

## Ethical Principles of Guidance and Counselling

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**Abstract:** The concept of ethical standards in counselling is mentioned to indicate that there are indeed certain ways of doing things counselling ways which are in line with what is expected of a professional person on the job. What a counsellor says and does in counselling should be fully in line in the provision of the law. A practicing counselor is required to see that all his behaviour within the context of counselling functions are in line with the ethical standards of the profession.

**Key words:** Ethical standards, counselling, Nigeria, person's behavior, emotional distress, reputation

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### INTRODUCTION

Ethics mean moral principles that control or influence a person's behaviour a philosophical discipline that is concerned with human conduct and moral decision making. According to Akinade (2005) ethics are normative in nature and focus on principles and standard that governs relationships between individuals, such as counsellors and clients.

Aluede *et al.* (2004) observed that although guidance and counselling service is a relatively new educational delivery service in Nigeria's educational system, one may be tempted to think differently because any child born in 1959, the year guidance and counselling is known to have begun in Nigeria would no longer be regarded as an adolescent or a youth. He/she would be full of all maturity and experience to be expected to play very vital role in the society.

Omotoso (2008) noted that at present, Counselling Association of Nigeria is yet to come up with categorical, well articulated and widely publicized statements that detail a broad range of practical standards for ethical professional practices that reflect core values of this profession. Such ethical codes for counsellors as ethical value and pragmatic standards which highlight the importance of operating in ways that respect the dignity and worth of the persons served by counsellors (Pack-Brown *et al.*, 2008).

There are a number of ethical and legal considerations to be made by any person functioning in the capacity of a counsellor. Lack of awareness or misunderstanding of an ethical standard is not itself a defence to a charge of unethical conduct. Due to the relatively recent origin of counselling in Nigeria, not much

practical experience has been gained regarding the relationship that exist between the law and the counselling function in the situation. This study derives much facts from the ethics of American (APA, 2003; BACP, 2002).

**Ethical consideration:** Counsellors are committed to increasing scientific and professional knowledge of behaviour and people's understanding of themselves and others and to the use of such knowledge to prove the condition of individuals, organizations and society. Counsellors respect and protect civil and human rights and the central importance of freedom of enquiry and expression in research, teaching and publication.

They strive to help the public in developing informed judgments and choices concerning human behaviour. In doing so, they perform many roles, such as researcher, educator, diagnostician, therapist, supervisor, consultant, administrator, social interventionist and expert witness. Ethics code provides a common set of principles and standards upon which counsellors build their professional and scientific work.

This ethic code is intended to provide specific standards to cover most situations encountered by counsellors. It has as its goals the welfare and protection of the individuals and groups with whom counsellors work and the education of members, students and the public regarding ethical standards of the discipline.

### MATERIALS AND METHODS

**General principles:** General principles are inspirational in nature. Their intent is to guide and inspire counselors toward the very highest ethical ideals of the profession.

**Beneficence and nonmaleficence:** Counsellors strive to benefit those with whom they work and take care to do no harm. In their professional actions, psychologists seek to safeguard the welfare and rights of those with whom they interact professionally and other affected persons. When conflicts occur among counsellor's obligations or concerns, they attempt to resolve these conflicts in a responsible fashion that avoids or minimizes harm. Because counsellors' professional judgment and actions may affect the lives of others, they are alert to and guard against personal, financial, social organizational or political factors that might lead to misuse of their influence.

**Fidelity and responsibility:** Counsellors establish relationships of trust with those with whom they work. They are aware of their professional and scientific responsibilities to society and to the specific communities in which they work. They uphold professional standards of conducts, clarify their professional roles and obligations, accept appropriate responsibility for their behaviour and seek to manage conflicts of interest that could lead to exploitation or harm.

Counsellors consult with, refer to or cooperate with other professionals and institutions to the extent needed to serve the best interests of those with whom they work. They are concerned about the ethical compliance of their colleague's scientific and professional conduct. Counsellors strive to contribute a portion of their professional time for little or no compensation or personal advantage.

**Integrity:** Counsellors seek to promote accuracy, honesty and truthfulness in the science, teaching and practice of counselling. In these activities, counsellors do not steal, cheat or engage in fraud, subterfuge or intentional misrepresentations of fact.

Counsellors strive to keep their promises and to avoid unwise or unclear commitments. In situations in which deception may be ethically justifiable to maximize benefits and minimize harm, psychologists have a serious obligation to consider the need for the possible consequences of and their responsibility to correct any resulting mistrust or other harmful effects that arise from the use of such techniques.

**Justice:** Counsellors recognize that fairness and justice entitle all persons to benefits from the contributions of counseling and to equal quality in the processes, procedures and services being conducted by psychologists. Counsellors exercise reasonable judgment

and take precautions to ensure that their potential biases, the boundaries of their competence and the limitations of their expertise do not lead to or condone unjust practices.

**Respect for people's rights and dignity:** Counsellors respect the dignity and worth of all people and the rights of individuals to privacy, confidentiality and self-determination. Counsellors are aware that special safeguards may be necessary to protect the rights and welfare of persons or communities whose vulnerabilities impair autonomous decision-making.

Counsellors are aware of and respect cultural, individual and role differences including those based on age, gender, gender identity, race, ethnicity, culture, national origin, religion, sexual orientation, disability, language and socio economic status and consider these factors when working with members of such groups. Counsellors try to eliminate the effect on their work of biases based on those factors and they do not knowingly participate in or condone activities of others based upon such prejudices.

## RESULTS AND DISCUSSION

**Personal moral qualities:** The practitioner's personal moral qualities are of the utmost importance to clients. Many of the personal qualities considered important in the provision of services have an ethical or moral component and are therefore considered as virtues or good personal qualities.

It is inappropriate to prescribe that all practitioners possess these qualities, since it is concerned and developed out of personal commitment rather than the requirement of an external authority. Personal qualities to which counsellors and psychotherapists are strongly encouraged to aspire include:

**Empathy:** The ability to communicate understanding of another person's experience from that person's perspective.

**Sincerity:** A personal commitment to consistency between what is professed and what is done.

**Integrity:** Commitment to being moral in dealings with others, personal straight forwardness, honesty and coherence.

**Resilience:** The capacity to work with the client's concerns without being personally diminished.

**Respect:** Showing appropriate esteem to others and their understanding of themselves.

**Humility:** The ability to assess accurately and acknowledge one's own strengths and weakness.

**Competence:** The effective deployment of the skills and knowledge needed to do what is required.

**Fairness:** The consistent application of appropriate criteria to inform decisions and actions.

**Wisdom:** Possession of sound judgment that inform practice.

**Courage:** The capacity to act in spite of known fears, risks and uncertainty.

**Legal consideration:** Counsellors need to know that there are occasions when their misconduct or omission in the exercise of counselling may very well be actionable by their aggrieved clients and that occasions do exist too, when certain things they may do in counselling can be adjudged as unethical and which in cases of serious dimensions of misconduct may warrant their being proscribed from practicing counselling in Nigeria (Nwoye, 1998).

**The law about confidential relationship and privileged communications in counseling:** Shertzer and Stone (1980) said counselee usually reveal intimate, personal and painful experiences with the assumption that others will not have access to their disclosure without their express consent. This means that a confidential relationship exists making the professional person involved to become obliged to protect the best interests of the client by maintaining it.

The obligation here does not have only an ethical connotation but even a legal implication. What the law appears to require in this case is that the professional is not to disclose information shown to him under the setting of one-to-one counselling and also to maintain the professional confidence reposed on him in such relationship. The counsellor is not to disclose such a confidential information (even where accurate) to individual not entitled to it. Also everything about the relationship in written records must be accurately done and strongly safeguarded.

However, the confidentiality of information revealed in counselling is indeed not absolute per SE. This is because the disclosure of facts relevant to a litigated issue usually takes precedence over confidentiality in

counselling. Privileged communication is assumed to be almost absolute, the communication is usually known to lose its protection where it is discovered that it is for furtherance of crime or fraud.

That means counsellors may be required to testify to knowledge they derive from their professional relationships with their clients.

**The law about confidentiality of counseling information in group therapy:** One may want to ask whether the sanctity of information revealed in the context of one-to-one counselling relationship also applies to information revealed in the context of group guidance and counselling. In group counselling or therapy, the protection of privileged communication cannot be said to exist since under such a relationship, the presence of a third party is involved.

If the information to be concealed is already a shared information that is by persons that make up the group then the court is qualified to address a subpoena to get it testified especially where in doing so, the greater interest of justice is likely furthered. Counsellors keep information revealed in group therapy for ethical reasons rather than legal considerations.

**The law about libel and slander in counseling:** A counsellor should know that there are certain things he may do or say in counselling which would usually be actionable by the aggrieved clients. Among these are the misconduct of libel and slander which is a form of defamation. This involves exposure of the victim to hatred, ridicule and contempt; and also damaging of reputation.

Shertzer and Stone (1980) pointed out that misconduct of defamation involves the invasion of people's interest in their reputation and good name causing others to shun them or to have unpleasant or derogatory feelings about them. According to Seitz (1964) four categories of conditions may warrant the recovery of money as damages for slander. They are:

- Imputation of serious crime in the victim
- Imputation of certain loathsome disease in the victim
- Imputation of unchastity in a woman
- Imputation affecting the victim in conducting business, trade or profession

Counsellors should remember that truth is the only defence for actions against libel and slander also truthful and sincere consultations about clients with professional colleagues would usually not be taken as instances of slander.

**Right of privacy law and problem of psychological testing in counselling:** The right of privacy is the right to be left alone to be free of inspection and scrutiny of others. Invasion of privacy is the intrusion into one's private affairs and/or exposure of one's paper to the view of others. When it causes one emotional distress, it is actionable. While libel and slander involve false or malicious statement aimed at damaging the victim's reputation, invasion of privacy usually arises from truthful but damaging publications.

Indeed one area of biggest threat of privacy which has been entertained against counsellors is the issue of use of personality tests in counselling. Personality tests probe deeply into feelings and attitudes which the individual normally conceals. A test could assess whether an adolescence boy resents authority or whether a mother loves her child or be asked to indicate the strength of sexual needs.

These are virtually all measures of personality that seek information in areas which the subject has every reason to regard as private in normal social intercourse. He is willing to admit the counsellor into these private areas only if he sees the relevance of the questions to the attainment of his goals in working with the counsellor. When the counsellor has a genuine need of the information obtained, he is not invading privacy. What we should note here is that a counsellor should seek the consent of his client before administering him a test even though such consent may always not be formal.

**Problem of counsellor malpractice and the law about negligent actions in counselling:** The term malpractice means any professional misconduct or any unreasonable lack of skill or fidelity in the performance of professional duties. A counsellor can offend the law in the area of criminal liability in four main ways (Shertzer and Stone, 1980).

- Becoming accessory to a crime after the fact
- Encouraging an illegal abortion
- Being a conspirator in a civil disobedience
- Contributing to the delinquency of a minor

These legal considerations help practicing counsellors to really be able to determine when they are working or not working under the provisions of the law; and indeed to help them to predict when a negative consequence may follow their actions due to their deliberate attempt to work against the limits set by law.

## CONCLUSION

This study therefore reinforces the major thrust of an ethical code which is to provide a position on standards of practice; drawing richly from the ethics of American and British Association for counselling.

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