

bulletin

Ontario Board
of Examiners in
Psychology



Room N353, 252 Bloor Street West, Toronto, Ontario. M5S 1V5

(416) 961 8817

Vol. 2, No. 4. June, 1977

PROFESSIONAL ISSUES

In responding to an increasing number of requests from psychologists for interpretation of the legislation and for guidance in the provision of psychological services, the attention of the Ontario Board of Examiners in Psychology has been directed to the professional problems facing psychologists employed by boards of education in the province of Ontario. Its concern was expressed recently in a letter sent to the Minister of Education.

In order that all psychologists in Ontario may be aware of the issues under discussion, and the implications for their own practice of the profession, the letter is reproduced in its entirety below. It should be noted that the letter does not address the issue of testing which, in the view of the Board, warrants separate consideration and discussion.

"The Hon. Thomas L. Wells
Minister of Education,
Queen's Park, Toronto

Dear Mr. Wells:

Over the past year the Ontario Board of Examiners in Psychology has received a number of requests from psychologists for direction and advice in regard to professional concerns arising from their employment by school boards in Ontario. Psychologists are reporting that, in view of current or changing administrative policy within these school boards, it is increasingly difficult to maintain the standards of professional practice which, by law, they are required to maintain.

This Board, in addition to enforcing the letter of the legislation governing psychologists and psychological services in the Province of Ontario, has the responsibility in enforcing the Psychologists Registration Act, R.S.O. 1970, Chapter 372, to speak out on matters of public policy affecting the quality of psychological services provided to the public.

The Ontario Board of Examiners in Psychology wishes to draw these matters to the

attention of the Ministry of Education as it judges the Ministry, in its efforts to serve the public interest, shares its concern that psychological services provided within the school boards under its jurisdiction must meet certain standards of professional practice.

Confidentiality of Records

Psychologists share information with appropriate persons, verbally and through written reports. However, they are professionally obligated to ensure that the information they obtain in the course of interviewing or assessing a client is correctly interpreted. Moreover, they are obligated to their clients to protect the confidentiality of the information in their possession and, given permission by their client, to communicate relevant information to appropriate persons or agencies. Compliance with these ethical and professional standards requires the exercise of judgment on the part of the individual psychologist and, for this reason, personal information regarding clients is carefully guarded by the psychologist.

Recently, a number of school administrators have questioned the right of psychologists to withhold access to psychological files from other school personnel. Still others have suggested that the psychologist's files are the property of the school board. These persistent requests indicate a lack of understanding by school administrators of the professional responsibilities of psychologists to protect the privacy of clients.

The Ontario Board of Examiners has instructed psychologists that, while it is arguable that the formal reports they, or those they supervise, have prepared for the use of school personnel may be the property of the school board, other materials, including clinical notes, test protocols and scores, obtained by psychologists, or by those they supervise, belong to the psychologist. Moreover, psychologists have been informed that they are obligated to guard the confidentiality of these materials and to release them only to appropriate persons.

The limitations placed on psychologists in releasing information have been imposed in order to protect the public and need in no way impede genuine efforts to solve the problems of the child in school, nor, indeed, conflict with any interests a school board may have.

Provision of Psychological Services by School Boards

Particular problems which the Board of Examiners has encountered include school boards referring to staff as "psychologists" and services as "psychological services" although no psychologists were employed. In another case, psychometrists referred to as "psychoeducational consultants" were providing services which paralleled those of registered psychologists, but the psychologists exercised no supervisory authority over the activities of the "psychoeducational consultants" in this setting.

The Ontario Board of Examiners in Psychology is concerned that, in both instances,

the parents in these communities are led to believe that their children are receiving the professional services of psychologists and that therefore they can depend on the quality of the services provided. If there is no supervision by registered psychologists of the activities of the staff members who are not legally qualified, there is no professional responsibility for their activities and, hence, the parents whether they know it or not have no avenue for directing complaints if the service is inadequate.

Interdisciplinary Teams

Along with the increasing tendency over the past ten to fifteen years to employ members of a broad range of disciplines (psychiatry, social work, speech pathology, paediatrics) in school systems, a move has been made toward establishing departments usually labelled "special" or "student services" within which these disciplines work cooperatively in solving a variety of physical, social, emotional, and learning problems of children affecting their educational progress. These efforts in themselves are laudatory.

Working arrangements of this sort raise however certain problems for professionals which by statute are self-governing. For the self-governing professions, of which psychology is one, the relationship between the professional and the client involves a personal responsibility on the part of the professional; a responsibility which, by law, cannot be circumvented or diluted by the circumstances of working on a team.

The Ontario Board of Examiners in Psychology, in attempting to fulfil its responsibility to protect the public, urges the Ministry of Education to consider the extent to which it can, through directives to the school boards in Ontario, influence them to:

- a. avoid misrepresenting to the community the nature of the

services they offer;

- b. acknowledge and respect the legal responsibilities which the psychologists they employ have toward the clients they serve; and having done this,
- c. accept the obligation the psychologist has to protect the confidentiality of the information provided to the psychologist by the parent or child; and

- d. ensure that persons in their employ, not entitled to offer psychological services, are supervised by a registered psychologist who is given the authority to direct their work.

The Ontario Board of Examiners in Psychology would be glad to discuss these concerns with you."

The Board, with the advice of its legal counsel, intends to pursue the issues affecting the maintenance of professional standards by psychologists working as employees in organizations and institutions and will endeavour to keep all psychologists informed.

Barbara Wand, Ph.D.
Registrar