where 3 or more candidates are nominated, unless one candidate obtains more than 50% of the votes cast, a second vote shall follow between the 2 with the most votes. The one then with the simple majority is elected.





The official language of EATA is English. It is this version, written in English that is the "official" one.

# EATA Ethical Code<sup>1</sup>

Voted by EATA Delegates: 02.07.2007, revised July 2010

## Introduction

The EATA Ethical Code is intended to provide guideline guidance for national organisations affiliated to EATA and for each EATA member. It is intended to help EATA members working in psychotherapy, counselling, organisational and educational fields to act ethically<sup>2</sup>. Each National Association has the task of applying it coherently to the TA deontological national code guidelines

In addition, this Code informs the public about what behaviour they can expect in these contexts from members of this Association.

This Code focuses on the criteria for professional ethical behaviour. Values and related ethical principles are the basis for constructing ethical behaviour and identifying unethical behaviours. This is the binding core document for all members of EATA and can only be changed by EATA council. The EATA Ethical Guidelines (updated in November 1995), which are now called deontological guidelines, are still valid and can be adapted by National Associations. Therefore that document remains separate from the EATA Ethical Code.

National Associations affiliated to EATA adopt the EATA Ethical Code and use it as a frame of reference to analyse specific situations for its members. Each EATA member needs to conform with it in his or her practice. If this is not the case, the National Associations will formulate sanctions<sup>3</sup>.

This Code is in three sections: the first section is an introduction to the Code, describing its basic perspective on ethics; the second section is the core of the Code, and defines its fundamental values and related ethical principles. The third section is an application of those values and principles to practice. The sections are therefore as follows.

### Section I: General framework on ethics

#### *1.1. Some definitions of ethics*

#### *1.2. Basic assumptions*

#### *1.3. Approach of the Ethical Code*

#### *1.4. Principal goals*

#### *1.5. Commitments*

##### *1.5.1 Commitment of EATA-affiliated National Associations*

##### *1.5.2 Commitment of members of the National Associations*

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<sup>1</sup> This Code replaces all previous EATA Codes of Ethics. All the norms of the old Ethics Code are included inside, but in the new one the focus is on the criteria for professional ethical behaviour. Values and related ethical principles are the basis to constructing ethical behaviour and to identify the unethical behaviour. This code was produced with the co-operation, agreement and reflections of the EATA Ethics Committee (Barbara Classen, Brigitte Evrard, Margarethe Podlesch, Ritva Piironen, Jacqueline Dossenbach, Valentin Lapanja Furlan). The main content of the code was produced by a sub-committee of the EATA Ethics Committee consisting of a multi-national group comprising of the following members: Robin Walford (Co-ord.), Vladimir Goussakowski, Claude-Marie Dupin, Sabine Klingenberg, and particularly Carla de Nitto who made a very significant contribution.

<sup>2</sup> The term practitioner is used within the present Code in relation to all EATA members who use TA and/or other concepts as models for comprehending and changing individuals, couples, groups or organisations. The word 'client' denotes any user, patient, student, group or organisation that is a recipient of professional services of members of EATA.

<sup>3</sup> Sanctions may include temporary or definitive suspension of membership.



## **Section II: Core Ethical Code**

- 2.1. Basic values
- 2.2. Basic ethical principles
- 2.3. Guideline to EATA Ethical Code

## **Section III: From the Code to practice**

- 3.1. Introduction
- 3.2. A grid for ethical assessment
- 3.3. Conclusion

### **Appendix 1: Articles of the Universal Declaration of Human Rights, related to basic values**

### **Appendix 2:**

Examples of values and ethical principles and behaviour applied to the key points of this EATA Ethical Code:

- 3.1. Psychotherapy
- 3.2. Counselling
- 3.3. Education
- 3.4. Organisation
- 3.5. Training

## **Section I**

### **General framework on ethics**

#### 1.1. Some definitions of ethics

Ethics<sup>4</sup>, in its broadest sense, is the philosophical discipline that studies human actions, which includes both moral intent and human will. Ethics<sup>5</sup> supposes the ability to choose how to act. It includes the ability to choose according to one's own parameters (subjective ethics) and taking into account the other's perspective (intersubjective ethics).

Deontology (professional ethics) is the study of the moral obligation and commitment of practitioners to act ethically.

#### **1.2. Basic assumptions**

- *There is a close connection between ethics and practice<sup>6</sup>: behaviour can be ethical or not, depending on whether or not it promotes the well-being of self and others.*
- *Ethics is a general framework, which guides a practitioner in providing a professional service and always underpins practice.* It is not limited to solving difficult and problematic situations.
- *Ethics identifies values that help people to realise their potential as human beings; values underpin ethical principles as guidelines to actualise values. Principles, which underpin deontological norms, and are a guideline to professional practice.*

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<sup>4</sup> The definition derives from an Italian dictionary, Dizionario delle Idee, Sansoni, 1977, p. 392.

<sup>5</sup> The strict meaning of ethics is that it is synonymous to morality ("Ethos" and "Mos" in Greek and Latin mean customs, habits) and refers to the ability to self-examine in order to find fulfilment: so we behave ethically when we are fulfilling our potential and accounting for the other's fulfilment.

<sup>6</sup> *Practice* means the professional relationship of help that occurs when a practitioner and a user agree on a clear contract. This applies in all four areas of speciality: Psychotherapy, Counselling, Education and Organisations; the application may be different, but the rationale is the same in all of these fields.



### **1.3. Approach of the Ethical Code**

The *EATA Ethical Code* identifies *basic values*. These values offer a frame of reference to inform a practitioner about their personal and professional behaviour, in order to promote the well-being of people involved in a professional relationship. These values help to construct criteria for ethical and professional behaviour. The Code incorporates basic values, and related ethical principles, and uses them as a basis to inform ethical practice in all helping professions.

*Deontological code guidelines* (code guidelines for professional ethics) offers a set of prescriptive rules to regulate practitioners' behaviour for the protection of the rights of each client. These guidelines are strictly linked to a nation's laws, and are specific for different professional bodies.

The goal of the *Ethical Code and deontological code's guidelines* is to guarantee human rights as well as complying with national laws.

In this Code, the primary emphasis is on the importance of holding clear values and ethical principles, in order to create a frame of reference for managing a wide range of situations, even if these are not specifically described in the Ethical Code.

This approach moves the arena of ethical practice away from the application of a set of rules, which denotes what, shall or shall not be done, to a consideration of the values and principles that guide practitioners in TA. In addition, describing our ethics in terms of general values and principles helps to take into account cultural differences within the EATA community, and provides National Associations with a template for integrating it with national deontological codes (code of professional ethics). It is possible to encounter situations that are not covered by specific codes, or to be faced with a decision between more than one ethical principle. In such circumstances, any chosen course of action only becomes unethical if it can be shown that the practitioner did not take appropriate care with regard to the values and principles of TA. Any examples given have been developed as an indication of good practice and are not intended to be comprehensive.

### **1.4. Principal goals**

1. Enhance a practitioner's awareness and thinking in terms of Ethics (values and principles, as well as norms and prohibitions) in order to create a frame of reference for analysing human situations.
2. Give to EATA members a clear framework of Ethics so that the practitioner has criteria to help them choose ethical positions and to use as a template to analyse practical situations.
3. Provide some examples of applications of ethical principles, derived from values, so that practitioners understand the relationship between the two and do not simply over adapt to a set of rules.
4. Demonstrate the necessity of self-reflection, by presenting values and ethical principles instead of a list of rules and required behaviours.



## **1.5. Commitments**

Because of the nature of EATA, which is an association of Associations, this article is written in two parts: the first part is specifically for the Associations, and the second part is for individual EATA members. Adoption of this Ethical Code is a requirement of EATA membership for both Associations and individual members.

### **1.5.1. Commitment of EATA-affiliated National Associations**

**Each EATA-affiliated National Association agrees with this Ethical Code and commits to the following.**

- To use the EATA Ethical Code as a template for integration with their own country's ethical and deontological codes relating to the different professions of TA practitioners, with cultural aspects, and with national laws, ensuring that each member subscribes to the code and uses it in their practice; To create build up their own deontological guidelines (these can be based on the EATA deontological guidelines) in accordance with:
  - the EATA Ethical Code
  - the EATA and ITAA professional practice guidelines
  - their national laws.
  - The national deontological guidelines must take into account has the different professions of TA practitioners and cultural aspects.
- To take care to resolve local situations when a member's professional behaviour is not congruent with the national code of ethics, the EATA code and national laws to ensure that each member subscribes to the EATA Ethical Code, the EATA and ITAA professional practice guidelines and to the national deontological guidelines, and uses them in their practice.
- To take care to resolve local situations when a member's professional behaviour is not congruent with their national deontological guidelines, the EATA Ethical Code and national laws.
- To refer to the EATA Ethics Committee any unresolved question with a member or member organisation, and ask for help in order to clarify the process and to be able to reach a solution.
- To refer to the EATA Ethics Committee any unresolved question with a member or member organisation, and ask for help in order to clarify the process and to be able to reach a final solution.

### **1.5.2. Commitment of members of the National Associations**

Each EATA individual member, (usually as part of a National Association), agrees with the EATA Ethical Code and commits him/her self to:

- use it as a frame of reference for his/her ethical thinking and reflections, and as a guideline guidance in practice;
- follow their country's deontological Code guidelines (code guidelines of professional ethics), taking into account his/her specific profession.

Each individual is responsible for their own professional behaviour and needs to be aware of his/her commitment to the EATA community. If such any behaviour is not congruent with the EATA and national Codes deontological guidelines, it will be investigated and assessed by the National Association, which will determine sanctions if appropriate.

Each EATA trainer commits him/her self to discuss and reflect on this Code in all aspects of training.



## **Section II**

### **Core Ethical Code**

Ethics is a discipline that makes explicit the basic values that guide the thinking and behaviour the consciousness of human beings.

*Values* come from an existential and philosophical perspective, are valid for everyone and contribute to the well-being of self and others. They are universal and transcend both cultural norms and the development of individual realisations.

*Ethical principles* are derived from values and indicate attitudes to assume in order to translate values into professional practice. Principles, because of their nature, need to be culturally interpreted. Some principles can be expressed in different ways in different cultures. They are also valid for each person who is directly or indirectly involved with that practitioner.

In this section, specific values and ethical principles will be identified and defined. The values are essential for all healthy human development, both individually and interpersonally, and therefore may be considered as fundamental human rights. Therefore the values described in this Code are congruent with the Universal Declaration of Human Rights<sup>7</sup>.

Ethical principles are briefly defined. These need to be applied to practice by taking into account people directly or indirectly involved. Therefore, for each principle a list of possible issues is indicated that need to be addressed in order to behave ethically towards the client, self as practitioner, trainees, colleagues and human environment/community.

#### **2.1. Basic values**

Value means what is fundamental for a human being to promote his/her personal development and fulfilment, and that of others. It includes reference to natural law that informs how people behave respectfully towards self and others. The following identified values are related to Human Rights, and are included in the Universal Declaration of Human Rights.

This frame of reference is also congruent with the existential and philosophical perspective of TA. Many values can be extrapolated, so the following list should not to be considered exhaustive by EATA members.

Considering the range of activities involved, the fundamental values are:

##### **1. Dignity of human beings<sup>8</sup>**

Each human being is of worth, regardless of sex, social position, religious creed, ethnic origin, physical or mental health, political beliefs, sexual orientation etc.

##### **2. Self-determination<sup>9</sup>**

Each individual is free to decide his or her own future within the national laws of their country, and with due consideration of the needs of self and others. Each person can learn from their experience to be in charge of him/her self, whilst taking into account the nature of the world and the freedom of others.

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<sup>7</sup> This was proclaimed on December 10, 1948 by the General Assembly of the United Nations in the Universal Declaration of Human Rights.

<sup>8</sup> Arts.1, 2, 3 of the Universal Declaration of Human Rights, see appendix.

<sup>9</sup> Arts.18, 19 of the Universal Declaration of Human Rights, see appendix.



### 3. *Health*<sup>10</sup>

Physical and mental stability is a right of every individual, and needs to be actively safeguarded.

### 4. *Security*<sup>11</sup>

Each person needs to be able to explore and grow in an environment that enables a sense of security.

### 5. *Mutuality*<sup>12</sup>

Each person, considering that he/she lives and grows in an interpersonal world, is mutually involved with the well-being of others, developing interdependency with others in order to build their own and others' security.

These values are directly related to each other and will influence TA practitioners in their own professional practice.

## 2.2. **Basic ethical principles**

Because of the nature of values and their significance in human life, and in order to guarantee the respect and rights of each person, it is necessary to identify clear guidelines for behaviour, which are strictly linked to values. Ethical principles are derived from values and are intended as an indication of how to practice, in order to promote the well-being, development and growth of a person. They are prescriptive and offer criteria for ethical behaviour.

Using values as the starting point, it is possible to determine a set of ethical principles. The principal ones are:

- Respect
- Empowerment
- Protection
- Responsibility
- Commitment in relationship

Within the helping professions, ethical principles need to address many target groups in order to influence ethical behaviour. The main ones are:

- Clients
- Self as practitioner
- Trainees
- Colleagues
- Human environment/Community.

TA practitioners will consider each value and derived ethical principles, and self-reflect in order to decide what attitude to take, and how to behave in each of the target groups detailed above. The

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<sup>10</sup> Arts.24 and 25 of the Universal Declaration of Human Rights, see appendix.

<sup>11</sup> Arts. 22 and 23 of the Universal Declaration of Human Rights, see appendix.

<sup>12</sup> Art. 29 of the Universal Declaration of Human Rights see appendix.

practitioner will analyse any situation, considering the influence of ethical principles on their practice, and choose behaviours that take into account a wide variety of factors e.g. client, self, environment etc.

After a brief definition of each ethical principle, there is a list that indicates points to address. This will enable a practitioner to evaluate a situation and take responsibility for their choices. Firstly, there are examples of good practice developed in response to that ethical principle. The list gives criteria that need to be assumed in TA practice. The purpose of this list is to stimulate the practitioner to question him/her self, in order to translate principles into practice. It is not an exhaustive list, and each practitioner will find their own response, looking at the five target groups. This process will enable the practitioner to clarify the reasons for their behaviour.

1. *Respect* for each person as a human being, aside from any specific characteristic or quality.

- toward clients: the practitioner will fully consider and seek to understand the personal perspectives of every individual. The practitioner will help the individual to be congruent with the individual's own perspective. The practitioner will provide their best possible services to the client. The practitioner will provide a safe and professional environment and, being aware of the power of their position; will be careful to create a trustworthy environment, avoiding any situation that is exploitative to anyone, etc.
- toward self: the practitioner will take into account his/her own perspective/difficulties/preferences, and refer to other competent colleagues any client or situation that they are not willing or able to handle, etc.
- toward trainees: the trainer, aware of the level of learning of the trainees, will give adequate support, provide all necessary learning resources and be open to address his/her own teaching style in order to attune to the learning needs of the trainee, etc.
- toward colleagues: the practitioner will maintain an awareness of the professionalism of colleagues and, when there are concerns, will directly address them with the colleague. After listening to the response, the practitioner will make an independent judgment on the issue, etc.
- toward the community: the practitioner will take into account the specific culture of their community, and will not seek to impose their own values, etc.

2. *Empowerment* that emphasises the importance of enhancing the growth of each person.

- toward clients: the practitioner will commit themselves to work on developing the awareness in clients of their dignity, responsibility and rights, etc.
- toward self: the practitioner will maintain ongoing education in their field of speciality in order to expand their knowledge, and take care of their professional and personal growth, etc.
- toward trainees: the trainer will evaluate the competency of their trainees and enable them to develop their potential, growth and well-being, etc.
- toward colleagues: the practitioner will respect a colleague's contributions and create occasions to expand their professionalism, aiming to share competences, instead of being jealous of their discoveries, etc.
- toward the community: the practitioner will think in terms of wider well-being of the community, as well of the individual, etc.

3. *Protection* implies taking care of both self and others (physically, mentally, etc.), bearing in mind the uniqueness and the worth of everyone.

- toward clients: the practitioner will offer adequate services to his/her clients, providing a safe working environment (e.g. confidentiality, physical safety, informed consent for high-risk procedures), and will hold an awareness of any destructive tendencies of the client. They will not enter into, or maintain, a professional contract in which other activities or relationships might jeopardise the professional contract (G)<sup>13</sup>; they will maintain confidentiality even when the therapeutic relationship has ended (H), etc.
  - toward self: the practitioner will take care of their own values and learning process, and will refuse to work in situations that involve conflicts with self, or that require a higher level of competence. They will take care of their own safety and decide to terminate the relationship with a client if the practitioner experiences any physical or mental condition that impairs their ability to work effectively and competently with the client (K), etc.
  - toward trainees: the trainer will encourage trainees to recognise their own preferences and limits, in order to protect themselves and clients from inadequate or harmful interventions. They will stimulate trainees to take care of their personal and professional growth, looking at their personal styles and addressing personal issues that interfere with their own or other's safety, etc.;
  - toward colleagues: the practitioner will be willing to confront derogatory statements or actions by colleagues (B), etc.
  - toward the community: the practitioner will provide services to clients in full compliance with the existing laws of the country (I), etc.
4. *Responsibility* implies taking into account the consequences of our own actions as clients, trainers, therapists, supervisors, counsellors, etc.
- toward clients: the practitioner will make clear contracts and conduct the professional relationship in such a way as to bring no harm to the client when a client is unable or unwilling to function autonomously and responsibly (E). They will not exploit the client in any manner (F) or act in a way that causes intentional or deliberate harm to the client (C), etc.
  - toward self: the practitioner will consider the impact of their position on the client and be careful in the way that they respond to clients, in order to promote well-being and prevent abuse, etc.
  - toward trainees: the trainer will be aware of the learning needs of his/her trainees and provide them with the necessary tools and information to learn. If a trainee is not willing to change an unethical situation, they will confront him/her and decide a specific and ethical course of action, etc.
  - toward colleagues: the practitioner will accept responsibility for confronting a colleague if they have reasonable cause to believe that the colleague is acting in an unethical manner and, failing resolution, will report that colleague to the appropriate ethical body (L), etc).
  - toward the community: the practitioner will hold it as a professional responsibility to be concerned with the psychological and physical health of their community, etc.
5. *Commitment in relationship* means the development of a genuine interest in our client's well being.

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<sup>13</sup> Letters in parenthesis refer to the previous EATA Ethical Code.





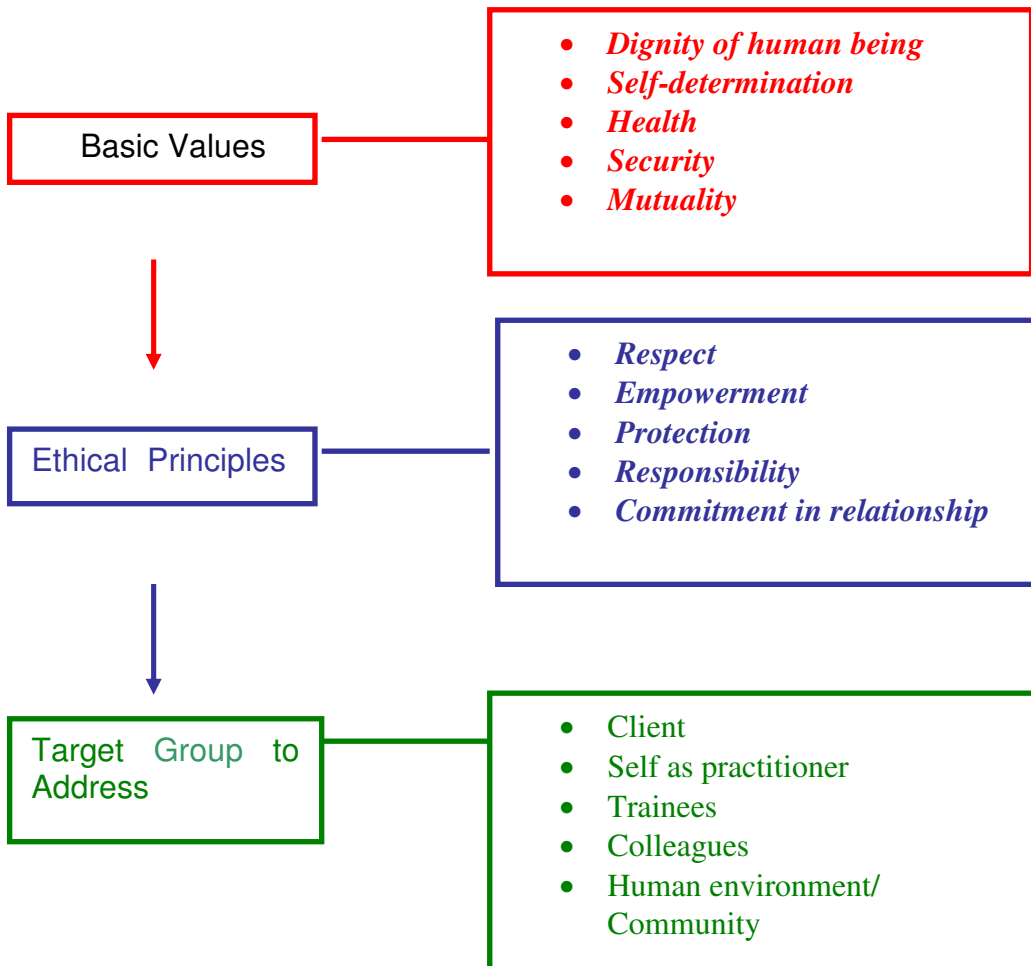
- toward clients: the practitioner will be careful to take into consideration the interpersonal world of the individual and to consider their impact on it, etc.
- toward trainees: the trainer will teach trainees to consider the interpersonal world of their clients, etc.
- toward colleagues: the practitioner will involve themselves in conferences, etc. sharing their contributions, etc.
- toward the community: the practitioner will be aware and active in the life of their community, etc.

In order to make an ethical decision, practitioners are supported by ethical principles, which enable them to evaluate different situations so that their choice of action can be a considered one. However, it could happen that practitioners will be involved in situations where it is not possible to reconcile all the applicable principles. Despite this difficulty, the practitioner will still need to look at the specific situation, consider the different perspectives and be accountable for his/her decision.

The following scheme (fig. 1) is a synthesis of the core Ethical Code. There are three different levels used to evaluate the situation in terms of Ethics:

1. Level one, *Basic Values* – applicable to every human being and universally valid.
2. Level two, *Ethical principles* – invites cultural interpretation and implies differences in various professions.
3. Level three, *Target Group to Address* – indicates the people or situations that need to be considered for ethical practice.

Fig. 1. Synthesis of the Core Ethical Code: three levels of analysis for ethical practice.





## **Section III** **From the Code to practice**<sup>14</sup>

### 3.1. Introduction

As previously stated, this Code intends to provide TA practitioners with a frame of reference to help them reflect on and analysed situations in terms of Ethics, taking into account the complexity of the human situation. In this way, practitioners will be able to make appropriate professional choices, focusing on values and principles, as well as norms and prohibitions. The Code emphasises the practitioner's responsibility in deciding how to intervene in his/her specific field, i.e. psychotherapy, counselling, educational or organisational.

The present Code underlines the importance of an ethical attitude that obviously needs to be expressed in ethical behaviour. It is intended to have a wide application in analysing situations in which a TA practitioner would intervene in his/her practice, in order to contribute to the growth of the client in his/her community.

Any EATA member (1.5.2) commits him/herself to use the Ethical Code as a reference in his/her professional practice and to integrate it with the deontological guidelines, according to their national laws.

This short section is designed to be a bridge to ethical practice. A graphic instrument is provided, which is helpful in visualising the complexity required in applying the Code to practice.

That tool – a grid for the ethical assessment – provides a challenge for each TA practitioner to develop his/her own thinking in terms of ethics, taking responsibility for choosing appropriate proper interventions, through an attentive and complex analysis and assessment of the situation.

### 3.2. A grid for ethical assessment

The following grid (Fig. 2) represents the key points described in section II of this EATA Ethical Code; it is basically founded on the third basic assumption mentioned in the section 1.2 of this Code: Ethics identifies values that help people to realise their potential as human beings; values underpin ethical principles as guidelines to actualise values. Principles, which underpin deontological guidelines, are a guideline to professional practice.

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<sup>14</sup> This section has been produced by a sub-committee, by Carla de Nitto (co-ord), supported by Sabine Klingenberg and Claude-Marie Dupin.

Fig. 2 : A grid for ethical assessment according to EATA Ethics Code

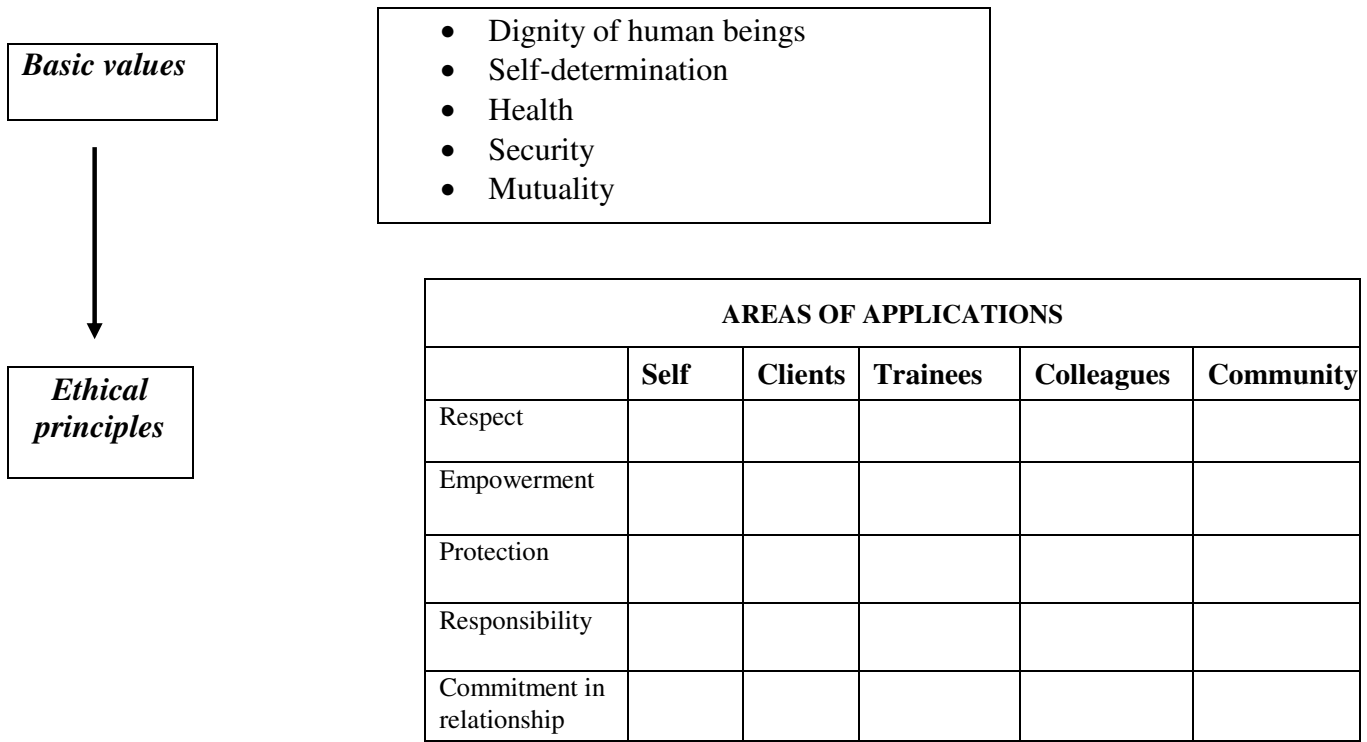


Fig 2 graphically shows that basic values constitute the basis and grounding for ethical principles that need to be applied in practice. The arrow from basic values to ethical principles illustrates the need to assess an issue first in terms of basic values. The next process is to identify ethical principles that are relevant to the situation, considering the area of application. This framework will be useful in orienting the intervention in the context of practice.

The lower side in the figure consists of a two dimensional table that underlines and allows visualisation of the complexity of the ethical assessment. We need to consider the ethical principles and different target groups involved in the situation, in order to evaluate which one(s) need special attention for the intervention. Often practitioners have to take care of different target groups and principles at the same time.

The practitioner needs to be aware of potential conflicts that will arise when choosing an intervention. The TA practitioner will take a deliberate decision, assessing the target groups in that situation (self, clients, trainees, colleagues, community), considering the implications for the persons, and taking into account their own views, sensitivities, histories, cultures and values.

### 3.3. Conclusion

Often coming to a proper ethical decision is a hard and serious process, resulting from a complex operation that the TA practitioner realises through his/her thinking, in terms of priority between important issues that need to be taken into account, in the light of basic values, ethical principles and different areas of application in the professional practice.

The perspective of this EATA Ethics Code increases the practitioner's responsibility and is more difficult to follow than a check list of norms or prohibitions; as it takes into account the complexity of human life and the consequent importance to consider values, intents, attitudes, wishes and fears, together with behaviours.

## Appendix

### Articles of the Universal Declaration of Human Rights, related to basic values

**Art. 1:** “All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.”

**Art. 2:** Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it is independent, trust, non-self-governing or under any other limitation of sovereignty.

**Art. 3:** Everyone has the right to life, liberty and security of person.

**Art. 18:** Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

**Art. 19:** Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

**Art. 22:** Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

**Art. 23:** (1) Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment. (2) Everyone, without any discrimination, has the right to equal pay for equal work. (3) Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection. (4) Everyone has the right to form and to join trade unions for the protection of his interests.

**Art. 24:** Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

**Art. 25:** (1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control. (2) Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

**Art. 29:** (1) Everyone has duties to the community in which alone the free and full development of his personality is possible. (2) In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society. (3) These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.