

# **UKCP Guidelines for Working Online/Remotely (2021)**

## Contents

|                                                              |           |
|--------------------------------------------------------------|-----------|
| <b>1. Purpose of these guidelines .....</b>                  | <b>3</b>  |
| <b>2. Introduction .....</b>                                 | <b>4</b>  |
| <b>3. Legal implications .....</b>                           | <b>4</b>  |
| <b>3.1 Privacy notice .....</b>                              | <b>4</b>  |
| <b>3.2 Recording sessions .....</b>                          | <b>5</b>  |
| <b>3.3 Insurance .....</b>                                   | <b>5</b>  |
| <b>3.4 Geographical restrictions.....</b>                    | <b>5</b>  |
| <b>3.5 Terms and conditions, and contracts.....</b>          | <b>6</b>  |
| <b>4. Technological implications .....</b>                   | <b>6</b>  |
| <b>4.1 Working online .....</b>                              | <b>6</b>  |
| <b>4.2 Online platforms and technical difficulties .....</b> | <b>7</b>  |
| <b>4.3 Email protocols .....</b>                             | <b>7</b>  |
| <b>4.4 Phone calls.....</b>                                  | <b>8</b>  |
| <b>5. Professional considerations .....</b>                  | <b>8</b>  |
| <b>5.1 Disinhibition and other process issues .....</b>      | <b>8</b>  |
| <b>5.2 Assessment.....</b>                                   | <b>10</b> |
| <b>5.3 Culture and diversity .....</b>                       | <b>11</b> |
| <b>5.4 Supervision .....</b>                                 | <b>11</b> |
| <b>5.5 Confidentiality .....</b>                             | <b>12</b> |
| <b>5.6 Administrative issues .....</b>                       | <b>13</b> |
| <b>5.7 Modality specific issues .....</b>                    | <b>14</b> |
| <b>6. Risk assessment.....</b>                               | <b>14</b> |
| <b>7. Working Internationally .....</b>                      | <b>15</b> |
| <b>8. Self-care and Wellbeing .....</b>                      | <b>16</b> |
| <b>9. Links and further resources.....</b>                   | <b>17</b> |

## 1. Purpose of these guidelines

The impact of COVID-19 has precipitated a detailed consideration of the practice and delivery of psychotherapy and psychotherapeutic counselling, which has been felt in all modalities and client groups. The transition to working online necessitates a re-evaluation of theoretical and clinical concepts and practises. There are significant issues to be considered in terms of security, privacy, legalities and compliance with all relevant codes of ethics.

‘Online/Remotely’ in this context refers to any therapeutic service other than being together in-person. Ways to connect are ever expanding and developing so this list is not exhaustive but includes:

- Contracted therapeutic exchange of emails
- Contracted therapeutic exchange by SMS (text)
- Live video therapy sessions
- Live audio therapy sessions, online or on the phone
- Contracted therapeutic interactivity via Live Chat (such as chat rooms or forums)

These guidelines give a basic introduction to working online/remotely for UKCP members. It is to help you to be safe in this emerging work environment and to encourage you to think creatively about how best to work online/remotely if you choose to, or it is necessary, in a way that complies with the UKCP Code of Ethics and Professional Practice (Code of Ethics), which can be found here:

<https://www.psychotherapy.org.uk/media/v11peyoh/ukcp-code-of-ethics-and-professional-practice-2019.pdf>

The term ‘practitioner’ is used to cover both psychotherapists and psychotherapeutic counsellors and applies to trainee and registrant members alike within this guidance. There is also specific guidance in italics for any practitioners working with children or young people.

These guidelines are for UKCP registrants and trainees, but trainees must use them in conjunction with their training supervision to make decisions about who to work with in this way and how, because current UKCP Standards of Education and Training do not explicitly cover training for working online/remotely.

For all, the guidelines do not replace formal training (which is highly recommended) and as you reflect on your own abilities in this area, it is important that you are open to seeking extra training where necessary. We anticipate that you conduct this reflection process, through the transition and on a regular basis thereafter, with the support of your supervisor and that both of you be aware of the concept of ‘unconscious incompetence’.

There are two important issues to highlight:

1. The guidelines are primarily about working with adults but there are sections on work with children and young people. If you work with children and young people, it is important that particular attention is paid to these sections.
2. As you read through these notes, keep in mind the difference between working with existing clients online/remotely (such as moving from in-person to a digital environment) and taking on new clients

this way. The former can be more straightforward but both present challenges. Technology is still evolving rapidly, and it is your responsibility to ensure you keep up to date.

## 2. Introduction

Previous experience of using different types of technology will vary hugely between readers of these guidelines. For some, the contents will be familiar and for others less so. Wherever you are on that continuum, we encourage you to read beyond these materials to the level that works for you to enable you to feel comfortable in working in the way you choose.

These guidelines serve three purposes:

1. To enable practitioners to be more aware of the questions working online/remotely raises.
2. To provide clinical considerations for those wishing to provide services online/remotely in significant areas such as assessment, risk and safeguarding.
3. To highlight the general considerations of working online/remotely and those that specifically apply to work with children.

It is vitally important to remember that when working online/remotely you must still maintain compliance with the UKCP Code of Ethics.

## 3. Legal implications

### 3.1 Privacy notice

A privacy notice sets out the rights and obligations of the client and practitioner in relation to personal information obtained before and during psychotherapy. It should tell your clients what personal data you will collect, why you need it, what you'll do with it and who you're going to share it with. You should provide this information in a clear, open and honest way.

Data needs to be kept securely and only for as long as it is serving the purpose for which it was collected. The Data Protection Act 2018, which includes GDPR, became legally enforceable in May 2018 and so all practitioners working in private practice should already have a Privacy Notice and be registered with the Information Commissioner's Office (ICO). EU GDPR no longer applies in the UK but the provisions have all be incorporated in UK law as the UK GDPR. It is very likely that you will need to amend your Privacy Notice to work online/remotely. The Privacy Notice applies to all personal data including but not limited to:

- emails
- phone records
- financial records
- case notes

- text messages
- audio/video messages

An example template of a privacy notice can be found on the ICO website at: <https://ico.org.uk/for-organisations/make-your-own-privacy-notice/>

Make sure that your privacy notice includes information about the law and/or regulations that apply in your case, the jurisdiction you practice in, and sets out how long you will keep data.

### **3.2 Recording sessions**

Sessions may only be recorded with explicit, informed consent and adherence to the requirements of the Data Protection Act 2018. It is important that clients are aware that you will not record and will not allow recording of sessions, without prior discussion and informed consent - there have been instances of people live streaming, or later uploading, their therapy sessions without the practitioner's awareness.

***For UKCP members who work with children and young people:***

*In the case of children, consent needs to be obtained prior to proceeding with any recording from the following, where applicable:*

- *parent(s) or carer(s)*
- *your employer*
- *placement manager(s)*
- *your training provider*
- *your supervisor*
- *the child or young person*

### **3.3 Insurance**

You should ensure that your professional indemnity insurance extends to online/remote therapy provision and all relevant jurisdictions and applicable law. It is important you contact your insurance provider to let them know about any changes to your working practice.

### **3.4 Geographical restrictions**

When working with clients who are overseas you will need to meet the legal requirements for both their current location and yours (see section 7 below for more information). This will include requiring their full name, phone number and date of birth in case there is a need for third parties to make contact in case of emergency (such as Interpol).

### 3.5 Terms and conditions, and contracts

Although we do not specify a written contract, it may assist if any conflict occurs with the client in the future. In terms of communications and consent, the UKCP Code of Ethics points 14 and 15 state that as a practitioner you must:

*14. Explain to a client, or prospective client, your terms, fees and conditions and, have information readily available to clarify other related questions such as likely length of therapy, methods of practice to be used, the extent of your own involvement, complaints processes and how to make a complaint, as well as arrangements for referral and termination of therapy.*

*15. Confirm each client's consent to the specifics of the service you will offer, through a clear contract at the outset of therapy. We do not specify a written contract but in the case of any conflict a clear written contract supports both the client and yourself. Help clients to understand the nature of any proposed therapy and its implications, what to expect, the risks involved, what is and is not being offered, and relevant alternative options.*

Information on psychotherapy contracts can be found here: <https://www.psychotherapy.org.uk/ukcp-members/complaints/learning-from-complaints/psychotherapy-contracts/>

You will need consider whether to update your terms and conditions and your contract with current and prospective clients to ensure that they cover both in-person and online/remote therapy sessions. Aspects to consider include, but are not limited, to:

- Will an electronic signature suffice?
- Will there be a change to your terms and conditions due to remote working?
- Do you want consent to contact a client via electronic means?

***For UKCP members who work with children and young people:***

*It is essential that for young clients using their parent/carer's phone or online platform, the parent/carer has given their consent to therapy and the use of their phone/online platform. We recommend you keep a record of their consent.*

## 4. Technological implications

### 4.1 Working online

If working online, it is vital that you have the appropriate software and internet connectivity strength and to deliver a reliable online service free from unnecessary interruption and that you are competent to use it.

All clients must be clearly informed of any system requirements and warned of the possibility of technological failures, limitations, and risks, including what you would do in the case of technological breakdown. It is best if this is in writing so that your client isn't stuck having 'forgotten' what you said you would do if the connection was interrupted unexpectedly.

Some measures you take may seem counterintuitive due to the need to work flexibly in complex situations. For example, you may insist that someone else is present in the home of the client, or you may insist that they have their phone ON, so that you can call if you cannot reconnect via the internet.

You need to think this through for each client depending on their circumstances, the impact of confidentiality, the modality you work in and any techniques you may be using (such as hypnosis or EMDR).

## **4.2 Online platforms and technical difficulties**

You should ensure that any online platform for therapeutic work online is secure and from a reputable company. The level of the security should be commensurate with the size and complexity of the organisation. Generally speaking, online platforms that are free tend to be less secure so consider subscribing to a platform that is more secure.

As well as security and privacy, there may be many reasons for choosing one platform rather than another. For example, platforms designed for teams may not be as suitable for individual work. It is your responsibility to consider the suitability of individual platforms for use as an online practice environment.

It is advisable to have an agreed plan with the client in case of technical issues with the platform or connectivity at either end and a plan for managing disruptions.

***For UKCP members who work with children and young people:***

*In the case of children and young people, liaison with organisations and/or parent(s)/carer(s) is required with awareness of risk factors associated with different platforms, opportunities for consultation and preference.*

## **4.3 Email protocols**

Care needs to be taken in the use of email. Security of your emailing system needs to be considered. Could others see your emails (imagine a domestic violence situation where the violent partner saw an email not intended for them), either on your computer or the client's? Is there information within that would be better sent in a password protected word document for example?

Another consideration is being certain who you are emailing. For example, a client's partner could set up an email account using the client's name, and then email the partner's therapist pretending to be the client and ask for a copy of the client's notes.

Using an encrypted email service is one solution but check that the service you choose ensures security on both sides of the communication. It is probably better to keep all emails minimal. It is important to

distinguish between administrative and clinical emails.

**For UKCP members who work with children and young people:**

*Depending on the age and capacity of the client, the process of emailing can be more complex due to parent(s)/carer(s) consent considerations prior to emailing children or young people directly.*

## 4.4 Phone calls

When conducting phone therapy, be aware that others may have the ability to record the phone call, listen to answerphone messages or listen in on a different extension. If returning a call, make sure you are speaking to the right person before identifying yourself.

## 5. Professional considerations

### 5.1 Disinhibition and other process issues

The disinhibition effect is the lack of restraint when working online/remotely. (Suler, John (June 2004). 'The Online Disinhibition Effect'. *CyberPsychology & Behavior*. 7 (3): 321–326.)

'Disinhibition' can take a number of forms for both client and the practitioner. One of these is the sense that you can – sometimes must – enter into greater self-disclosure in ways you would not do in in-person relationships. Defences and resistance may be lowered. The disinhibition effect also allows people to explore aspects of their personality which they cannot do in-person. This can allow, for example, clients with issues of shame, to be more open online. However, there are situations where the willingness to self-disclose or enter into difficult material, may need to be 'paced'.

Negatively, 'toxic disinhibition' can result in uncontrolled attacks, trolling, 'flaming', threatening behaviour or cyberbullying.

In the early days of the use of technology for therapy, it was presumed that clients would be less open and creating a good therapeutic relationship would be more difficult. While this may be the case for some clients, there has been the opposite effect in many cases, and some clients open-up more easily than when in the room with you. It is something that may seem to be 'a good thing' but can also cause problems. You need to be aware of the phenomenon of disinhibition, be prepared to work with it and take it to supervision. Clients who are disinhibited will often need to be paced more actively than you may be used to and they can be left feeling overwhelmed and/or vulnerable. We recommend you educate yourself further on this effect.

If therapy is on the phone, it is useful to discuss with the client the possibility of it seeming as if you are interrupting, and to negotiate how this will work. It is important to utilise more frequent 'encouragers' (such as 'uh-huh') to indicate to the client that you are there and listening.

When using a screen, there is a tendency for people to maintain a higher level of eye contact than when in the same room, and to expect this from the other party. There are several implications of this:



- It makes work more tiring.
- It can make a client feel more ‘examined’ - but can be more ‘intimate.’
- The cameras on the device might be out of line and so it can look as if the other person is looking elsewhere when they are looking directly at your picture.

Therefore, it is best to discuss this with each client, and help them to understand that it is OK with you if they do not always look at you, and vice versa. For example, if you think best by looking up at the ceiling or through the window, explain this.

Challenge at a distance may be received differently. You need to be aware of this and monitor responses, probably checking this out more than you would if the client was physically present.

In terms of professional considerations, the UKCP Code of Ethics states that as a practitioner you must ‘8. *Be aware of the power imbalance between the practitioner and client*’. Working online/remotely may change the power balance between client and practitioner to one which is much more equal. This may in turn affect interventions, techniques and theoretical perspectives.

Working by video will invite the practitioner into the client’s chosen setting – which may be informative. How the client presents in this context may be relevant information – to be considered as part of the therapy.

Clients could appear to be less prepared for their session when there is no physical journey to the consulting room. This can be addressed by discussion and/or providing a document on how to prepare. One idea is to suggest to clients that they ‘travel’ to the session, even if that is walking up and down the stairs, and the same to ‘travel’ home. This creates a boundary to the session. There can also be significant benefits to the lack of a physical journey and the comfort a client may feel being in their own setting.

When using text-based therapy (synchronous or asynchronous) it is important to recognise that:

- There are differences between the written and the spoken word in that the reader infers the tone of the words, there is a permanence about a written communication, and it can be revisited.
- Care needs to be taken to balance professionalism with friendliness in your writing. A client needs to feel confident in you, and that could be affected by an overly informal style.
- It is important to be up to date with norms associated with specific media, for example the norms for writing a text differ from an email.
- Insights of the client’s process can be gleaned from changes in writing style, and/or intervals between messages.
- Time delays can occur and lead to misunderstandings.
- Boundaries between administrative and therapeutic messaging need to be maintained.

- Modalities which stress transference and counter transference may find this form of therapy particularly stimulating.

There may be a propensity for a client to speculate and fantasise more about their therapist when they are not physically present, especially without a visual element. Again, issues of transference and countertransference may be prominent. This may need to be managed, particularly around checking assumptions, and looking for this as a factor in miscommunications.

***For UKCP members who work with children and young people***

*Awareness of safeguarding is paramount and any exposure to disclosures, inappropriate behaviour or content can be more complex and needs to be discussed in supervision.*

*Working in clinical practice online/remotely with children may result in less disclosure if they are in their home environment with less privacy than in the therapy room and with others around.*

*Practitioners working with children may need to moderate their therapeutic interactions in accordance with the child's needs and circumstances.*

## **5.2 Assessment**

The onus is on you to decide where your competencies lie in being able to work online/remotely with a client or client group. For example, some online/remote practitioners have a policy of referring clients with issues related to substance abuse to offline services because the lack of physical presence does not allow them to assess whether a client is actively 'using' during sessions.

If clients are identified as being unlikely to benefit from working online/remotely, are at additional risk from it or are beyond your area of competence, you should have procedures in place to direct the client to more suitable help. It is worth noting that research is showing that for some clients, working online/remotely can be more beneficial than in person.

It can be particularly useful when working online/remotely to take details of a 'safety contact' – someone who the client trusts and who knows they are in therapy with you – who you can contact if you are concerned for the client's safety.

***For UKCP members who work with children and young people***

*There can be many other considerations that may inform the assessment and require particular attention for determining whether working online/remotely is appropriate and if so, whether there are adjustments that need to be made. Considerations include the following: age, developmental stage, neurodiversity, emotional and behavioural challenges, attention span, environment, timings, parental responsibilities and the overall health and safety considerations of the context.*

### 5.3 Culture and diversity

Geographical distance minimises some of the practical issues of offering therapy and opens-up possibilities for many to work with more diverse clients. Cultural differences may be more complex working online/remotely and it can be easier to make presumptions. Online/remote practitioners need to keep an awareness of these factors and be prepared to discuss this in supervision. It can be helpful to have a regular time in supervision specifically for this.

It is important to have an awareness of issues relating to inclusivity and access to technology.

### 5.4 Supervision

This document should be read in conjunction with UKCP policies on supervision which can be found here: <https://www.psychotherapy.org.uk/ukcp-members/supervision/>

All UKCP members and trainees need to be aware of the requirements for supervision. Supervisors must only offer only services for which they are competent and in which they have adequate training/experience. This applies to all contexts including working online/remotely. You not only have the right, but also the obligation to ensure that your supervision meets your needs for working online/remotely.

If your current supervisor is unwilling or unable to provide supervision for online/remote working, then you will need to seek alternative and/or additional supervision. In seeking a supervisor, you may look at the UKCP Supervision Directory or you may ask any Organisational Member or College, who may provide lists, or look online for other resources.

#### **For trainees:**

All supervision during training must meet the requirements of your training organisation and there is a shared responsibility to ensure that your needs are met. This has particular complexities when thinking of working online/remotely.

There are important safeguarding considerations with reference to practice-based learning, including the working alliance agreements between education and training providers, placement settings, trainees and where applicable, parents/carers. It is a role of the supervisor to monitor and evaluate such processes.

#### ***For UKCP members who work with children and young people, or vulnerable adults:***

*Specific considerations may include working within the hours of designated safeguarding facilities in an organisational setting (such as education or local authority statutory provision). Training organisations and supervisors need to work closely with placement providers to ensure consent has been obtained from parents/carers and senior leadership in the context where the service is provided.*

*Working online and/or remotely may necessitate more frequent supervision due to the increase in potential safeguarding issues. You could also consider accessing additional support from a peer-supervision group to share good practice and appropriate use of emerging online tools.*

## 5.5 Confidentiality

Confidentiality and the surrounding issues, including stored client information, is a more important area for consideration when working online/remotely than it is for in-person work. It is easy to underestimate this critical area.

Verifying identity works both ways around. Your client needs to be sure of who you are which makes your online profile very important. Be complete and accurate and within the requirements of the UKCP Code of Ethics.

You may also need to verify the client's identity perhaps via a passport or driving licence. There have been cases where potential clients have misrepresented their age group, for example, using online therapy to access an adult psychotherapist. We understand that this may not feel comfortable, but you need to be wary of absolutely every approach for therapy or information and make sure that you are communicating with the person you think you are.

Online/remotely, clients may also find it easier to conceal problems such as psychosis or being actively affected by substances than they would if you were to see them in-person.

You should ensure that measures exist to protect confidential information. Be aware that there is a risk that digital information could be intercepted by a third party, either remotely or by someone with in-person access to your client's computer or phone because appropriate security measures have not been set up. An ongoing assessment of whether the client feels a third party would have a vested interest in intercepting communications should be undertaken and suitable arrangements to protect the confidentiality of your client be made if so.

The environment where the client will be during therapy should be discussed. For example, if they are going to be at home, will others be around? Can they be overheard? Do they know the client needs to be left alone? Are there likely to be interruptions? Any pets? What will happen if the client gets very emotional?

You also need to check on the client's responsibilities. It has been known for clients to have sessions when their baby is asleep in another room for example. Some clients struggle to find a quiet space but may not realise the implications.

Clients should be made aware of any situation where their own confidentiality may be compromised, such as using a work computer, library, cybercafé or if the screen can be viewed by others (for example, from a window). Clients may have problems finding a secure place – and so live chat or email therapy might be safer alternatives.

Permission to use text messaging must be sought before sending any text, even a confirmation of the appointment time. This should be a part of the contract/agreement.

Clients and practitioners should be aware that the automated storage of messages, back-up files or visited internet sites leads to a history of use being kept on the computer. Suitable software can be used to counteract this. The retention of data should be in accordance with your Privacy Notice so you will need to understand how and where material created online is stored and how it can be deleted.

Printed Internet Relay Chat (IRC) or Instant Messaging (IM) transcripts, emails, client details and other sensitive material must be stored securely in line with the procedure for in-person client notes. You should also consider what you would do if you were requested to submit full transcripts of your communication in legal proceedings.

The same considerations for breaking client confidentiality apply as with in-person work.

You must ensure you have suitable premises and technology to undertake remote therapy so that client confidentiality is maintained and not overheard, seen or accessed by others. Consideration needs to be given to what a client may perceive from your environment in respect of self-disclosure. What can the client see or hear in your space? What interruptions might you face?

Contact information stored on a computer or phone should always be anonymised to minimise the risk of data mining.

Those working in employed contexts (such as NHS staff) may be expected to use work issued devices not personal devices. It is worth considering using separate devices for work to assist maintaining confidentiality. It is practical to consider anonymising contact information.

***For UKCP members who work with children and young people:***

*In terms of disclosure, legal and organisational policy need to be considered with reference to safeguarding procedures and practice.*

## **5.6 Administrative issues**

Clearly informed consent is essential whenever we take on clients, but there are particular considerations when you do not have the client with you in the room to assess how they respond and how they behave. This particularly applies to age and capacity to consent. Careful consideration is needed, and it is better to err on the side of caution. Sometimes third-party consent may be required.

There will be elements of the work that may ordinarily be covered by implied consent that would be better covered by informed consent when working online/remotely.

It is important to be clear from the outset as to who will initiate the session. For example, if it is a phone call, who calls whom? If using an online meeting app, who creates the meeting?

Providing information in writing to explain all elements of the contract and ways of working is recommended.

You should ensure that any digital payment facilities you provide are secure and from a reputable company. You should also consider how references are set up so that your bank and accountant cannot identify a client simply by seeing your bank statement.

It is important to note that under Consumer Contracts Regulations, therapy online is a 'service' and at the start of a therapy a client has a right to cancel the contract within 14 days of signing and receive any monies paid upfront (minus any sessions conducted) within 14 days.

It is also important to consider financial arrangements when these are contracted with third parties (such as when an employer is paying for an employee's therapy).

Where monitoring, evaluation or reporting may be relevant in interdisciplinary or multi-agency practice the complexities of information sharing in administrative arrangements need ethical consideration.

## 5.7 Modality specific issues

It is vital that you think through the issues that may arise from your own particular way of working. Here are some general thoughts, but there will be others:

- In some modalities the positioning of furniture matters but you will not have the same control over the therapy environment. Using a computer screen, it is difficult to be other than directly face-to-face which for some may feel too direct. Some may want a client to be lying down. The 'oddness' of the situation also needs to be worked with.
- Some modalities will pay a good deal of attention to the client's body language. Your ability to see how the client is responding is limited even if you have a good connection and good webcam. This needs to be managed. Consciously paying more attention to other cues such as tone of voice and silences may be useful.
- If you are working with more than one person, how will that work? For example, when working with a couple, will they both be on the same camera or in different Zoom windows? What are the issues? What about if the client is a child and a parent is present?
- In 'active' modalities, how will you still do those techniques?
- Modalities will benefit from a radical re-appraisal of techniques, theoretical perspectives and interventions, based on robust research.

### ***For UKCP members who work with children and young people:***

*Contact with parent(s)/carer(s) and third parties can be integral to the working alliance. This can include the use of play-based materials, internet activities or interactive, creative resources, which can be communicated about in advance.*

## 6. Risk assessment

A thorough risk assessment is required for all clients when working online or remotely.

On rare occasions, a practitioner may have to take action to ensure a client's safety. Your options when they are not in your consulting room are limited. You will need to think through, for every client, what you would do in extreme circumstances and create a plan. This can seem 'over the top' to clients, so it will take some skill to set this in place sensitively. We recommend you think it through, ensure your plan is included in the

documentation you give to your client and stress that this is simply routine.

Of course, the circumstances under which secondary means of contact may be used must be made clear and explicit to the client before the therapy begins.

***For UKCP members who work with children and young people:***

*Risk assessment processes and procedures will include parental or carer consultation. It may be important to have more detailed discussions with all parties, including the child, depending on presenting needs and the context.*

*Safeguarding and risk assessment/management may be more difficult when working online/remotely with children. Evaluating safeguarding issues in context can be more complex and difficult to assess accurately. Practitioners need to be mindful of the potential for intrusion, be respectful of privacy and be careful of interpretive judgements, whilst remaining vigilant to any presenting issues.*

## 7. Working Internationally

In general, therapy is considered to be conducted ‘in the mind of the client’. This means that, in addition to all other requirements, you need to be aware of the rules and laws that may apply to working in any given individual country or territory.

Before undertaking any practice with an overseas client, you must ensure that you are appropriately insured in the event of any complaint being raised against you from such clients.

One key rule of thumb is that you will need to adhere to the laws of the land where you are physically located, and those of the place where the client is physically located. For example, if you are based in Scotland, and your Welsh client is working in Dubai, you must obey the laws of Scotland and Dubai. There is a distinction between criminal and civil law and professional oversight issues.

You should ensure your contract specifies that your work is covered by the ‘UKCP Code of Ethics and Professional Practice’ and ‘Complaints and Conduct Process’ and state that any complaint would be heard in the UK. You may also wish to include in the contract that any disputes under the contract would be governed by the civil law of England and Wales (or alternatively Scotland or Northern Ireland).

You should find out whether you need to be registered with multiple regulatory bodies, including in the country where your client is based, for example, if a UKCP member, based in the UK were to work online/remotely with a client based in a country where that member was not legally registered and entitled to practice, they could be subject to criminal or regulatory sanctions in that country.

If a client brings a civil claim against a member, they may try to do so in the country in which they are based it is therefore important to state the jurisdiction for any disputes in your contract, although this does not entirely eliminate the risk of a case being brought against you overseas. This is an area which you should consider with your insurers. Finally, the client could make a complaint about your conduct, and again you may want your contract to state that any such complaint should be directed to UKCP whose procedures are conducted in English heard in the UK.

There are extra complications in responding to ethical and/or safeguarding dilemmas internationally and this needs to form part of your risk assessment.

Practitioners need to pay particular attention to the security of any online platforms used and to consider the possibility of state surveillance, internet censorship and human rights infringements. Dangers or risks to the client from their engagement with you (for example, disclosures made that could be intercepted or overheard) must be considered. Please refer to UKCP Security and Confidentiality Guidelines (see Section 9 below).

International sanctions lists (of countries, organisations or individuals) may apply to your work. Practitioners are required by law to check clients against these lists and must do so in all circumstances. In practice it is highly unlikely to be of any consequence but it is required by law for all UK businesses, and therefore practitioners working in private practice should be aware that their work counts as a business. The UK Government website gives more information about this at:

<https://www.gov.uk/government/publications/financial-sanctions-consolidated-list-of-targets>

When contracting, particular attention needs to be paid to the time-zone used for scheduling.

***For UKCP members who work with children and young people:***

*Working internationally is profoundly complex within the context of child protection legislation, policy and practice and would need to be considered and researched in each case, with considerable discussion in supervision.*

*Depending on client age and capacity, issues to consider (based on international differences) can include:*

- *intercultural issues*
- *the proximity of the parent(s)/carer(s)*
- *health and safety*
- *lone working*
- *the contextual environment*
- *safeguarding accountability*

## 8. Self-care and Wellbeing

Working online/remotely can stretch your existing comfort zone. It is important to remember that working on-line/remotely may require you to pay extra attention to your self-care and wellbeing practices. To ensure your efficacy, it may be necessary to take more frequent breaks away from devices. It may also be beneficial to review your scheduling and planning in additional self-care practices to mitigate against the negative impact of caring. Mitigate against screen fatigue and eye strain with breaks and time away from your desk and/or reducing screen time.



## 9. Links and Further Resources

UKCP Code of Ethics, and guidance documents:

- [UKCP Code of Ethics and Professional Practice \(2019\)](#)
- [UKCP Guidelines for the use of Online Training](#)
- [UKCP Lone Working Guidance \(2020\)](#)
- [UKCP Safeguarding Guidelines \(2018\)](#)
- [UKCP Security and Confidentiality Guidelines \(2018\)](#)

UKCP Resources:

- [The New Psychotherapist Autumn 2019 \*Sharing Confidential Notes\* \(p.50-51\)](#)
- [UKCP Website \*Learning from Complaints\*](#)
- [UKCP Webinar on \*Sharing Confidential Information\*](#) (please contact our communications team for access details - [communications@ukcp.org.uk](mailto:communications@ukcp.org.uk))

External references and links:

- Children's Acts and all relevant legislation – [www.legislation.gov.uk](http://www.legislation.gov.uk)
- Government publications on safeguarding – [www.gov.uk/publications](http://www.gov.uk/publications)
- Information Commissioner's Office (ICO) website – [www.ico.org.uk](http://www.ico.org.uk)
- NCVO Safeguarding Resources – [www.knowhow.ncvo.org.uk/safeguarding](http://www.knowhow.ncvo.org.uk/safeguarding)
- Field Fisher electronic signatures guide - <https://www.fieldfisher.com/en/insights/a-guide-to-electronic-signatures-during-coronavirus>