

ETHICAL GUIDELINES

ABA SWITZERLAND

General Statement:

The aim of those Ethical Guidelines is to ensure ethical practice and the quality of services in Behavior Analysis, to promote trust between behavior analysts, therapists and their clients, to maintain the reputation of the behavior analytical and to protect the public against abuse. Behavior Analysts apply their scientific, evidence-based know-how to the field of human behavior in a variety of contexts and are constantly expanding it. Their work includes the performance of consultancy services, assistance, direct therapy, assessments, expert opinions as well as teaching and research. The aim of their work is to promote the mental health and wellbeing of the individual and to contribute to improving living conditions. As experts in their field, behavior analysts carry a particular responsibility for the individuals who are entrusted to their care.

Those Ethical Guidelines protect the rights and the integrity of all the people involved in any form of behavior analytical work and of those who are directly affected by it. It applies in particular to clients who use behavior analytical services, to participants in graduate, postgraduate, further and continuous professional training, as well as to behavior analysis researchers. Those ethical guidelines are binding on behavior analysts. They are required to base their professional practice on the ethical standards contained herein.

By joining ABA Switzerland, each member undertakes to comply with those Ethical Guidelines.

1. Introductory provisions

Relationship with legislation	Federal legislation and cantonal legislation shall prevail over those ethical guidelines. The main laws include in particular:
Fundamental and human rights	* The federal constitution of the Swiss confederation of 18 April 1999 (SR 101), Fundamental Rights * The convention of 4 November 1950 for the protection of human rights and fundamental freedoms, now the European convention on human rights (ECHR; SR 0.101) * The convention of 4 April 1997 for the protection of human rights and dignity of the human being with regard to the application of biology and medicine (Convention on human rights and biomedicine; SR 0.810.2) * Convention of 20 November 1989 on the rights of the child (UN Convention on the rights of the child; SR 0.107)
Law on professions	* Federal act of 18 March 2011 on professions in psychology (act on professions in psychology, PsyG; SR ...) * Swiss Penal Code of 21 December 1937 (SPC; SR 311.0), namely Art. 321 and 321bis (professional secrecy) * Swiss Civil Code of December 10, 1907 (SCC; SR 210) * Federal act of 19 June 1992 on data protection (DSG; SR 235.1) and cantonal data protection legislation * Federal act of 30 March 1911 concerning the addition to the Swiss Civil Code (Fifth Part: Swiss Code of Obligations [SCO]; SR 220) * Federal act of 19 December 1986 on unfair competition (UWG; SR 241) * Federal act of 13 March 1964 on employment in industry, trade and commerce (employment act, ArG; SR 822.11) * Federal act on research on human subjects (Humanforschungsgesetz, HFG; SR ...) * Cantonal health laws * CHECK TEACHING APPLICABLE LAWS

2. Responsibility as a professional

Duties of competency, accountability and handling ethical issues	Practice within one's competency	Behavior analysts shall, acting on their own professional responsibility, provide only those services for which they have the necessary knowledge and skills as a result of their graduate, postgraduate, further or continuous training, or experience. If a member lacks the necessary knowledge or skills, they shall refuse to take on the work or refer the client or patient to a professional having the appropriate qualifications and experience. They engage in professional activities in new areas (e.g., populations, procedures) only after accessing and documenting appropriate study, training, supervised experience, consultation, and/or co-treatment from professionals competent in the new area.
	Maintain standards of competency	Behavior analysts actively engage in professional development activities to maintain and further their professional competence. Professional development activities include reading relevant literature; attending conferences and conventions; participating in workshops and other training opportunities; obtaining additional coursework; receiving coaching, consultation, supervision, or mentorship; and obtaining and maintaining appropriate professional credentials.
	Accountability	Behavior analysts are accountable for their actions and professional services and follow through on work commitments. When errors occur or commitments cannot be met, behavior analysts take all appropriate actions to directly address them, first in the best interest of clients, and then in the best interest of other relevant parties.
	Handling ethical disputes	Members shall endeavor to timely identify ethical disputes and shall seek solutions on the basis of a careful weighing of the assets and interests concerned.
Non-discrimination	Behavior analysts do not discriminate against others. They behave in an equitable and inclusive manner regardless of age, disability, ethnicity, gender expression/identity, immigration status, marital/relationship status, national origin, race, religion, sexual orientation, socioeconomic status, or any other basis proscribed by law.	
Harassment	Members must not abuse the relationships that arise in the context of their professional practices. They shall in particular abstain from all forms of harassment, sexual or abusive conduct.	

Avoidance of conflict of interests	Multiple relationships	Because multiple relationships may result in a conflict of interest that might harm one or more parties, behavior analysts avoid entering into or creating multiple relationships, including professional, personal, and familial relationships with clients and colleagues. If multiple relationships arise, behavior analysts take appropriate steps to resolve them.
	Gifts	Members shall adopt a reserved attitude when they receive gifts. They shall refuse gifts which are likely to affect their professional judgment or that can lead to a conflict of interest. Accepted gifts cannot exceed a monetary value of CHF10.00 (??). Behavior analysts make clients and stakeholders aware of this requirement at the onset of the professional relationship.

3. Responsibility in practice

Treatment	Service and financial agreement	Before implementing services, behavior analysts ensure that there is a signed service agreement with the client and/ or relevant stakeholders outlining the responsibilities of all parties, the scope of behavioral services to be provided, the behavior analyst's obligations under the Ethical Guidelines, as well as the agreed-upon compensation and billing practices with their clients or relevant stakeholders.
	Effectiveness	Behavior analysts prioritize clients' rights and needs in service delivery. They provide services that are conceptually consistent with behavioral principles, based on scientific evidence, and designed to maximize desired outcomes for and protect all clients, stakeholders, supervisees, trainees, and research participants from harm.
	Consent	Behavior analysts are required to obtain informed written consent from clients, stakeholders, and research participants (e.g., before initial implementation of assessments or behavior-change interventions, when making substantial changes to interventions, when exchanging or releasing confidential information or records). They are responsible for explaining, obtaining, reobtaining, and documenting required informed consent. They are responsible for obtaining assent from clients when applicable.
	Assessments	Behavior analysts select and design assessments that are consistent with behavioral principles; based on scientific evidence; and that best meet the diverse needs, context, and resources of the client and stakeholders. They select, design, and implement assessments with a focus on maximizing benefits and minimizing risk of harm to the client and stakeholders. They summarize the procedures and results in writing.

	Behavioral interventions	Behavior analysts select, design, and implement behavioral interventions that: (1) are conceptually consistent with behavioral principles; (2) are based on scientific evidence; (3) are based on assessment results; (4) prioritize positive reinforcement procedures; and (5) best meet the diverse needs, context, and resources of the client and stakeholders. Behavior analysts also consider relevant factors (e.g., risks, benefits, and side effects; client and stakeholder preference; implementation efficiency; cost effectiveness) and design and implement behavioral interventions to produce outcomes likely to maintain under naturalistic conditions. They summarize the behavioral intervention procedures in writing (e.g., a behavior plan or an Individualised Education Programme = IEP). Behavior analysts continuously monitor and evaluate the effectiveness of the behavioral interventions and make the necessary changes, adjustments or treatment discontinuations.
	Restrictive interventions	Behavior analysts recommend and implement restrictive procedures only after demonstrating that desired results have not been obtained using less intrusive means, or when it is determined by an existing intervention team that the risk of harm to the client outweighs the risk associated with the behavioral intervention.
	Communication	Before implementation, behavior analysts describe in writing the objectives and procedures of the intervention, any projected timelines, and the schedule of ongoing review. They provide this information and explain the environmental conditions necessary for effective implementation of the intervention to the stakeholders and client (when appropriate).
Data	Data collection	Behavior analysts actively ensure the appropriate selection and correct implementation of data collection procedures. They graphically display, summarize, and use the data to make decisions about continuing, modifying, or terminating services.

	Documenting professional activity	Throughout the service relationship, behavior analysts create and maintain detailed and high-quality documentation of their intervention plans to facilitate provision of services by them or by other professionals, to ensure accountability, and to meet applicable requirements (e.g., laws, regulations and organization policies). Documentation must be created and maintained in a manner that allows for timely communication and transition of services, should the need arise.
Conditions interfering with service delivery	Behavior analysts actively identify and address environmental conditions (e.g., the behavior of others, hazards to the client or staff, disruptions) that may interfere with or prevent service delivery. In such situations, behavior analysts remove or minimize the conditions, identify effective modifications to the intervention, and/or consider obtaining or recommending assistance from other professionals. Behavior analysts document the conditions, all actions taken, and the eventual outcomes.	
Facilitating continuity of services	Behavior analysts act in the best interests of the client to avoid interruption or disruption of services. They make appropriate and timely efforts to facilitate the continuation of behavioral services in the event of planned interruptions (e.g., relocation, temporary leave of absence) and unplanned interruptions (e.g., illness, funding disruption, parent request, emergencies). They ensure that service agreements or contracts include a general plan of action for service interruptions. When a service interruption occurs, they communicate to all relevant parties the steps being taken to facilitate continuity of services. Behavior analysts document all actions taken in this circumstance and the eventual outcomes.	

Service discontinuation	Behavior analysts include the circumstances for discontinuing services in their service agreement. They consider discontinuing services when: (1) the client has met all behavioral goals, (2) the client is not benefiting from the service, (3) the behavior analyst and/or their supervisees or trainees are exposed to potentially harmful conditions that cannot be reasonably resolved, (4) the client and/or relevant stakeholder requests discontinuation, (5) the relevant stakeholders are not complying with the behavioral intervention despite appropriate efforts to address barriers, or (6) services are no longer funded. Behavior analysts provide the client and/or relevant stakeholders with a written plan for discontinuing services, document acknowledgment of the plan, review the plan throughout the discharge process, and document all steps taken.	
Confidentiality and data protection	Professional secrecy	Behavior analysts have a confidentiality obligation with regard to the information entrusted to them in the context of their professional work and which comes to their attention or knowledge. The professional secrecy obligation of the members also applies to the people close to their clients, colleagues and supervisors. Behavior analysts shall draw their staff's and auxiliaries' attention to their professional secrecy obligation and inform them accordingly in writing. The professional secrecy obligation shall continue to exist after the expiry of the contract for so long as there is an interest in confidentiality being maintained. This shall also apply in the event of the death of the client or patient.
	Exceptions to professional secrecy	Behavior analysts shall be released from professional secrecy with regard to colleagues, or other professionals, working at the same time with the same clients or patients, unless these decide otherwise. To the extent appropriate, the same shall apply to specialists referring clients.
	Recording on image and sound carriers	Behavior analysts may record sessions on image or sound carriers or let third parties listen to/view such recordings only after obtaining the prior social consent of their clients / stakeholders. The statement of consent of the client or stakeholder must contain information on the type, scope and intended purpose of the recordings.

	Disclosure of protected information	Behavior analysts may disclose information subject to professional secrecy only if demonstrable consent has been obtained from the client, if a federal or cantonal law so requires, if the competent authority has released the member concerned from his professional secrecy or in an acute emergency situation. Members may only disclose information that is absolutely necessary.
	Consulting with other providers	Behavior analysts arrange for appropriate consultation with and referrals to other providers in the best interests of their clients, with appropriate informed consent, and in compliance with applicable requirements (e.g., laws, regulations, contracts, organization policies).
	Data protection conformity and data security	The processing, namely the gathering, recording, use, safe-keeping or disclosure of personal data, specifically sensitive personal data regarding health or intimate matters, must be carried out in accordance with federal and cantonal laws.

4. Responsibility to supervisees, trainees and behavioral technicians	
Competence	Behavior analysts supervise and train others only within their identified scope of competence. They provide supervision only after obtaining knowledge and skills in effective supervisory practices, and they continually evaluate and improve their supervisory repertoires through professional development.
Number of supervisees	Behavior analysts take on only the number of supervisees or trainees that allows them to provide effective supervision and training.
Accountability	Behavior analysts are accountable for their supervisory practices.
Providing supervision and training	Behavior analysts deliver supervision and training in compliance with applicable professional and federal / cantonal requirements. They design and implement supervision and training procedures that are evidence based, focus on positive reinforcement, and are individualized for each supervisee or trainee and their circumstances.

5. Advertising and public presence	
Advertising principles	Behavior analysts may advertise their work realistically and truthfully. They shall abstain from any form of forceful or deceptive advertising. In particular, members must provide information about themselves, namely their career, their qualifications, partnerships and memberships, as well as their services. They may publish the practice openings, practice brochures, professional bodies or persons or make corresponding information available on personal websites and be included in listings. References to concrete clients or to actual cooperative relationships are only allowed with the consent of the client or principal concerned. References to actual patients or to actual opinions drawn up by the member are prohibited.
Public presence	Behavior analysts who appear in public, namely in lectures, radio or TV programs or on the internet, in an advisory capacity or to offer comments, shall base their statements on well-founded scientific knowledge or recognized behavior analytical practice.
Social media	Behavior analysts are knowledgeable about the risks to privacy and confidentiality associated with the use of social media channels and websites and they use their respective professional and personal accounts accordingly. They do not publish information and/or digital content of clients on their personal social media accounts and websites. When publishing information and/or digital content of clients on their professional social media accounts and websites, behavior analysts ensure that for each publication they (1) obtain informed consent before publishing, (2) include a disclaimer that informed consent was obtained and that the information should not be captured and reused without express permission, (3) publish on social media channels in a manner that reduces the potential for sharing, and (4) make appropriate efforts to prevent and correct misuse of the shared information, documenting all actions taken and the eventual outcomes. Behavior analysts frequently monitor their social media accounts and websites to ensure the accuracy and appropriateness of shared information.