

Counseling Professional Ethics From Viewpoint Of Counselor Educators

Noriah Mohd Ishak¹, Salleh Amat² & Abu Yazid Abu Bakar³

¹Pusat PERMATA Pintar Negara, Universiti Kebangsaan Malaysia, Bangi, Selangor

²Fakulti Pendidikan, Universiti Kebangsaan Malaysia, Bangi, Selangor

ABSTRACT : Professionalism necessitate adherence to professional ethics bounded by believes and moral values of a society. Regardless of any profession, professional ethics guide professionals in conducting their behaviors while in the professional settings. Professional code of ethics for Malaysian counselors was developed by PERKAMA (Persatuan Kaunseling Malaysia) more than two decades ago, and is now becoming a point of reference for evaluating professional conducts of local practicing counselors. This paper reviews various aspects of counseling professional ethics within the local context. Specifically, from the viewpoint of the authors, this paper will dissect the professional ethics of Malaysian counselors based on: (1) PERKAMA Code of Ethics; (2) Malaysian Counselor Act (Act 580) 1998; and (3) Five Basic Moral Principles of Professional Ethics – autonomy, non-maleficence, beneficence, justice, and fidelity. This paper also discusses the impact of professional ethics in counseling among local practitioners.

Keywords: *Counseling; Code Of Ethics; Professional Ethics; Counselor Education*

1.0 INTRODUCTION

Issue of professionalism among Malaysian counselors has been debated more than a decade by the Ministry of Education (MOE), Lembaga Kaunselor Malaysia or Malaysian Board of Counselors (MBC), and individuals interested in the profession. The ebb and flow of the issue was reflected first by MOE's decision to upgrade school counselors as full time counselors. This decision was followed by the appointment of counseling graduates as full time counselors. However, due to some unprecedented overturns; for instance, school counselors were found to be ineffective and not student-friendly per se, the full time status was later revoked. The school counselor was made to teach between 10 to 15 hours per week. Conversely, of late, the school counselors were again given the full time status and their working hours is extended beyond the morning school hours (from 8.00 am to 4.00 pm). The counseling field was again regarded as important and classified as critical area needed urgently (Laporan Bahagian Pendidikan Guru, 2006) to help curb social problems rampantly displayed by students such as bullying, vandalizing, and sexual related behaviors, in both primary and secondary schools.

The issue of counselors' professionalism has been raised in writings and debated in many conferences organized in the country. Although the precise meaning of counselors' professionalism in this country has never been outlined by the MBC or the Persatuan Kaunseling Malaysia (PERKAMA), the context of professionalism has always been discussed with reference to the counselor's code of ethics established by PERKAMA. According to

Boy and Pine (1999) before any counseling services can be deemed professional, it has to meet the following proviso:

- a) the trained individuals should have a specific knowledge, expertise, and skills
- b) the training should be extended over a period of time
- c) procedures for supervision of the practitioners should be clearly stated, including the issue of accreditation.

Along the same argument, Goldring and Ogwa (2002) posit that when discussing teachers' professionalism, it requires the teachers to identify with the norms of their colleagues and professional associations and it calls for autonomy and widespread involvement in decision-making among educators. Inevitably, the authors believe that professionalism among counselors also requires that the counselors identify the professional norms with their peers, and by constantly referring to the code of ethics formulated by PERKAMA to guide their professional behaviors. However, the authors also believe that rationality of professionalism in counseling lies in the reliance of counselors on their expertise which does not only include helping the clients solve their problems (using appropriate theory, and building effective treatment plan), but also on the ability to build healthy counseling environment, self-reflecting on their own strengths and weaknesses in helping the clients, self-regulating their own moods when conducting the session, and self-motivate to develop peak performance (even when given a very difficult clients who resist the counselor's existence). Counselors have to develop high awareness on factors that might hinder effective counseling services, as well as factors that could promote a therapeutic counseling environment for the sake of developing healthy mind, body and soul.

2.0 ELEMENTS OF COUNSELORS' PROFESSIONALISM

2.1 Specialized Training

Nugent (1999) posits that for counseling services to be considered an ethically professional service, the individuals rendering the services must acquire the right qualification. In lieu of that, Council for Accreditation of Counseling and Related Education Programs (CACREP) formulated a specific criterion for the preparation of professional counselors, counselor educators, and student affairs professionals. It defines counseling training program as structured sequence of curricular and clinical experiences (CACREP, 1994). Although none of the local university offering Guidance and Counseling program receives accreditation from CACREP, however, most of the programs offered follow very closely the requirements suggested by CACREP. To illustrate, many local universities which offers guidance and counseling program at the Masters level, have increased their credit hours from the traditional 36 units to 48 units of semester workload. This is one of the standard set by CACREP as a gate-keeper to the profession. In addition, CACREP stated that the common core curricular experiences should include areas of professional identity, social and cultural diversity, human growth and development, assessment and research, career development, helping relationships, group work, and program evaluation. Therefore, it is pertinent that prospective trainee counselors choose the most appropriate guidance and counseling program to ensure that their qualification meets the need of the professionalism in the field. The prospective trainees also have to ensure that they will receive supervised practicum and internship as part of their program. Although, there is no specific requirement set forth by MBC (2000) with regards to the number of hours needed for the internship and practicum, the understanding (within all

training institutions providing counseling program) is within the range of 400 to 600 hours of supervised practicum or internship divided between the clinical and psycho-educational activities conducted during the practicum or internship.

Another wave of change set within the counseling training program is a movement from offering a PhD in guidance and counseling by thesis to offering a PhD by course work and dissertation. Basically, the change will allow counselors graduated from such program to acquire a more comprehensive level of knowledge, which in returns will increase their competencies. Two questions, however, remain within the issue of counselor's training program in Malaysia namely: (1) shall the diploma and bachelor programs be allowed to continue and the graduates (from the counseling and at times psychology program) be allowed to function as full fledge counselor within the counseling field in Malaysia?, and (2) will the training at those levels be enough to train competent counselors? CACREP requires that a professional counselor must attain at least a Masters degree to practice within the counseling field. Consequently, in order to promote the profession to a greater height, this issue must be resolved with immediacy by all relevant parties in the local counseling scenes.

2.2 Involvement in Professional Association

Unlike in the United States of America where counseling activities are more focused and are modulated by their respective counseling association; for instance, Marriage and Family Therapy Association, Community Services Association, and Counseling for Higher Education Association, Malaysian counseling services have not received similar treatment. Counselors who serve under the umbrella of guidance and counseling services, have only one option of counseling association, which is the PERKAMA. Individuals functioning under guidance and counseling can apply to be a member of PERKAMA either as a life member, a student member or an associate member. Life membership is open to only individuals in the related field. However, interested members of the public (aside from individuals holding counseling student status) can apply for the associate status. PERKAMA was first established in 1982 by a group of concerned counselors. Its' objective is to provide common professional base for Malaysian counselors and professionals in related areas from the view points of both professional orientation and fellowship. PERKAMA has conducted series of seminar and workshop that support enhancement of counseling knowledge and skills. The topics being discussed include current issues in counseling, new techniques and strategies in helping clients deal with their problems, discussion on the different aspects of counseling from multicultural perspective, as well as effective supervision. The association also conduct workshop in basic counseling skills for those interested in helping others but are not pursuing a formal training in counseling. The series of workshop conducted by the association should be viewed by its members and other helping professionals as means of continuously upgrading one's knowledge and skills in counseling. In order to enhance the professionalism of practicing counselors in Malaysia, they need to actively participate in the activities organized by local professional association; unfortunately, with only PERKAMA is around, the opportunity to do so is very limited.

2.3 Use of Code of Ethics

Professional counselors are always confronted with "ethical dilemma" that arises from conflicts in maintaining standard of right or wrong in specific counseling practice. Consequently, counselors must be alerted to the professional ethical standard, and use it as a

guidance in rendering services to the clients. In the case of Malaysian counselors, the code of ethics is set forth by PERKAMA with the following objectives: (1) to provide standard guidelines for counselors' behaviors as the basis in solving ethical dilemma that could divert the standard professional behaviors among counseling practitioners; (2) it was build on the main values of counseling services, and therefore help to build awareness of self-values, dignity and uniqueness (which includes the right of and the counselors' potential) as helping professionals; (3) it should not be used as an instrument to impede opportunities and freedom to practice among counselors, and should not also be used to restrain disciplinary actions on counselors without providing them the maximum right for protection and justice; and (4) it should be used as a guideline for the Malaysian Board of Counselor to make decision in issues related to ethical conducts.

3.0 FOUNDATIONS OF MALAYSIAN COUNSELORS' PROFESSIONAL ETHIC

3.1 PERKAMA Code of Ethics

What is or are considered ethically acceptable professional behaviors when providing counseling services among Malaysian counselors? According to Cottone and Tarvydas (1998, pg. 6) "ethics involves an analysis of what is socially and culturally acceptable, the agreed-on shoulds and oughts of human actions... it cannot be separated from morality that deals with human conduct where judgments are made as to whether human acts conforms to the accepted rules of righteousness or virtue". They posits that ethics involves an attempt to assess and to judge human decisions and behavior against an accepted standard primarily in a non-religious context. However, at times what is considered ethical practice can be immoral by certain religious standard (example when helping the client deal with the issue of abortion or accepting gay partnership practice and their lifestyle involving Muslim clients or clients whose religious standing prohibit such lifestyle) and vice versa. This can create ethical dilemma among Malaysian practicing counselors. Nonetheless, the PERKAMA Code of Ethics (2008) clearly stated the code of conducts counselors should shoulder professionally as follows:

- a) Counselors should nature excellent behaviors at all times in order to maintain the standard, integrity and professional identity of the counseling profession
- b) Counselors should at all times evaluate and increase their knowledge, competencies and skills in the counseling profession, and monitor their effectiveness as professionals
- c) Counselors should carry out their duties efficiently, responsibly, objectively, honestly and with dedication in line with the high standard of professionalism

Generally, PERKAMA code of ethics outlined counselors conduct when doing research and publishing their work, as well as when performing a test on client. There is also a short description on overall administration of services in both public and private practices. In a more specific note, the code of ethics clearly identified counselors' responsibility in a number of areas mentioned below:

a) Responsibility Towards Counselor-Client Relationship

Such descriptions could help counselors build awareness on their counselor-client relationship that could support a very therapeutic working environment. Among others, the code of ethics on counselor-client relationship suggests that: (1) counselor should respect clients' integrity and their welfare regardless whether they seek individual or group counseling; (2) the counseling relationship and the information pertaining to it must be kept confidential; (3) counselor must seek permission from the clients before disclosing any information to a third party; (4) counselor must try to understand and respect clients' socio-cultural background; (5) counselor has the responsibility to protect the client from any physical or psychological harm; (6) counselor cannot misuse his or her position to satisfy his or her own emotional, sexual or financial needs; (7) counselor must not practice, or agree upon or encourage discrimination based on race, gender, religion, social economic status, ideology, physical disability, mental or any basis proscribed by law; (8) counselor should respect clients' decision at all times; and (9) counselor should at all times respect clients' privacy in counseling sessions. Working with the stated code of conducts of counselor-client relationship will help professional counselors establish healthy relationships with clients. Concomitantly, clients' well being will be sustained throughout the counseling session and elements that could trigger unhealthy relational environments can be eliminated. Such code of conducts will also help build awareness of the influences counselors have on their clients; hence, reduces their chances of exploiting the trust and dependency of clients. The ethical conducts of counselor-client relationship is actually a remainder to all counselors to make every effort to avoid dual relationships with clients that could impair professional judgment or increase the risk of harm on clients.

b) Responsibility towards Peers/Other Professionals

Peers play an important role in influencing ones' behavior at work. American Counseling Association, Code of Ethics (2005), in its Section C: Professional Responsibility, C.6 Responsibility to Other Professionals stated three areas that promote responsibilities towards other professionals. The areas include: respecting other professional approaches to counseling, not speaking on behalf of other professionals, and not establishing professional relationship with clients who are currently under the care of another professional counselors. PERKAMA Code of Ethics also outlined a set of counselors' responsibilities towards other professionals. The code stated that: (1) a counselor must respect his or her professional peers; (2) he or she has the responsibility to avert, and to correct any unethical conducts displayed by his or her peers; and (3) he or she must be ready to defend, help and support his or her peer that was wrongfully accused of displaying unethical behaviors. These ethical guidelines when closely followed could help professional counselors establish positive and collaborative professional relationship with other counselors, and thereby strengthened their professions.

c) Responsibility towards the Community

Professional counselors' relationship with community is normally two folds: (1) as a formal consultant where community members seeks advice from professionally; and (2) as informal consultant where counselor is normally part of the community members that seeks advice personally. Regardless of the relational experience, counselors and community members will have to actively interact with each other, and therefore both parties need to understand the socio-cultural context of the other. In tandem, the PERKAMA code of ethics stated that a counselor must understand and respect the socio-cultural values of the society where he or she

is imparting his or her counseling services. It was also suggested that the counselor abide by the law of the country where he or she is providing the services. This is particularly true, when the counselor faces a dilemma in making decisions that conflicted with the ethical standard of the profession. In such situations, the counselor must look at what is provided by the law with regards to similar issue (Corey et al., 2006). Taking these into consideration, the counselor must always provide their services to the community members non-discriminatively, and ensuring at all times that the services rendered is not clouded by personal gains.

d) Responsibility Towards the Working Organization and Employer

Generally, professional counselors are obligated to their employers. They have the responsibility to serve their employers in a way that demonstrates competence and ethical sensitivity (Cottone and Tarvydas, 1998). Employers are also considered as the third party where clients' reports are sometimes submitted for evaluation, particularly when the clients are employees of the organization. Counselors can be in difficult situations when the employer requires detailed information about what was being discussed in the counseling session, especially, when the client involved is of interest to the organization. PERKAMA code of ethics provides a number of guidelines for professional counselors to follow when working with an organization, and the guidelines are as follows: (1) counselor must adhere to all agreement agreed upon between him or her and the organization (he or she is working with) at the onset of his or her employment; (2) counselor must adhere to the organizational policy and procedures, and to continuously upgrade the effectiveness of his or her services to the organization; (3) counselor must act against any discrimination while in service; (4) counselor must not misuse or abuse all facilities and resources provided by the organization; (5) counselor must be truthful in informing the employer situations that can lead to conflict which hinder his or her effectiveness in providing the counseling services; and (6) together with the employer, the counselor must take the responsibility of improving his or her working performance as well as other members of the organization. Therefore, counselors who work within an organization, must always set their priority on the right track. Their first priority is to the organization which employs them, and next to it will be their clients. A reverse priority will jeopardize the counselors' career. However, when setting the priority, the counselors must always remind themselves that whatever decision being made, the rudimentary issue would always be the well-being of the clients.

3.2 Malaysian Counselors Act (Act 580) 1998

Counselors Act (Act 580) 1998, is an act, applies to only Malaysian practicing counselors with regards to their practice. It is a legally binding act established with an advisory council known as the "Malaysian Counsellors Advisory Council" who regulates the registration of Malaysian professional counselors. The act has eight part as follows: (1) Preliminary; (2) The Malaysian Counsellors Advisory Council; (3) The Board of Counsellors; (4) Registration of Counsellors and Practicing Certificates; (5) Bodies Corporate Practising as Counsellors; (6) Disciplinary Proceedings; (7) Offences and Penalties; and (8) Miscellaneous.

The parts that would be of interest in this paper are the parts of Disciplinary Proceedings (Part 6) and Offences and Penalties (Part 7). Both parts deal directly with the issue of unethical conducts of counselors. The Disciplinary Proceedings states that "the board shall have disciplinary authority over all registered counsellors and shall exercise disciplinary control in respect of all such counsellors in accordance with this Act" (Counselors Act 1998,

pg. 22). Every complaint against any counselors will be investigated by a committee, and if found guilty, the counsellor's name will be removed from the Registrar, be suspended or order to a fine not exceeding five thousand ringgit. The counselor can also be reprimanded for the misconduct.

The Act clearly states the type of practices and penalties that are considered offensive. The following are practices that are considered offensive:

- a) Making or producing a false or fraudulent declaration, certificate, application or representation
- b) Forger, alters or counterfeits a certificate of registration, certificate of temporary registration or practising certificate
- c) Uses a forged alters or counterfeits a certificate of registration, certificate of temporary registration or practising certificate
- d) Personates a registered person or a director of a body corporate practising as a counselor
- e) Buys or fraudulently obtains a certificate of registration, certificate of temporary registration, or practising certificate
- f) Sells, assigns or transfers a certificate of registration, certificate of temporary registration or practising certificates

If found guilty, a counselor or any individual can be: (1) fine not exceeding ten thousand ringgit or imprisonment not exceeding two years or both; and (2) in the case of continuing offence, be liable to a fine not exceeding one thousand ringgit for every day or part of a day during which the offence continues after conviction.

Together with the code of ethics, the Act can guide the counselors who are in dilemma when making professional decision. Nonetheless, when conflict arises between code of ethics and the law or in this case the Act 580, the counselor must always refer back to the content of the law. However, most of the time, the code of ethics are always and most often than not, parallel to the content in the Act. A good example is when the counselor found that his or her colleague has wrongfully practiced or claimed (in an advertisement) his expertise in the area that he is not an expert or was trained in. The code of ethics has formally stated that "he or she has the responsibility to avert, and to correct any unethical conducts displayed by his or her peers". The Act also clearly stated that a disciplinary punishment shall be imposed when the counselor acted fraudulently, with dishonesty or moral turpitude.

3.3 Five Basic Moral Principles of Professional Ethics

Corey et al. (2006) described five basic moral principles that form the foundation of functioning at the highest ethical level as a professional. The detail descriptions of these five principles are as follows:

- a) **Autonomy** – This principle refers to the promotion of self-determination, or the freedom of clients to choose their own direction. This principle is reflected in the Humanist Theory promoted by Carl Rogers. He suggested that human being is an organism that

constantly moves independently to find homeostasis in life, and therefore gained independence and autonomy. To display respects for autonomy, the counselor must acknowledge the right of clients to choose and act in accordance with their wishes, and a professional counselor must behave in a way that promotes autonomy. However, this principle is very much related to individualistic community (like the Western community). Conversely, Asian culture (like the Malaysian) is more of a communal society that respects decision which takes into consideration the family welfare. Therefore, even the issue of building autonomy which is greatly appreciated in the western society, can bring about ethical dilemma among Malaysian counselor.

b) Non-maleficence – Non-maleficence means avoiding doing harm, which includes refraining from actions that could risk or hurt the client. Professional counselors has the responsibility to avoid engaging in practices that cause either physical, emotional or psychological harms, or behave in a way that could provide potential harm or threat to the clients. This principle is clearly stated in the code of ethics set forth by PERKAMA, which states that counselor must always avoid doing or bringing harm to his or her clients. Inevitably, counselors should be more careful when creating therapeutic conditions so as not to promote dual or multiple relationship, or when handling information (or transferring client's information to a third party via electronic mode) given by clients so as to promote confidentiality. Counselors must at all times review their behaviors to identify patterns that might suggest inclination towards development of dual or multiple relationship or even behaviors that could suggest bartering (exchanging goods with services) that could harm the clients. These patterns can be identified from the conversation or non-verbal behaviors displayed during counseling sessions. Last but not least, counselors must also be very careful when developing treatment plan to ensure that it will benefit the clients (and not the counselors).

c) Beneficence – This moral principle indicates promoting good for others. By nature, counseling profession contributes to the growth and healthy wellbeing of the clients within their own cultural context. But what is morally acceptable in a culture, sometimes is not acceptable to another culture. Therefore, although the counselor's intention in helping is good, but due to cultural differences, it can cause more harm than good. For instance, following a behavioral approach, a very passive client is asked to be more assertive towards his or her parents, which can be quiet unfitting and thereby raising family conflict between children and parents.

d) Justice – Justice means providing equal treatment to all clients. Everyone, regardless of gender, age, race, SES or disability is entitled to equal access to the counseling services. There are times when the counselor has to provide pro bono services with no financial returns. This is not an issue if one practice as school counselors and giving services to the school community or providing services within an organization. However, when required to provide free services to the community (as necessitated by PERKAMA code of ethics), the same counselor must do so without feeling discouraged. The ACA code encourages counselors to offer pro bono services: "Counselors contribute to society by devoting a portion of their professional activity to services for which there is little or no financial return" (ACA Code of Ethics 2005, A.10.d). The issue of justice is more pertinent to private practitioners whose counseling activity normally receive monetary rewards (through payment of counseling fees). To do a pro bono services can threatened their very existence!

e) Fidelity – Fidelity means that the professional counselors must make honest promises and honor their commitments to those they serve. This entails fulfilling one’s responsibilities of trust in a counseling relationship. When in a counselor-client relationship, a counselor must inform his or her client about counseling (and its related procedures), and to follow through all commitments made to the client. The ACA Code of Ethics (2005) suggests that “When counseling is initiated... the counselor must inform clients of the purpose, goals, techniques, procedures, limitations, potential risks, and benefits of services...” the clients will gain throughout the session. This can be done quickly by providing a one page professional statement for client to read prior to the session. The statement must clearly states the theory and techniques used by the counselor (and it must reflect his or her expertise), and how the client can benefit from the counseling services.

Applying these moral principles to professional functioning of any counselors is not an easy task, especially when dealing with culturally diverse clients. However, with a culturally diversified society like Malaysia, the success of applying all these moral principles will definitely raise the professionalism level of local counseling practitioners.

4.0 CONCLUSION

The quality of counseling services rendered to client is affected by many factors, and one of the factors is the professional conduct of the counselor. Counselor’s behavior can affect the well-being of the clients, as well as change the course of their life for the better. However, the reverse can happen if the counselor who rendered his or her service does not do so with the interest of the client in mind. Although the code of ethics provided by PERKAMA serves as guidelines for the counselor to function effectively in the profession, it does not guarantee that the counselor will provide a professional service. In tandem, Corey et al. (2006) posit that:

“A code of ethics cannot guarantee ethical behaviors. Moreover, a code of ethics cannot resolve all ethical issues or disputes, or captures the richness and complexity involved in striving to make responsible choices within a moral community. Rather a code of ethics sets forth values, ethical principles and ethical standards to which professionals aspire and by which their actions can be judged.” (pg. 16)

Counselors who provide services by adhering strictly to the counseling code of ethics and the Counseling Act (Act 580) will not only promote professionalism in the profession, but more importantly, will be able to provide a professional service that leave a mark in their clients’ life. The professional ethics in counseling have therefore several impacts namely: (1) on the process of self-monitoring among the counselors; (2) reducing legal implication (liable, litigation, legal action etc.) against counselors; (3) avoid abuse of power by the counselors (on clients); (4) increase credibility of the counselors and their profession; and (5) maintain high standard of professionalism among the counselors.

Concomitantly, the Malaysian Board of Counselor and PERKAMA, together with the training institutions who trained future counselors, have the responsibility to ensure that the admonishing messages stated in the professional code of ethics in counseling and the Counseling Act (Act 580) is well understood by all practicing counselors. By doing so, the high standard of professionalism in the counseling profession can be enhanced, in the public service or non-governmental organizations, as well as in the private practices.

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