3.2. Knowledge of, and ability to operate within, professional and ethical guidelines

The standards of conduct in this document are expected of all practitioners. It applies to a wide range of professionals as well as those who do not have a core profession (but who would be expected to follow the internal operating procedures of their organisation).

- An ability to draw on knowledge that ethical and professional guidance represents a set of principles that need to be interpreted and applied to unique situations
- An ability to draw on knowledge of mental health legislation relevant to professional practice
- An ability to draw on knowledge of the relevant codes of ethics and conduct that apply to all professions, and to the profession of which the worker is a member
- An ability to draw on knowledge of local and national policies in relation to:[c]
  - capacity and consent
  - confidentiality
  - data protection

Autonomy

- An ability for professionals to recognise the boundaries of their own competence and not attempt to practise an intervention for which they do not have appropriate training, supervision or (where applicable) specialist qualification
- An ability for professionals to recognise the limits of their competence, and at such points:
  - an ability to refer to colleagues or services with the appropriate level of training and/or skill
  - an ability for professionals to inform users of services when the task moves beyond their competence, in a way that maintains their confidence and engagement with services

Ability to identify and minimise the potential for harm

- An ability to respond promptly when there is evidence that the actions of a colleague put a user of services or another colleague, at risk of harm by:
  - acting immediately to address the situation (unless there are clear reasons why this is not possible)
  - reporting the incident to the relevant authorities
  - cooperating with internal and external investigators

[c] For more information on those policies, see the competences for 'Knowledge of legal frameworks relating to working with children and young people'.

- When supervising colleagues, an ability to take reasonable steps to ensure that they recognise the limits of their competence and do not attempt to practise beyond them
- An ability to consult or collaborate with other professionals when additional information or expertise is required

Ability to gain consent from users of services

- An ability to help users of services make an informed choice about a proposed intervention by setting out its benefits and risks, along with providing information about any alternative interventions
- An ability to ensure that the user of services grants explicit consent to proceeding with an intervention
- In the event of consent being declined or withdrawn, and where the nature of their presentation means intervention in the absence of consent is not warranted, an ability to respect the person's right to make this decision
- If a person withholds consent but the nature of their presentation warrants an immediate intervention:
  - an ability to evaluate the risk of the intervention and, where appropriate, proceed as required
  - an ability to attempt to obtain consent, although this may not be possible
  - an ability to ensure the person is fully safeguarded

Ability to manage confidentiality

- An ability to ensure that information about the user of services is treated as confidential and used only for the purposes for which it was provided
- When communicating with other parties, an ability:
  - to identify the parties with whom it is appropriate to communicate
  - to restrict information to that needed to act appropriately
- An ability to ensure that users of services are informed when and with whom their information may be shared
- An ability to restrict the use of personal data:
  - for the purpose of caring for the users of services
  - to those tasks for which permission has been given
- An ability to ensure that data is stored and managed in line with data protection legislation

Sharing information to maintain safety

- An ability to draw on knowledge that it is appropriate to breach confidentiality when withholding information could:
  - place an individual at risk of significant harm (e.g. family members/carers, significant others, professionals or a third party)
  - prejudice the prevention, detection or prosecution of a serious crime
  - lead to an unjustified delay in making enquiries about allegations of significant harm to others

- An ability to judge when it is in the best interest of the person to disclose information, taking into account their wishes and views about sharing information, and holding in mind:
  - that disclosure is appropriate if it prevents serious harm to a person who lacks capacity
  - the immediacy of any suicide risk (e.g. the degree of planning, the type of suicide method planned or already attempted, circumstances such as being alone, refusing treatment, drinking heavily or being under the influence of drugs)

- An ability to draw on knowledge that the duty of confidentiality does not preclude listening to the views of family members/carers, significant others (if relevant), or providing them with non-person specific information about managing a crisis or seeking support
- An ability to judge when sharing information within and between agencies can help to manage risk
- An ability to discuss concerns about disclosure with colleagues (e.g. by discussing the case without revealing the person's identity)

- An ability to report critical incidents/near misses using locally agreed systems and procedures

Ability to maintain appropriate standards of conduct

- An ability to ensure that users of services are treated with dignity, respect, kindness and consideration
- An ability for professionals to maintain professional boundaries, e.g. by:
  - ensuring that they do not use their position or role in relation to the user of services to further their own ends
  - not accepting gifts, hospitality or loans that may be interpreted as attempting to gain preferential treatment
  - maintaining clear and appropriate personal and sexual boundaries with users of services, their families/carers, and significant others (if relevant)
- An ability for professionals to recognise the need to maintain standards of behaviour, that conform with professional codes both in and outside the work context
- An ability for professionals to represent accurately their qualifications knowledge, skills and experience

Ability to maintain standards of competence

- An ability to have regard to best available evidence of effectiveness when employing therapeutic approaches
- An ability to maintain and update skills and knowledge through participation in continuing professional development
- An ability to recognise when fitness to practice has been called into question and report this to the relevant parties (including local management and the relevant registration body)

Documentation

- An ability to maintain a record for each user of services that:
  - is written promptly
  - is concise, legible and written in a style that is accessible to its intended readership
  - identifies the person who has entered the record (i.e. is signed and dated)
- An ability to ensure that records are maintained after each contact with users of services or with professionals connected with them
- An ability, where necessary, to update existing records in a clear manner that does not overwrite existing elements (e.g. to correct a factual error)
- An ability to ensure records are stored securely, in line with local and national policy and guidance

Ability to communicate

- An ability to communicate clearly and effectively with users of services and other practitioners and services
- An ability to share knowledge and expertise with professional colleagues for the benefit of the user of services

Ability appropriately to delegate tasks

- When delegating tasks, an ability to ensure that these are:
  - delegated to people with the necessary level of competence and experience to complete the task safely, effectively and to a satisfactory level
  - completed to the necessary standard by monitoring progress and outcome
- An ability to provide appropriate supervision to the person to whom the task has been delegated
- An ability to respect the decision of any person who feels they are unable to fulfil the delegated task through lack of skill or competence

Ability to advocate for users of services

- An ability to work with others to promote the health and wellbeing of users of services, their families/carers and significant others (if relevant) in the wider community, by, e.g.:
  - listening to their concerns
  - involving them in plans for any interventions
  - maintaining communication with colleagues involved in their care
- An ability to draw on knowledge of local services to advocate for users of services in relation to access to health and social care, information and services

- An ability to respond to complaints about care or treatment in a prompt, open and constructive fashion (including an ability to offer an explanation and, if appropriate, an apology, and/or to follow local complaints procedures)
  - an ability to ensure that any subsequent care is not delayed or adversely affected by the complaint or complaint procedure