

# Code of Ethics for Psychologists 2015

Nederlands Instituut van Psychologen



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## Preface

This is the new Code of Ethics for Psychologists 2015 of the *Nederlands Instituut van Psychologen* or “NIP” (Netherlands Institute of Psychologists). This new code replaces that of 2007 and entered into force on 1 March 2015 after being adopted by the NIP’s members’ council. Psychologists who are members of or registered with the NIP have undertaken to comply with this Code of Ethics – a tall order in this day and age.

This Code offers them a guideline in practising their profession and is an important quality instrument of the NIP.

The existing clustering of articles into four basic principles has remained unchanged in this revision. As in 2007, responsibility remains the basic principle. Professional autonomy and making one’s own decisions are characteristic of the profession of psy-

chologist. Psychologists are therefore responsible for their own actions and must be able to account for them, also in a complaints procedure.

The NIP’s website and the members network in particular offer the members advice and suggestions for the use of this Code of Ethics in practice. The information is updated on a regular basis, precisely because professional ethics are dynamic, not static.

*Utrecht, February 2015*



# Introduction to the NIP Code of Ethics 2015

The Netherlands Institute of Psychologists has had its own Code of Ethics for decades now. The Code describes the ethical principles and rules that psychologists must observe in practising their profession.

## Why have a Code of Ethics?

A Code of Ethics serves several purposes. For psychologists, this Code is an important tool in making ethical decisions in their work. Professional ethics are central to their professional activities. Reflection on professional ethics reinforces and increases professionalism. External pressure on the professional autonomy of psychologists, particularly from the various authorities and organisations, is increasing, which makes it all the more important that psychologists are ethically resilient.

For the public who make use of a psychologist's services, this Code can clarify what they may expect of a psychologist. The NIP's information centre and ethics department regularly refer to this Code in response to questions from members and their clients.

Finally, this Code of Ethics also serves as an assessment standard when psychologists must account for their activities in a complaints procedure. This obviously applies to the NIP's disciplinary bodies, i.e. the Supervisory Committee and the Appeals Tribunal. Clients can file a complaint with those bodies regarding the activities of a psychologist who is a member of the NIP. But also other bodies, such as the Regional Disciplinary Committee for the Healthcare Sector and the Central Disciplinary Committee, set up by the government, also increasingly consult this Code of Ethics to determine what is customary and appropriate within the psychology profession.

## Why is this new version being published?

It is a good tradition at the NIP to regularly examine the Code of Ethics. Is the code sufficiently up-to-date? Is it in keeping with new legislation and regulations? Are there any important developments in society that may require changes in the text?

This Code of Ethics was first adopted in 1960 and has been revised five times since then. In making the current amendments, the Code

of Ethics was viewed in particular from the following perspectives:

- intercultural differences between psychologists and clients and among clients;
- making statements on persons in the media; and
- dealing with a client's right to refuse access to his or her data.

Specific attention has also been paid to the readability of this Code. Does it clearly explain what is meant? The experience gained during the NIP's consulting hours for ethical questions has also been used in that regard. Many questions showed which wording of this Code was not immediately clear to the users. Some articles have been moved elsewhere to ensure that the intent is clear and to clarify the relationship between the various provisions.

The structure of this Code of Ethics was not changed in 2014.

## How is this Code organised?

This Code of Ethics is based on four basic principles:

*responsibility, integrity, respect and expertise*

These basic principles have been elaborated in this Code into more specific guidelines, e.g. regarding the information that must be made available to a client at the start of a professional relationship. These guidelines serve as a tool for a psychologist's ethical decision-making in a specific situation. Some guidelines are related to several principles. A detailed register has therefore been added to this Code, to simplify a search for articles on a specific subject. The relevant legislation and regulation has also been included in this version, such as patients' and clients' rights under the *Wet op de geneeskundige behandelingsovereenkomst* (Medical Treatment Contract Act) or the obligations arising from the *Wet bescherming persoonsgegevens* (Personal Data Protection Act). Please note that some rules, prescribed by law in particular for a specific field, have been broadened in this Code to include all fields of psychology.

Some of the formulations are of a more general nature, while others are fairly specific. However, regardless of how generally or specifi-

cally an article is formulated, psychologists themselves are responsible for the application of the articles in specific situations.

### What is the origin of the principles and their elaboration?

The Code of Ethics has developed over the years from several sources. In professional ethics, the principles and their elaboration have been contemplated and debated for many years. This gave rise, for instance, to the formulation of the Universal Declaration of Ethical Principles for Psychologists. Within Europe we have the Meta-Code and the Model Code of the European Federation of Psychological Associations (EFPA). They are examples, intended to serve as models and as a framework for national codes, such as the NIP's Code of Ethics. It comes as no surprise that the Dutch Code is in keeping with those international frameworks, since those frameworks were developed in particular on the basis of our Dutch experience.

In addition to these developments within the profession, the social context also plays a part. National and international legislation are relevant in this regard. We particularly refer to the Constitution, the European Convention on Human Rights (ECHR) and the International Convention on the Rights of the Child (ICRC). The obligations arising from them for psychologists have been included in this Code insofar as possible. Psychologists are also expected to take these rights into account when they impact their professional activities, which may be the case when they work with children or refugees.

### Procedure and decision-making

This revision of the Code of Ethics was made on the basis of responses from users, i.e. from all sections within and outside the NIP that have an interest in an up-to-date and transparent code. The Ethics Committee has conducted inspiring talks with many persons. Others presented written suggestions and proposals to the Committee, for which we are very grateful.

The NIP's General Administrative Board has presented this revised version of the Code of Ethics to the Members' Council. The Mem-

bers' Council adopted this version at its meeting of 28 November 2014 and decided that this Code would enter into force on 1 March 2015.

*January 2015*

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## Preamble

In the interest of those affected by the professional activities of psychologists and in the interest of the quality of the practice of psychology, the Netherlands Institute of Psychologists decided to formulate ethical principles and to draw up further guidelines on the basis of those principles. They are set out in this Code of Ethics for Psychologists. The objective of this Code is to stimulate reflection on professional ethics and to serve as a standard for the assessment of the professional activities of psychologists.

In that reflection psychologists must always bear the following in mind:

- In the practice of psychology many relationships are essentially unequal and can therefore easily give rise to dependence on the part of the persons involved.
- In the practice of psychology the relationships with the persons involved are subject to development, whereby different rules of this Code of Ethics apply at different stages.
- Psychologists may simultaneously or successively play different roles in relation to clients or other persons involved. Those roles may be professional or non-professional. There is a risk of these roles not being compatible or causing confusion among the persons involved.

A Code of Ethics cannot be an unequivocal guide that gives definite answers, without any further consideration, as to what constitutes proper conduct in any given situation. It should be borne in mind that in a given situation different basic principles and guidelines based on those principles may apply at the same time but may conflict with each other. That constitutes an ethical dilemma, in which the importance of each ethical principle in that particular situation must be weighed. This Code of Ethics aims to help psychologists make their ethical considerations more explicit and arrive at a responsible decision of their own. In such considerations it may be advisable for psychologists to seek support from experienced fellow psychologists and their professional association. Psychologists cannot always be blamed for not seeking such consultation, if they have

a convincing reason for their ultimate decision and if the importance of that decision does not necessarily require consultation.

Part of the responsible practice of psychology is being prepared to put up for discussion the ethical aspects of one's own professional activities with fellow psychologists. In such cases this involves the obligation to account for one's professional activities, to have one's professional activities evaluated by the competent bodies and to loyally cooperate in such an evaluation.

Refusing to cooperate in or thwarting such an evaluation conflicts with the spirit of this Code of Ethics.

This Code of Ethics is supported by the decision-making of the psychologists that make up the Netherlands Institute of Psychologists and is binding on all the individual members of the association (Article 4(1) of the Articles).

The Netherlands Institute of Psychologists believes that this Code should, by its nature, apply to the practice of psychology by all psychologists.

# 1. General part

## 1.1 General

### **Article 1 Definitions**

The following definitions are used in this Code of Ethics:

#### **1.1 Professional Activities**

All activities performed by a psychologist when he or she acts in his or her capacity as a psychologist or uses the title of psychologist, including professional relationships, acting as a scientific researcher, teacher or supervisor, in the media, etc.

#### **1.2 Person Involved**

Any person who is directly or indirectly involved in a psychologist's Professional Activities or whose interests are affected by them, such as the Client, the partner and the closest relatives of the Client, the principal, a fellow psychologist, student, experimental subject, etc.

#### **1.3 Professional Relationship**

The relation established by a psychologist with one or more persons, for the purpose of treatment, coaching, advice or psychological research.

#### **1.4 Client**

The person with whom a psychologist establishes, maintains or has maintained a Professional Relationship, for example the patient, the research subject, etc.

#### **1.5 Client System**

Several persons who interact with each other, with whom a psychologist establishes, maintains or has maintained a Professional Relationship.

#### **1.6 Third Parties**

All parties other than the Client and the Client System.

#### **1.7 Assignment**

The assignment comprises the request on which the Professional Activities are based, the agreements on progress, procedural aspects and Reports, and the financial settlement of the assignment.

#### **1.8 Principal**

The Client or the Client System, or the External Principal who gives the Assignment.

#### **1.9 External Principal**

The natural person or legal entity that has commissioned any form of professional activity but who is not himself the Client, the Client System or the Referrer.

#### **1.10 Referrer**

The person on whose advice the Client establishes a Professional Relationship with the psychologist.

#### **1.11 Legal Representative(s)**

- the parent(s) of an underage Client who has/have parental authority over the Client, or the Client's guardian; or
- the court-appointed curator or mentor of an adult Client.

#### **1.12 Specific Consent**

The consent for an activity, given to the psychologist by a Person Involved after the psychologist has expressly explained the nature, purpose, possible consequences and scope of that activity.

#### **1.13 Data**

All the data that can be traced to a person, stored in any form, including in audio-visual form and in automated data files.

#### **1.14 File**

The collection of all Data related to a Client or Client System that psychologists obtain during their Professional Activities and that they keep because of their relevance to the quality and continuity of the Professional Relationship. Personal work notes made by the psychologist do not form part of the file.

### **1.15 Provision of Data**

The provision of Data in the File to Third Parties other than the External Principal, otherwise than in the form of a Report.

### **1.16 Report**

All the findings, assessments or advice that can be traced to one or more Clients, presented orally or in writing.

## **1.2 General Provision**

### **Article 2 Due care**

Psychologists must exercise due care in practising their profession by acting in accordance with this Code of Ethics.

## **1.3 Exceptional circumstances**

### **Article 3 Incompatibility of articles of this Code**

If psychologists believe in a specific situation that compliance with a provision of this Code of Ethics would mean that another provision of this Code of Ethics cannot be complied with, they must carefully weigh up the consequences of opting for one of the provisions and must consider consulting their professional association and/or experienced fellow psychologists.

### **Article 4 Departures from this Code of Ethics**

If in exceptional situations psychologists have reason to depart from the procedure prescribed in this Code of Ethics, without there being any conflicting articles of this Code as referred to in the preceding article, they must consult their professional association or a fellow psychologist who is not directly involved in the Professional Relationship. They must do so before deciding on their course of action.

If the decision taken departs from this Code of Ethics, it must be carefully substantiated. It must be apparent from that substantiation that the course of action that conflicts with the provisions of this Code of Ethics is in accordance with the other provisions of this Code of Ethics and is the outcome of a careful consideration of the interests involved.

### **Article 5 Departures from this Code of Ethics due to specific legal rules**

If specific legal rules obligate psychologists to depart from any provision of this Code of Ethics, psychologists must aim to comply with the other provisions of this Code of Ethics to the extent possible.

### **Article 6 Statutory performance of the Assignment**

If the Professional Relationship is established as the result of an Assignment given by an External Principal who is authorised by law to demand performance of the Assignment, the Client's rights remain in effect insofar as that does not conflict with the rules governing that Client-psychologist relationship.

## **1.4 Representation of the Client**

### **Article 7 Underage Clients**

If Clients are underage and are not yet 12 years old, the rights assigned to them in this Code of Ethics must be exercised by their Legal Representative(s), unless the psychologist has reason to assume that the Clients' interests would be seriously harmed by the involvement of the Legal Representative(s) in the Professional Relationship.

If a Client is 12 years old or older, but not yet 16 years old, the psychologist must perform the obligations arising from this Code of Ethics in relation to the Client as well as in relation to his/her Legal Representatives.

If the Client is 16 years old or older, the psychologist must perform the obligations arising from this Code of Ethics in relation to the Client, unless the Client cannot be considered able to reasonably assess his or her interests involved.

### **Article 8 Information to a parent who does not have custody**

If only one of the parents has custody over the underage Client, the psychologist must give the parent who does not have custody information in outline on request, unless the psychologist would also not give that information to the parent who has custody or unless that would conflict with the interests of the underage Client.

### **Article 9     *Incapacitated adult Client***

If the Client is of age but is incapable of making a reasonable assessment of his/her interests in the matter, the rights assigned to him/her in this Code must be exercised by his/her Legal Representative. If no Legal Representative has been appointed, those rights must be exercised by a representative designated by the Client. If the Client has not been able to do so, the psychologist must have the Client's rights exercised by either the Client's spouse or partner, parent, child, brother or sister, unless the Client is opposed to this or the psychologist does not consider it to be in the Client's interest. Also in the event of representation as referred to above, the psychologist must still involve the incapacitated adult Client in the exercising of his/her rights wherever possible. Decisions of the aforesaid representatives may not be implemented by psychologists if they believe in the circumstances of the case that that would conflict with the Client's interests.

## 2. Basic principles

### **Article 10 Responsibility**

Psychologists must recognise their professional and scientific responsibility in relation to the Persons Involved, their environment and society. Psychologists are responsible for their professional conduct. As far as they are able, they must ensure that their services and the results of their activities are not abused.

### **Article 11 Integrity**

Psychologists must aim for integrity in the practice of their science, education and the application of psychology. In practising their profession psychologists must demonstrate honesty, equal treatment and openness towards the Persons Involved. They must provide clarity for all the Persons Involved regarding the roles that they play and must act accordingly.

### **Article 12 Respect**

Psychologists must respect the fundamental rights and dignity of the Persons Involved. They must respect the right to privacy and confidentiality of the Persons Involved.

They must respect and promote their self-determination and autonomy, insofar as that is in keeping with the psychologists' other professional duties and with the law.

### **Article 13 Expertise**

Psychologists must aim to acquire and maintain a high level of expertise in the practice of their profession. They must take into account the limits of their expertise as well as the limitations of their experience. They may only provide services for which they are qualified by their education, training and experience. The same applies to the methods and techniques that they use.



## 3. Guidelines for the implementation of the basic principles

### 3.1 Responsibility

#### 3.1a The quality of the Professional Activities

##### **Article 14 Quality care**

Psychologists must safeguard the quality of their Professional Activities.

##### **Article 15 Due care**

Psychologists must exercise care towards Clients and other Persons Involved when they act or refrain from acting.

##### **Article 16 Professional standards**

Psychologists must act in accordance with professional standards in practising their profession. They must contribute to the best of their ability to the development of values and standards in their field.

##### **Article 17 Care and caution with regard to new methods**

When applying new methods or entering new fields, psychologists must act with due care and caution.

##### **Article 18 Confidence in psychology and in the practice of psychology**

Psychologists must refrain from acting in a manner of which they know or can reasonably foresee that it will harm confidence in science of psychology, in the practising of psychology or in fellow psychologists.

#### 3.1b Continuity of Professional Activities

##### **Article 19 Continuity of the Professional Relationship**

Psychologists are responsible for the continuity of the Professional Relationship. If necessary, they must call in other experts. They must take measures to ensure that one or more fellow psychologists take over or complete their Professional Activities if they are obligated for any reason to interrupt or to prematurely end the Professional Relationship. Psychologists are responsible for adequately handing over the File.

##### **Article 20 Completeness, necessity and currency of the File**

Psychologists must keep all the Data required for the Professional Relationship in the File. They must ensure that the File is always kept up to date in such a way that, if they are unexpectedly absent, an expert fellow psychologist can continue the Professional Relationship.

##### **Article 21 Responsibility after the termination of the Professional Relationship**

Psychologists must be aware that their professional responsibility towards the Persons Involved does not simply end on the formal termination of the Professional Relationship. After the termination of the Professional Relationship there may still be conflicts of interests or an unequal balance of power between the psychologists and the Persons Involved. Psychologists retain a professional responsibility in relation to the Persons Involved if it arises from the preceding Professional Relationship.

#### 3.1c Preventing and limiting harm

##### **Article 22 Obligations towards the External Principal**

Without prejudice to the provisions of Articles 70 and 94, the psychologist must provide the External Principal with the Data required to itemise his or her invoices.

##### **Article 23 Negative experiences**

Psychologists may not expose Persons Involved to negative experiences unless that is necessary to achieve the aim of their Professional Activities and is the only means of achieving that aim. In that case they must aim to limit or to counteract the consequences of the negative experiences for the people involved to the extent possible.

##### **Article 24 Statements about persons**

Psychologists must exercise restraint when making professional statements in the media about persons, with or without their consent. They must be aware of their responsibility to prevent harm.

### **Article 25    *Drastic indirect effects of the Professional Activities***

Psychologists must be aware that their Professional Activities can have not only direct consequences but also drastic indirect effects. In that case they must use their best efforts to avoid harm.

### **Article 26    *Prevention and limitation of animal suffering***

If psychologists use laboratory animals in their scientific research, the preceding provision applies to the care and treatment of those animals.

## **3.1d    *Preventing abuse***

### **Article 27    *Prevention of abuse of results***

Psychologists must ensure to the best of their ability that the results of their Professional Activities are not abused.

### **Article 28    *Prevention of unintentional use and abuse of Reports***

Psychologists must take measures to prevent a Report being used for any purpose other than that for which it was drawn up. For that purpose it must be stated in the Report that it is confidential. The Report must also state that the conclusions relate only to the purpose or question underlying the Report and cannot necessarily be used to answer other questions. The Report must also state after what period of time the conclusions may reasonably no longer be valid.

### **Article 29    *Efforts by psychologists to prevent abuse of Reports***

If psychologists are aware that an External Principal is not acting in accordance with the above article, they must draw his or her attention to that improper conduct.

## **3.1e    *Psychologists and their working environment***

### **Article 30    *Freedom to act in accordance with this Code of Ethics***

Psychologists are fully responsible for their Professional Activities, regardless of their obligations in relation to their managers, if any.

Insofar as relevant, psychologists must ensure that everybody in their working environment is aware of the requirements of this Code of Ethics and must ensure that they have the necessary freedom to act in accordance with those requirements.

### **Article 31    *Joint responsibility for the quality of the team***

Without prejudice to the responsibility for their own Professional Activities, psychologists are jointly responsible for the quality of the activities of the team of which they form a part.

### **Article 32    *Responsibility for the quality of employees***

Psychologists are responsible for the quality of the work of the persons who assist them under their direct management in the performance of Assignments for which the psychologists are professionally responsible.

If those employees are not subject to rules of professional ethics of their own, psychologists must inform them of the obligations arising for them from this Code of Ethics, in particular the duty of confidentiality. They must ascertain the quality of the other persons whom they engage in their Professional Activities.

### **Article 33    *Help and support for fellow psychologists, students and supervisees***

Psychologists must use their expertise and experience to help and support fellow psychologists, students and supervisees to help them practise the profession in a professional and ethically sound manner. They must refrain from any conduct that could harm them in that regard.

### **Article 34    *Calling fellow psychologists to account***

Psychologists must critically monitor the Professional Activities of fellow psychologists and put up those activities for discussion if necessary. They must call fellow psychologists to account if they believe that those activities are or have been in conflict with the provisions of this Code of Ethics. They must ensure that the Clients' interests are not adversely affected by this calling to account. Psychologists may not file a complaint about a fellow psychologist until they have established that that fellow psychologist refuses to account for his or her activities in a debate among fellow psychologists or persists in the supposed unethical activities.

### 3.1f Accountability

#### **Article 35    *Rendering of account***

Psychologists must keep notes of their Professional Activities in such a way that they can account for their activities.

#### **Article 36    *Period of retention of Files***

After termination of the Professional Relationship psychologists must keep the File for one year or for such longer period as is necessary for the purpose for which the File was created. If applicable, the psychologist must comply with the statutory retention period. The File may not be kept any longer than the period set or prescribed. At the end of the retention period the psychologist must destroy the File, unless a complaint has been filed against him or her and the handling of the complaint has not yet been completed.

#### **Article 37    *Use of a File in filing a defence***

If a complaint is filed against the psychologist, he or she can use the File to file a defence, insofar as information is involved that is relevant to the assessment of the complaint.

#### **Article 38    *Cooperating in the handling of a complaint***

Psychologists must cooperate in the handling of a complaint filed against them. They must answer the questions presented by the disciplinary tribunals or complaint committees to the best of their ability and comply with their requests.

## 3.2 Integrity

### 3.2a Reliability

#### **Article 39    *Conditions for establishing and continuing a Professional Relationship***

Psychologists may establish or continue a Professional Relationship only if that is professionally and ethically responsible.

#### **Article 40    *Grounds for terminating the Professional Relationship***

Psychologists may not continue the Professional Relationship if there are no longer any professional grounds for that relationship or

if that can no longer be done in a professionally responsible manner. They must ensure that the Professional Relationship is terminated in consultation with the Client and that no misunderstandings are left unresolved.

#### **Article 41    *Independence and objectivity in Professional Activities***

Psychologists must ensure that they can act independently and objectively in their Professional Activities. They may not allow their Professional Activities to be influenced in such a way that they cannot professionally account for their activities and their results.

### 3.2b Honesty

#### **Article 42    *Avoiding deception***

Psychologists must avoid deception in their Professional Activities. If temporary deception is unavoidable, psychologists must ensure that the resulting misunderstandings are resolved as soon as possible.

#### **Article 43    *No abuse of knowledge, skills or dominance***

Psychologists may not abuse their psychological knowledge and skills or the dominance arising from their expertise or position.

#### **Article 44    *Listing of education, qualifications, experience, expertise and titles***

Psychologists must be meticulous in listing their education and qualifications, experience, expertise and titles.

#### **Article 45    *Not raising unrealistic expectations***

Psychologists must ensure that no unrealistic expectations are raised with regard to the nature, effects and consequences of their services.

#### **Article 46    *Source references***

When presenting or publishing findings, psychologists must refer in an appropriate manner to the sources that they have used, insofar as those findings are not based on their own Professional Activities. This applies to both written and oral presentations and publications.

#### **Article 47** *Exercising due care in obtaining and reporting Data*

Psychologists must exercise due care when obtaining and statistically processing Data and when reporting and explaining the results.

### **3.2c** *Role integrity*

#### **Article 48** *No improper furtherance of personal interests*

Psychologists must refrain from improperly furthering their commercial, personal, religious, political or ideological interests in their Professional Activities.

#### **Article 49** *Recognition of incompatible interests*

Psychologists must recognise the difficulties that may arise because the Client, the Principal or persons who form part of a Client System may have incompatible interests. They must explain their choice of position to all the Persons Involved at the earliest possible stage.

#### **Article 50** *Not accepting incompatible Assignments*

Psychologists may not accept a new Assignment that cannot be properly combined with an Assignment that they have already accepted, even if it does not involve the same Client. When stating the reasons for such a refusal, psychologists must take confidentiality into account.

#### **Article 51** *Avoiding the mixing of professional roles*

Psychologists must recognise the difficulties that can arise from the simultaneous or successive performance of different professional roles in relation to one or more Persons Involved. They should preferably not put themselves in such a position. If psychologists nevertheless consider it acceptable in certain circumstances to successively or simultaneously perform more than one role in relation to the person(s) involved, they must make that clear to the person(s) involved.

#### **Article 52** *Avoiding the mixing of professional and non-professional roles*

Psychologists may not mix professional and non-professional roles that could affect each other in such a way that the psychologists can no longer be considered able to maintain a professional distance from the person(s) involved or as a result of which the interests of the person(s) involved are harmed.

#### **Article 53** *No sexual conduct towards the Client*

Psychologists must refrain from sexual advances towards Clients and may not respond to such advances from Clients. They must refrain from conduct of a sexual nature or that could in general be regarded as such.

#### **Article 54** *No sexual relationship with the Client*

Psychologists may not enter into a sexual relationship with the Client during or immediately after the Professional Relationship. They must exercise restraint also after that time. The same applies to relationships with other Persons Involved that involve a considerable imbalance in power or a high level of dependency, such as with students or supervisees.

#### **Article 55** *Personal relationship after the end of the Professional Relationship*

If they enter into a personal relationship after the end of the Professional Relationship, psychologists must ensure that the preceding Professional Relationship no longer has any disproportionate significance.

If a sexual relationship is involved, psychologists must be able to demonstrate on request that they took all due care at the start of the relationship that can be expected of them as professional psychologists.

## **3.3** *Respect*

### **3.3a** *General*

#### **Article 56** *Respect for knowledge, insight and experience*

Psychologists must be aware of and respect the knowledge, insight and experience of the Person Involved.

#### **Article 57** *Respect for mental and physical integrity*

Psychologists must respect the mental and physical integrity of the Person Involved and may not harm his or her dignity. Psychologists may not probe into the private life of the Person Involved any further than is necessary for the purpose of their Professional Activities.

### **Article 58** *Respect for individuality and diversity*

Psychologists must respect each Client's individual characteristics and circumstances. They must recognise that their own values, standards and identity may influence their Professional Activities. Psychologists must use their best efforts to take culture and diversity into account in their Professional Activities.

### **3.3b** *Autonomy and self-determination*

#### **Article 59** *Respect for autonomy and self-determination*

In their Professional Activities psychologists must respect and promote the autonomy and self-determination of the Person Involved. That self-determination of the Person Involved particularly consists of the right to decide whether or not to establish, continue or terminate the Professional Relationship with the psychologist.

#### **Article 60** *Respectful conduct in the case of limited self-determination*

The Client's self-determination may be restricted by his or her age, temperament, development or mental health, by statutory provisions or by the decision-making powers of an External Principal based on a statutory task or court order. In that case psychologists must make every allowance for the Client's self-determination within those restrictions.

#### **Article 61** *Consent for establishing or continuing the Professional Relationship*

Psychologists may establish or continue a Professional Relationship with the Client only with his or her consent. However, that consent is not required if the Professional Relationship is established as a result of an Assignment given by an External Principal on the basis of a statutory power.

#### **Article 62** *Establishing or continuing the Professional Relationship*

Before and during the Professional Relationship psychologists must provide the Client with such information that the Client is able to freely give informed consent for the establishment and continuation of the Professional Relationship.

### **Article 63** *Information on the establishment and continuation of the Professional Relationship*

The information provided on the establishment and continuation of the Professional Relationship must preferably be given in writing and explained orally if necessary. It must include, if applicable:

- the purpose of the Professional Relationship, the procedure, the evaluation, the context in which it takes place and the position of the Client and the psychologist in that relationship;
- the research or treatment methods that might be suitable and what can and cannot be expected of them, as well as any side-effects or alternatives;
- the financial and other conditions on which psychologists accept their Assignment, insofar as that information is relevant to the Persons Involved in consenting to and cooperating in the performance of the Assignment;
- the persons with whom the psychologist works together in the Professional Relationship, in a multi-disciplinary context or otherwise;
- the type of Data that will be collected about the Client and the manner in which and period during which they will be kept;
- the duty of confidentiality, manner of reporting, if any, and the parties that will receive the Reports;
- the rules of this Code of Ethics regarding access to and copies of the File, correction and blocking of the Report; and
- the psychologist's duty to comply with this Code of Ethics, the right of complaint, and disciplinary law.

#### **Article 64** *The same information for External Principal and Client*

Before the start of the Professional Relationship psychologists must ensure that both the External Principal and the Client or the Client System have the same information on the purpose and the structure of the Professional Relationship and on the proposed procedure. The Assignment can go ahead only if agreement is reached between them on that purpose and structure. If either the situation or the Assignment changes, the psychologist must enter into new agreements.

**Article 65** *Consultation on the details of the Professional Relationship*

The psychologist must give the Client the opportunity to discuss his or her wishes and opinions regarding the details of the Professional Relationship, unless that would hinder the sound development of the Professional Relationship.

**Article 66** *Information and consent regarding Professional Activities in a broader sense*

If the psychologist performs Professional Activities that cannot be regarded as a Professional Relationship in the sense of this Code, the provisions in this section apply, provided that they apply to the Persons Involved in those Professional Activities.

**Article 67** *Access to and copy of the File*

The psychologist must give the Client on request access to and a copy of the File. He or she must thereby offer to provide an explanation. Before giving the Client access to the File, the psychologist must remove the information related to other persons, insofar as it was not provided by the Client himself/herself. If the Professional Relationship involves a Client System, all the Data related to the individual persons that do not also relate to other persons in that system must be kept in such a way that each person can be given access to the File individually without violating the confidentiality of the Data of the other persons.

**Article 68** *Accessibility of the File*

Psychologists must draw up the File in such a way in terms of its form and content that it is reasonably accessible to the Client.

**Article 69** *Correction of, additions to or removal of Data in the File*

Psychologists must correct the Data in the File of which the Client demonstrates that they are incorrect, incomplete or irrelevant, in view of the purpose of the File and insofar as those Data relate to him or her. This does not apply to the findings and conclusions, which are the psychologist's professional responsibility.

At the Client's request memorandums drawn up by him or her regarding his or her views on the Data in the File and the Professional Relationship must be included in the File.

**Article 70** *Client's right to destroy the File*

The psychologist must destroy the File within a reasonable period at the Client's written request. The psychologist must keep the written request during the retention period.

The psychologist may not comply with the Client's request to destroy the File if the File relates to a Professional Relationship at the instruction of an External Principal that has a statutory power to demand performance of the Assignment and that Principal does not give permission to destroy the File. The psychologist may also not comply with the request if the Client has filed or is considering filing a complaint against the psychologist.

**3.3c Confidentiality**

**Article 71** *Confidentiality*

Psychologists enter into a relationship of trust in their direct contacts with the person(s) involved. Psychologists are therefore obligated to keep secret any information that comes to their attention in practising their profession, insofar as the Data are of a confidential nature. This obligation also applies to a psychologist's professional opinion of the Person Involved. The duty of confidentiality continues to apply after the end of the Professional Relationship.

**Article 72** *Due care in communications*

Psychologists must take all reasonable precautions to avoid any confidential Data on the Client being disclosed to Third Parties without the Client's consent in written, telephone or electronic communications with the Client or with other Persons Involved. Psychologists must discuss at an early stage with the Client or with any Third Parties involved how the communications can best take place and how they should be organised in order to protect Client confidentiality.

**Article 73** *Confidentiality in Reports and the Provision of Data*

If certain Data are provided or reported to Third Parties with the Client's consent, no duty of confidentiality applies in relation to the recipient of those Data or of the opinion set out in the statement or Report. Psychologists are under a duty of confidentiality with regard to all other information that may come to their attention.

#### **Article 74    *Overriding of confidentiality***

Psychologists are not obligated to observe confidentiality if they have valid reason to believe that overriding the confidentiality is the only and the last resource to prevent a direct threat to persons or if they are obligated to do so by statutory provisions or a court order.

#### **Article 75    *Information on overriding of confidentiality***

If it is to be expected that such a situation might arise, the psychologist must notify the Person Involved that the psychologist may in that case be obligated to override the confidentiality, unless such notification might present an immediate threat to the psychologist or Third Parties.

#### **Article 76    *Scope of the overriding of confidentiality***

If the psychologist decides to override the confidentiality, the overriding may not go beyond what is necessary in the circumstances of the case and the psychologist must notify the Person Involved of his or her decision, unless such notification might present an immediate threat to the psychologist or Third Parties.

#### **Article 77    *Claiming the right to refuse to give evidence***

Psychologists are obligated to claim the right to refuse to give evidence in court if giving evidence or answering questions would constitute breach of their duty of confidentiality.

#### **Article 78    *Confidentiality towards persons other than the Client***

If Data must be included in the File that relate to persons other than the Client and those Data have not been provided by the Client himself/herself, those Data must be recorded in such a form that they can be temporarily deleted so that, if the Client is given access to the File, the confidentiality of those Data can be guaranteed.

#### **Article 79    *Confidentiality towards persons in a Client System***

Insofar as Data necessarily relate to several persons at once, the psychologist must record those Data in a File on the Client System in question. Before recording Data in such a File, the psychologist must inform each of the Persons Involved accordingly and must draw their attention to the fact that this may restrict their right to

be given access to and to receive a copy of the File, insofar as that is necessary to guarantee the confidentiality of each person's Data.

#### **Article 80    *File security***

Psychologists must ensure that the File is kept in such a way that no one has access to it without their permission, so that the Data remain confidential.

### **3.3d    *Provision of Data***

#### **Article 81    *Provision of Data to Third Parties***

The psychologist may make only such Data in the File available to Third Parties that are relevant and necessary to answer the specific question and for which the Client has given his or her Specific Consent beforehand. The term "Data" includes the psychologist's professional opinion. In order to obtain the Client's permission, the psychologist must give the Client the opportunity to inspect the Data beforehand.

#### **Article 82    *Provision of Data without consent***

The Client's consent is not required for the Provision of Data to other professional practitioners, if they are directly involved in the psychologists Professional Relationship. The Client must be informed of this beforehand. The psychologist must limit the Provision of Data to the Data and assessments that are necessary for the work of those other professional practitioners.

#### **Article 83    *Legally required Provision of Data***

The Client's consent is not required for the Provision of Data to Third Parties if the psychologist is obligated by a legal provision to provide those Data. The Client must be informed of this beforehand.

#### **Article 84    *Provision of Data to employees***

The Client's consent is not required for the Provision of Data to persons who are assisting under the psychologist's direct supervision in the implementation of the Professional Relationship. The psychologist must limit the Provision of Data to the Data required for the work of those employees.



#### **Article 85** *Provision of information for scientific research*

The psychologist may, if so requested, provide Data to Third Parties for scientific research purposes. Those Data must be provided in such a way that they cannot be traced to the Client, unless that is impossible in light of the purpose of the research. In that case those Data may be provided only with the Client's consent.

#### **Article 86** *Data for publications, education, quality care, supervision and peer review*

For scientific publications, educational purposes, quality care, supervision and peer review psychologists may use only Data and opinions on a Client that cannot be traced to his or her identity. The combination of Data and circumstances described may not result in Third Parties recognising the Client on that basis, unless the Client has given consent for the provision of such Data.

#### **Article 87** *Provision of Data on persons other than the Client*

If the File includes Data on a person other than the Client and those Data have not been provided by the Client himself/herself, the psychologist may not provide those Data to Third Parties without that other person's Specific Consent and only insofar as those Data are relevant and necessary to answer the specific question. The consent must be recorded in writing.

### **3.3e Reports**

#### **Article 88** *Reports commissioned by the Client*

Reports commissioned by the Client may be given only to the Client, preferably in writing.

#### **Article 89** *Consent required for Reports to Third Parties*

The Client's prior Specific Consent is required for Reports to Third Parties. In order to obtain the Client's consent, the psychologist must give the Client the opportunity to inspect the Report beforehand.

#### **Article 90** *Reports to Third Parties*

Reports to Third Parties must generally be in writing. If it can be substantiated that written reporting is not in keeping with the

purpose of the Assignment, it must be agreed beforehand that the reporting will take place orally.

#### **Article 91** *Opportunity to inspect the Report before it is issued*

If the psychologist reports to Third Parties, he or she must give the Client the opportunity to inspect the Report before it is issued. The right of inspection does not apply to parts of the Report that relate to other persons. When the Report is actually issued, the psychologist must give the Client a copy on request, insofar as the Report relates to the Client.

#### **Article 92** *Oral Reports to Third Parties*

If the psychologist wishes to report orally, subject to Article 90, the psychologist must first discuss the content of the Report with the Client.

#### **Article 93** *Correction of, additions to or deletion of Data in the Report*

The Data in the Report of which the Client demonstrates that they are factually incorrect, incomplete or irrelevant in light of the purpose of the Report must be corrected, supplemented or deleted by the psychologist. This does not apply to the findings and conclusions, which are the psychologist's professional responsibility.

#### **Article 94** *Blocking the Report to the External Principal*

A Client has the right to block the Report to the External Principal. However, the Client does not have that right if that right does not apply or is excluded on the grounds of a statutory provision. If no statutory provision applies, the psychologist may conclude that there is a compelling interest that opposes the right to block the Report. In both cases the psychologist must give the Client the opportunity to record in writing any objections he or she may have to the Report and must send those objections to the External Principal together with the Report. If the Client does not have the right to block the Report, the psychologist must inform the Client accordingly in writing before entering into the Professional Relationship.



### **Article 95** *Right to inspect and block a Report on a Client System*

Clients cannot simply rely on the above provisions regarding the inspection and blocking of the Report if they form part of a Client System. The purpose of the Report and the confidentiality in relation to the other persons may oppose the right to inspect and block the Report. In that case, the Client must be informed accordingly before the establishment of the Professional Relationship.

### **Article 96** *Provision of Data on persons other than the Client*

In issuing Reports the psychologist must limit his or her opinions and advice to those related to the Client and may not give any opinions or advice on any person other than the Client. If the purpose of the Report requires the Provision of Data on a person other than the Client, the psychologist must limit those Data, if possible, to Data that he or she obtained on the basis of his or her own observations or investigation. The Specific Consent of the Person Involved is required for the provision of such Data. If the psychologist considers it necessary to record Data in a Report on a person other than the Client that he or she has not obtained on the basis of his or her own observations or investigation, the psychologist must exercise great restraint in doing so and must always state the source and the relevance of the Data.

### **Article 97** *Limiting Reports to essential Data*

A psychologist must limit his or her Reports to the information and assessments required for the purpose of the Report. The Report must meet at least the following requirements:

- it must state the facts, circumstances and findings on which it is based; and
- it must demonstrate a suitable method of investigation used in answering the questions presented;
- it must be clearly apparent from the Report on what grounds the findings and conclusions are based and what limitations apply;
- it must state the sources on which it is based, including the literature used and the persons consulted; and
- it must state that the Report is confidential and after what period of time the conclusions have reasonably lost their validity.

## **3.4 Expertise**

### **3.4a Ethical awareness**

#### **Article 98** *Need for critical reflection*

Psychologists must critically reflect on their Professional Activities and on their personal values and motives that play a role in those activities. They must regularly address their Professional Activities at meetings with fellow psychologists, such as peer reviews. They must follow ethical discussions within their professional group.

#### **Article 99** *Knowledge of legal provisions*

Psychologists must keep informed of the legal provisions that apply in their field and must act accordingly.

### **3.4b Professional competence**

#### **Article 100** *Maintenance and development of professional expertise*

Psychologists must maintain and develop their professional expertise in accordance with recent developments in psychology. They must keep informed of the relevant professional literature and participate in relevant additional and refresher courses.

#### **Article 101** *Use of effective and efficient methods*

Psychologists must choose methods that are effective and efficient and be aware of the limitations of those methods.

### **3.4c The limits of the Professional Activities**

#### **Article 102** *Professional and personal limitations*

Psychologists must recognise their professional and personal limitations and be open about them. They must call in expert advice and support and refer Clients if necessary.

#### **Article 103** *Limits of psychologists' own expertise*

Psychologists must take the limits of their own expertise into account in their Professional Activities and may not take on any Assignments for which they lack the necessary expertise.

**Article 104 *Limits of the practice of psychology***

All Assignments must be based on a clearly described objective or question. Psychologists may not take on any Assignment whose objective or question does not fall within the scope of the practice of psychology. They may also not do so if the available methods and techniques are inadequate for an appropriate intervention or response to the question.

If psychologists are given such an Assignment, they must consult with the Principal in order to reformulating the objective or question before accepting the Assignment.

**Article 105 *Qualification***

Psychologists may use only methods for which they are qualified by their education, training and/or experience.

**Article 106 *Professional accountability for Professional Activities***

Psychologists must be able to account for their Professional Activities in the light of the state of the science at the time of those activities, as described in professional literature.

**Article 107 *Prevention of reduced capability to soundly practise psychology***

Insofar as possible, psychologists must recognise at an early stage signs that indicate personal, mental or physical problems that threaten to have a negative effect on their Professional Activities. They must call in expert advice and support in good time in order to prevent or reduce the problems.

**Article 108 *Discontinuation of Professional Activities in the case of reduced capability***

If their mental, physical or judicious capabilities are affected or diminished in such a way as to hinder the sound practice of psychology, psychologists must discontinue their Professional Activities for as long as that situation continues.



## Part 2 Brief description of the complaints procedure

The NIP has two disciplinary bodies: the Supervisory Committee and the Appeals Tribunal. Both bodies enforce this Code of Ethics and hold an independent position at the NIP.

A Person Involved in the Professional Activities of a psychologist affiliated with the NIP or registered in one of the NIP registers may file a complaint with the Supervisory Committee if he or she believes that the psychologist has acted in breach of this Code of Ethics.

The Supervisory Committee will give the psychologist the opportunity to respond to the complaint. It will then issue a written ruling after hearing the case.

If the complaint is found to be valid, the Supervisory Committee may take the following measures against the psychologist:

- a warning;
- a reprimand;
- suspension of his/her membership and/or of registration in the NIP register specified by the Supervisory Committee, possibly subject to conditions; and
- termination of the membership and/or cancellation of the registration in the NIP register(s) specified by the Supervisory Committee, possibly subject to conditions.

The Supervisory Committee cannot dismiss a psychologist, award damages to the complainant payable by the psychologist, or order a new psychological examination.

An appeal may be filed with the Appeals Council against a ruling of the Supervisory Committee.

More information on the complaints procedure can be found on the NIP's website. The Supervisory Regulations set out the official rules of the complaints procedure.

The digital version of this Code of Ethics, the Supervisory Regulations and anonymised rulings of the Supervisory Committee and the Appeals Tribunal can also be found on the website.

# The Netherlands Institute of Psychologists – professional association of psychologists

The Netherlands Institute of Psychologists (NIP) is the only national professional association promoting the interests of *all* psychologists. It is a dynamic and professional organisation with more than 13,000 members that plays an active role in society. The association closely monitors relevant developments, promotes the reputation of psychology and strengthens the position of psychologists. The NIP is a lobbyist, quality controller, patron of the profession and service provider all in one.

## Our Mission

- The NIP and its members represent psychology in all its respects, as a science and as a profession.
- The NIP protects the quality of the profession and arranges for its standardisation.
- The NIP gathers and pools knowledge and arranges for the exchange of that knowledge by means of internal and external platforms and alliances.
- The NIP is a consultative partner in respect of the profession for authorities and stakeholders, and contributes to the improvement of society by means of psychology.
- The NIP is a service provider and a lobbyist for its members.

## We are a lobbyist

The NIP operates in a wide range of sectors to strengthen the position of psychologists and psychology, e.g. by means of contacts with health insurers, Client organisations, knowledge institutes, ministries, politicians and the Healthcare Inspectorate.

## We are a quality controller

### *Code of Ethics*

Psychologists must observe certain standards in order to safeguard the quality of the profession. Those standards are described in this Code of Ethics.

### *Associations disciplinary law*

All psychologists who are members of the NIP and/or registered in an NIP register submit to this Code of Ethics. If Clients or follow

psychologists believe that an NIP member or an NIP registered psychologist has acted in breach of this Code of Ethics, they may file a complaint with the Supervisory Committee. An appeal may be filed with the Appeals Tribunal against a ruling of the Supervisory Commission.

### *Promotion of knowledge*

Psychologists may contact the NIP to promote and preserve the quality of their professional knowledge. The NIP organises lectures, study days, seminars, workshops, symposiums and conferences, among other things. In addition to meetings of a professional nature, members can also gain knowledge by means of scientific publications in NIP journal *De Psycholoog* and specific files on the website and in the members' network.

### *Education*

The NIP promotes a scientific practice of the profession, based on a completed university degree course. The NIP is the chair of the Psychology Consultative Committee of the Association of Universities in the Netherlands (VSNU). Education and research directors of all the psychology faculties have a seat on the Psychology Consultative Committee, which coordinate the policy with regard to the bachelor's and master's degree courses and thereby promotes a high-quality university psychology course.

## We are a service provider

### *Information*

Regardless of whether they work independently or in employment, psychologists may be faced with difficult issues in practising their profession. They may be ethical issues, but also questions regarding the commercial aspects of owning a business. The members can contact the Information department for information or if they have any questions. The NIP also offers various specialist consultation hours at which NIP members can be helped.

### *Up-to-date professional information*

The NIP puts out a number of publications. One of them is the

versatile journal *De Psycholoog* with scientific articles, book reviews and doctoral thesis reviews, human interest stories and personnel and other advertisements. Since early 2014 the NIP app has been available, which offers the reader unique content and on which all previously published articles of *De Psycholoog* can easily be accessed. The NIP app can also be used to follow the NIP News and the NIP Agenda.

NIP members furthermore receive a weekly NIP newsletter, can obtain various brochures and leaflets, and have exclusive access to the members' network, which offers current news, files with background information, guidelines, a conference agenda and other useful information. Members can furthermore benefit from considerable discounts on professional literature via the NIP Book Club.

### More information

Would you like to receive more information about the benefits of NIP membership? Would you like to know more about the NIP registrations? Would you like to follow the developments in the field of psychology? Check our website: [www.psynip.nl](http://www.psynip.nl).



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