ETHICAL DILEMMAS EXPERIENCED BY EARLY CAREER EDUCATIONAL PSYCHOLOGISTS IN AUSTRALIA AND AOTEAROA NEW ZEALAND

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Ethical dilemmas experienced by early career educational psychologists in Australia and Aotearoa/New Zealand

Abstract

The ethical dilemmas confronting early career psychologists (those with less than five years' experience) employed in school settings in Aotearoa New Zealand and in Australia, are explored in this research. Responses were sought through requests to professional bodies to publicise the survey to their members. Sixteen responses were received, seven from New Zealand, and nine from one state in Australia, giving a total of 14 eligible responses. The research was carried out with the goal of developing an understanding of the ethical situations confronting early career educational psychologists, and the processes used to resolve ethical challenges, with findings being used to inform training practices. Being aware of the types of challenges typically confronting educational psychologists allows educators to prepare them as well as possible for those challenges.

Given the small data set, at most the study can be seen as a preliminary consideration of the ethical issues confronting early career educational psychologists in the two countries however the research has provided some foundations on which future research can build. It was found that the use of inappropriate assessment tools, and issues related to security of school records were the most commonly reported ethical transgressions, and issues related to interventions, such as failure to follow up on interventions were also encountered frequently by respondents. Uncertainty about contacting child protective services in cases of suspected child abuse was the most frequently experienced and highly challenging ethical dilemma, followed by challenges related to disclosure to parents of minors engaging in risky behaviour.

Data suggest that increased collaboration between educational psychologists, the professional bodies representing them, school stakeholders, and other agencies representing students with educational challenges, is likely to be beneficial to all parties. Additionally, research to identify the strategies used by more experienced practitioners to cope with extensive work commitments and limited time is another area worthy of consideration. Exploration of the different types of supervision and their effectiveness is indicated to enhance the supervision process, and finally ensuring that educational psychologists are familiar with current best practice to ensure the security of electronic data is recommended.

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Chapter 1 - Introduction

Ethical dilemmas are an inescapable aspect of the professional practice of psychology. In order to manage and resolve ethical dilemmas effectively, careful consideration must be made of the people involved, one's own preconceptions, possible courses of action, and the potential consequences for each course of action. These considerations occur within the framework of policies, practices, and procedures determining the provision of psychological services, overarched by the law of the land. Whilst experienced psychologists are typically relatively well-equipped to manage and respond to ethical dilemmas, early career professionals are likely to experience greater difficulty when faced with such quandaries. Situations where experienced psychologists have developed schemas for working through ethical dilemmas, and do so with apparent ease, can cause much angst for a novice. It is certain that ethical challenges will arise in the practice of educational psychology, and to allow early career educational psychologists (ECEPs) to be as well prepared as possible for the ethical challenges that will confront them, it is useful to identify those ethical challenges which are most commonly experienced.

Research Objectives

The primary objective of this research is to identify the most commonly experienced and the most challenging ethical dilemmas encountered or experienced by ECEPs in Australia and Aotearoa New Zealand (AANZ). This comprises a sensible first step towards preparing ECEPs to manage such challenges. The findings of the research will assist training institutions to be better equipped to prepare new educational psychologists (EPs) to handle ethical dilemmas, and to be aware of those they are most likely to face. It is also intended that further

research will ensue around the most commonly experienced and most challenging ethical dilemmas in these two countries, to assist in the development of strategies for preventing, mitigating, or counteracting them.

When ECEPs are confronted with ethical challenges, knowing that others have faced similar situations and found workable solutions is likely to provide reassurance. It is hoped that by bringing these common and challenging dilemmas into the spotlight, ECEPs will be reassured that they are not facing these challenges alone, and thus gain confidence in bringing ethical issues to supervision, professional discussions and other supportive mechanisms.

Significance of the Research

Currently there is scant research exploring the ethical dilemmas experienced by EPs in AANZ. This study has been carried out to contribute to the literature related to ethics in educational psychology in these two countries. Emphasis is placed on surveying ECEPs as these practitioners are experiencing ethical challenges anew, and are likely to find them particularly challenging.

Background to the Research

Pope and Vetter's (1992) seminal work on the ethical issues experienced by psychologists in the United States found that confidentiality, and blurred, dual, and conflictual relationships were those most commonly experienced. In her critical incident research, Jacob-Timm (1999) explored the ethically challenging situations experienced by school psychologists in the United States, and found that administrative pressure to act unethically, assessment and diagnostics, and confidentiality, were the most widely experienced.

Findings of Jacob-Timm's research provided the data to develop a survey exploring the frequency with which ethical challenges and dilemmas were occurring. This survey was used in research carried out by Dailor and Jacob (2011) who found that ethical transgressions related to assessment, and failure to follow up on interventions were the most commonly encountered, and the most challenging dilemmas related to suspected child abuse, disclosure to parents about their child's risky behaviour, and how to respond to administrative pressure to act unethically.

In more recent research, Mendes, Nascimento, Abreu-Lima and Almeida (2015) found that privacy and confidentiality issues were the most frequently reported ethical issues faced in daily practice by educational psychologists in Portugal.

Limitations to the Research

As a limited number of responses were received from New Zealand and from only one State in Australia, caution must be taken in generalising results. In seeking participants, approaches were made to professional bodies representing educational psychologists in all states and territories of Australia and in Aotearoa New Zealand. It was found that many organisations were reluctant to disseminate information relating to the research, with a positive response being received from only one state in Australia and from the New Zealand Psychological Society.

The Role of EPs in Australia and Aotearoa New Zealand

The services provided by EPs in AANZ share many similarities, including (i) the provision of assessment and support for students with learning, behavioural, and/or emotional challenges, (ii) consultation with parents, school personnel, and other helping professionals to assist these students, and (iii) assistance in the implementation of interventions at a schoolwide or systemic level (Edwards, Annan & Ryba, 2007; Faulkner, 2007; Thielking & Jimerson, 2006). Strong similarities in the practice of psychology in the two countries provided an impetus for exploring the ethical challenges confronting ECEPs in each of these countries.

A large proportion of EPs in AANZ are employed by government agencies and provide an externally sourced consultation service to educational institutions (Edwards, Annan, & Ryba, 2007; Farrell, 2007). Oakland, Faulkner and Annan (2005) describe the role of EPs as providing psychological services to promote the best interests of children and youth, particularly as experienced in an educational context. This requires EPs to consider the needs of children, youth, and their families as they dispense the services required by their employers and school management teams. They must also comply with policies and guidelines specific to their professional body (Denig & Quinn, 2001), and with the laws of the land.

The diverse stakeholders with whom EPs interact, each of whom may have differing views of what comprises the best interests of the child, means that ethical quandaries have a high likelihood of arising. To allow educational psychologists to develop confidence and competence in dealing with ethical challenges, particularly in the early stages of their career, it is important that they are aware of the ethical issues that may confront them, and have strategies in place for managing them.

The Research Process

An email invitation to participate in an electronic survey was sent to professional bodies and training providers in Australia and New Zealand, and an advertisement promoting the survey was placed in relevant publications. Respondents were provided with a link to an information sheet giving details of the survey, and from there a second link was given to the online survey. This mechanism was employed to ensure participant anonymity. The survey gathered information about the respondents' training in ethics, their preparedness for ethical challenges, the problem-solving strategies they employed, and the ethical dilemmas and transgressions they had encountered during the past year. The research replicates earlier research carried out by Dailor and Jacob (2011) with the addition of three questions inviting brief qualitative responses.

Overview of Thesis Structure

This introductory chapter outlines the research objectives and the significance of the research for ECEPs in AANZ. A brief description of the methodology used in carrying out the research is provided.

Chapter Two provides a review of the literature which informs the current study. Key terms are defined and the interaction between ethics, morals, and the law is discussed. To help provide a conceptual overview, prominent moral ideologies and theories of moral development are described briefly, and the social antecedents of morality are considered. This provides a background from which to explore the development of codes of ethics to guide professional behaviour, focusing on the codes of ethics for psychologists in AANZ. The roles and responsibilities of EPs in AANZ are outlined, and the ethical challenges specific to EPs are identified with reference to previous research. Means of developing competency in ethical decision-making and the use of ethical decision-making models are considered.

Chapter Three offers a description of the research process, the research objectives and key goals of the research, and the philosophical perspective from which the study was undertaken. Steps taken to ensure the research met with Human Ethics Committee approval are discussed, and consideration is made of the challenges inherent in carrying out electronic research on sensitive issues. An outline is given of the methods and process used to recruit participants, together with the risk management strategies used to ensure participant confidentiality. The contents of the electronic survey are described. The research design, data collection processes, and means for ensuring quality of data are identified, and biographical information is given of respondents to the survey. Finally, data analysis procedures are discussed.

The results of the research are provided in Chapter Four. Findings related to the ethics training undertaken by each of the participants, the problem solving strategies they employed, and their perceived preparedness to deal with three ethical dilemmas are described. Quantitative findings, including the frequency with which participants observed each of 36 ethical transgressions and eight ethical dilemmas are reported, along with the degree of challenge posed by each of the ethical dilemmas. The most concerning ethical issues are identified. Following this, qualitative data relating to the most challenging, the most common, and other ethical issues not identified within the survey, are presented.

Chapter Five provides a discussion of key findings. The most common ethical transgressions were found to relate to assessment and intervention, security of school records, administrative pressures to act unethically, and unsound educational practices. Issues around the reporting of child neglect and abuse to government agencies, disclosure to parents of minors engaged in risky behaviours, and actions to take for students at risk of self-harm were frequently reported ethical dilemmas, and issues of confidentiality and practitioner competence were also identified as being of concern. The ethical training undertaken by respondents is explored, along with its impact on respondents' sense of preparedness and the perceived degree of challenge they experienced when faced with ethical challenges. The problem-solving strategies used by respondents are then discussed. Finally, the implications for educators, professional bodies, the profession, and employers are examined, and limitations of the study and directions for future research are indicated.

Chapter 2 - A Review of the Literature

Humans have been struggling with ethical dilemmas since time immemorial, confronted with issues for which there does not appear to be any course of action that is without flaw. The very nature of ethical challenges means that they will be difficult to resolve in a manner that is entirely acceptable to all those involved, and the decisions to be made about the best responses to ethical dilemmas are usually complex and inconclusive. The pathway to making a justifiable ethical decision that achieves the best possible outcome for those affected is one that requires careful navigation.

Definitions

The word *ethics* has its etymology in the Greek word "*ethos"*, referring to the "characteristic spirit of a culture, era, or community, as manifested in its attitudes and aspirations" (ethos, Oxford English Dictionary, 2015). Described by Jacob and Hartshorne (2007) as a system of standards of behaviour that guide people's behaviour, ethics as a construct refers to (1) the "moral principles that govern a person's behaviour or the conducting of an activity", and (2) "the branch of knowledge that deals with moral principles" (ethics, Oxford English Dictionary, 2015). Freegard (2012) observes that the domain of ethics comprises of the study of actions necessary to allow people to live in a peaceful and just manner.

Moral principles are a key component of ethics. The word 'moral' originates from the Latin word 'moralis' (the plural of which is 'mores') and translates as 'custom(s)'. Morals are "concerned with or deriving from the code of behaviour that is considered right or acceptable in a particular society" (morals, Oxford English Dictionary, 2015). Morals are thus the beliefs and ensuing behaviours deemed acceptable and proper by members of a society, with ethics comprising the theories and conceptual studies arising from the implementation and preservation of moral behaviours (Koocher & Keith-Spiegel, 2008; Preston, 2007). Ethics and morals are intricately interwoven, with each informing the other.

Whilst the terms "ethics" and "morals" are often substituted one for the other, any behaviour can be described as moral or immoral depending on the socially determined acceptability of the behaviour. Ethical behaviour, however, tends to describe interpersonal standards of behaviour such as honesty, fairness and equity, and respect for the dignity,

diversity and rights of people. Internalised morality informs ethical behaviour, with ethics being framed in the context of questions about human morality (Freegard, 2012; Preston, 2007). To be considered ethical, behaviours must be guided by moral and legal imperatives and deemed socially acceptable (Jacob & Hartshorne, 2007).

Moral Ideologies

Societies, cultures, and communities across the globe have differing expectations of their members, and moral and ethical standards develop around these expectations (Jacob & Hartshorne, 2007). A range of theories endeavour to describe these differing ethical perspectives, which include moral universalism and moral relativism, rights based and duty based moralities, communal and agentic ideologies, and the deontological perspective.

From the viewpoint of **moral universalism**, there exists a system of morality which applies to *all* of humanity, and which is able to be delineated through rational research and reflection (Benhabib, 1994; Callahan, 2000; Hellsten, 2015). Quintelier, De Smet, and Fessler (2013) point out that there are, however, divergent ideas as to which aspects of morality can be classified as universal. In contrast, the **moral relativism** perspective claims that morals are contingent on the social, cultural, historical, environmental, and personal context within which they are located (Haidt, Koller & Dias, 1993).

Vauclair, Wilson, and Fischer (2014) categorise moral perspectives into those that are rights-based and those that are duty-based. Cultures favouring **rights-based** moral ideologies tend to perceive morals as relative and flexible, existing to uphold basic human rights, and promote social change. Within these cultures, morality is largely centred within the individual. Conversely, duty-based cultures have a prescriptive moral order, where right and wrong are defined by those with vested power. **Duty-based** morality is geared towards maintaining the social order in its current state, with morality in these cultures being centred within the existing social system.

In a similar vein, some theorists identify two value constructs, namely **agentic** values (those values whereby an individual's primary focus is on self-interest and competition) and **communal** values, which are attributed to those people whose primary focus is concern for others (Abele & Wojciszke, 2007). In research on the relationship between self-interests and moral sensibilities, Frimer and Walker (2009) found that agentic values were negatively

correlated with moral behaviour whilst communal values positively predicted moral behaviour.

Deontology is an ethical perspective which sees some actions as always being right and some actions as always being wrong, with the guiding principle that individuals should only behave in such a manner that they would concur that the behaviour could become a universal law for all to follow (Nagy, 2011; Freegard, 2012).

Nestled within these overarching ideological perspectives, morals are transmitted across generations by individuals within families and communities. People begin to internalise a moral framework early in their life (Bergman, 2002; Lapsley & Carlo, 2014; Walker, de Vries, & Trevethan, 1987), with parents and caregivers being the earliest contributors to an individual's moral development (Barni, Ranieri, Scabini & Rosnati, 2011; Prinz, 2015; Silverstein & Trombetti, 2013; Walker & Taylor, 1991). Hardy, Padilla-Walker and Carlo (2008) demonstrate that parental input during childhood and adolescence plays a vital role in either fostering or impeding a child's internalisation of moral values.

Social Determinants of Moral Behaviour

Pagliaro, Ellemers and Barreto (2011) note that both implied and explicit moral norms of a community set the standard by which behaviours are judged as being acceptable or unacceptable. Complying with the moral standards of a community is a necessity if one is to be seen as a valued and respected member of that community. Members are aware that if they deviate from the moral standards of their community, they are likely to experience adverse consequences. The desire to avoid negative consequences is one factor that motivates people to behave in a moral and socially acceptable manner (Leach, Bilali & Pagliaro, 2015; Shavell, 2002).

Morality is moulded by the cultural, social, and historical influences of an individual's environment (Chaparro, Kim, Fernandez, & Malti, 2013; Haidt, Koller, & Dias, 1993; Mawson, 2009; Zhang et al., 2013). Religious and political ideologies are further factors that influence people's morality. , For example, Zhang et al (2013) found that school-children who received regular education in Confucianism were more likely to demonstrate increased awareness of a wider range of moral principles than those who received limited moral and religious education.

To facilitate effective functioning within a social milieu, conventions emerge that define appropriate behaviours for members of that milieu. Leach, Bilali and Pagliaro (2015) outline some of the means by which socially endorsed behaviours are fostered. These include informal mechanisms such as praise, admiration, constructive critique or social approbation; and in a more negative vein, ridicule, sarcasm, criticism, scolding, humiliation, and anger. Extreme sanctions such as social rejection, incarceration, torture, and mutilation are among those that have been used historically to punish behaviours classified by society as immoral and undesirable, and thus to promote moral behaviour (Ferrante, 2008; Scott & Schwartz, 2006). Bronfenbrenner (1986) identifies an individual's morality as emerging in response to early micro-systemic experiences, reinforced by the beliefs the individual forms around those experiences (Bergman, 2002; Prinz, 2015; Walker & Taylor, 1991).

At its core morality is concerned with which behaviours are considered to be right, and which are wrong. In defining which actions are moral and therefore ethical, it is usual to be guided by the beliefs of the majority within one's contextual setting. Moral behaviours are reinforced by formal and informal rewards and sanctions delivered, both explicitly and implicitly, through an individual's social environment (Buckholtz & Marois, 2012; Ferrante, 2008; Scott & Schwartz, 2006).

Moral Development Theories and Theorists

One of the most familiar and commonly cited theorists in the field of individual moral development is Lawrence Kohlberg, whose theory of moral development positions morality as a universal and objective set of behaviours, perceiving the post-conventional, principled moral individual as having sufficient maturity and self-discipline to overcome baser egocentric urges. This theory is an extension of Piaget's cognitive-developmental framework for moral reasoning (Kurtines & Greif, 1974) which posits that moral action ensues from moral cognition. Piaget (1997) deduced from his research that early moral understanding and development occurs as a result of social interaction. Social interactions give rise to reflective thoughts which foster a growing awareness and subsequent internalisation of moral behaviour. Moral actions occur to nurture and sustain harmonious relationships.

Blasi (1980) identifies a dynamic aspect to the cognitive-developmental perspective with the "self model of moral functioning" (Hardy & Carlo, 2005). Both individual and contextual factors are seen to have a bearing on moral behaviours, and these can either inhibit a person from moral actions, or motivate them to take moral actions. This model suggests that for an individual to undertake a moral action they must first judge the action as being necessary and then accept their personal responsibility for the action. Individuals carry out actions because of subjective and often unconscious beliefs about their identity, and that with which they identify. The progression from moral cognition to moral action is guided by an individual's level of moral understanding, with congruence between moral cognition and moral action stimulating the development of a moral identity (Bergman, 2002).

In exploring the communal and subjective aspects of morality, Gilligan (1982) observes that within social relationships, care and responsibility form key aspects of moral development (Blum, 1988) and that the nature of ethical behaviour cannot be reduced to either the objective, individual facet *or* the subjective, communal facet; instead, both contribute to the construct of ethical behaviour. Gilligan reminds us that that awareness of the person to whom, on whom, or with whom, one acts (the 'other') is a core component of moral behaviour.

Gilligan's and Kohlberg's perspectives can be seen to compartmentalize moral behaviour into two broad approaches, respectively an orientation informed by principles of caring and responsibility, and one guided by principles of justice and impartiality (Blum, 1988). As explained by Denig and Quinn (2001), the caring orientation requires the individual, in making ethical decisions, to be aware of others' perspectives, to build relationships, and to be committed to others' wellbeing; whereas the justice orientation requires that the individual remain rational, logical, detached, objective, and systematic in making fair and just ethical decisions. To manage ethical challenges effectively, and in a socially acceptable manner, an individual needs to develop a considered and conscious moral identity. Moral identity is not static however, being informed and evolving as individuals work through and reflect on the ethically challenging experiences they encounter in their workplace and in their everyday lives. One must be aware of diverse peoples' perspectives (including one's own), of the full range of factors impacting on a situation, and of the potential

consequences that may arise from actions taken (Bergman, 2002; Blasi, 1980; Frimer & Walker, 2009; Gilligan, 1982; Kohlberg & Hersh, 1977).

The Development of Codes of Ethics

To endorse and motivate moral behaviours, those behaviours deemed vital to the effective functioning of social groupings tend to be formally codified into laws, codes of ethics and conduct, rules and regulations, or organisational policy documents. These are developed and adopted by diverse groups within society, which include governments, professional bodies, schools, and groups that come together for sports or social activities (Scott & Schwartz, 2006). Kumar (2010) notes that the development of ethical codes can be traced as far back as circa 400BC, when Hippocrates established the Hippocratic Oath to delineate the obligations and duties of medical practitioners and students. The tenets of the Hippocratic Oath, such as the commitment to provide only beneficial treatments, to practice only in accordance with one's sphere of competency, and to refrain from causing harm, form key components of many current codes of ethics across a range of professions (Siggins, 1996), one of which is psychology.

These formalised codes exist to bring clarity and consistency to social expectations for moral and ethical behaviour (Heyden, 1997; Siggins, 1996), and provide a platform for the resolution of disputes. They function to promote moral behaviours, to protect people from immoral behaviours, and to uphold people's rights. In many cases they are enforced by legal or professional consequences which include criminal proceedings, fines, loss of privileges, restrictions on one's activities, or loss of licence to practice in a profession (Freckelton, 1996; Leach, Bilali & Pagliaro, 2015; Nagy, 2011).

Within the professional domain, codes of ethics are the mechanism by which members of a profession are informed of those behaviours considered moral, legal, socially acceptable, and therefore ethical (Jacob & Hartshorne, 2007). Pope and Vetter (2003) observe that codes of ethics embody the fundamental principles and values of a profession, defining the specific responsibilities the professional group has to each other and to those whom they serve. Codes of ethics inform the public of the standard of practice they can expect from a registered practitioner, build consistency of practice across a profession, and provide guidelines for resolving ethical issues (Allan, 2011; Seymour, 2007).

Pettifor and Sawchuk (2006) note that from the practitioner's perspective, codes of ethics aim to provide aspirational guidelines to assist professionals to carry out their practice in an optimal manner, and work through and resolve ethical dilemmas within a moral framework. They provide a benchmark for members of a professional group to use for guidance and self evaluation (Seymour, 2007). From the perspective of those who use the practitioner's services, codes of ethics function to protect the interests of the clients, who can be amongst society's most vulnerable members, by providing a standardised means of regulating and monitoring professional practice (Jacob & Hartshorne, 2007; Merrell, Ervin, & Peacock, 2011).

The History and Context of Codes of Ethics for Psychologists in AANZ

Professional bodies develop codes of ethics to define the ethical principles, values, and obligations to which their members should aspire. The principals contained in the codes of ethics for psychologists are largely consistent across a range of different countries, and include aspects such as social justice, integrity, propriety, respect for the people's rights and dignity, and responsible caring (American Psychological Association, 2010; Australian Psychological Society, 2007; British Psychological Society, 2009; Canadian Psychological Association, 2000; Jacob & Hartshorne, 2007; New Zealand Psychologists Board, 2012a).

In Australia, the Code of Professional Conduct was the first guide to ethical practice for psychologists, published by the Australian branch of the British Psychological Society in 1949. This organisation was superseded by the Australian Psychological Society (APS) in 1966 (Allan, 2011). In 2006 the Council of Australian Governments implemented a national registration and accreditation scheme for psychologists, along with nine other groups of health professionals. This sought to bring nationwide consistency to the practice, education, and registration of each of these disciplines. In 2009, the Psychology Board of Australia (the PsyBA) was established as the mandated national body overseeing the practice of psychologists in Australia, undergirded by the Australian Health Practitioner Regulation Agency (AHPRA). After consultation with key stakeholders, the PsyBA opted to adopt the APS Code of Ethics (APSCoE) in the interim, with further consultation to be held in the future to develop a new nationwide code of ethics (Allan, 2011; Lewis Sandquist, Stark & Grenyer, 2009).

The New Zealand branch of the British Psychological Society was established in 1947 and from 1967 this was supplanted by the independent New Zealand Psychological Society. As the field of psychology expanded and diversified, legislation was enacted under the Psychologists Act 1981 related to the registration of practitioners and the provision of their services. Emerging from this Act, the New Zealand Psychological Society's Code of Ethics 1986 was developed, and this was later revised with close reference to the Canadian Code of Ethics for Psychologists (1991). The resultant Code of Ethics for Psychologists Working in Aotearoa New Zealand (CoENZ) was adopted in 2002 (Seymour, 2007). The Health Practitioners Competence Assurance (HPCA) Act 2003 is the current government legislation defining the rules and processes for the professional practice of psychology and other health disciplines in New Zealand. The responsibility for interpretation, implementation and enforcement of this legislation is vested in the authorised representative bodies for each of the professions (Osborne, 2011) in this case the New Zealand Psychologists Board (NZPsB). The NZPsB's responsibilities include the accreditation of tertiary education courses offering qualifications in the field of psychology, and the registration of psychologists once these qualifications have been obtained (Edwards, Annan & Ryba, 2007; Osborne, 2011).

The Practice of Educational Psychology in Aotearoa New Zealand and Australia

A number of specialised areas of practice have emerged from within the broad domain of psychology. One such specialised domain is that of educational psychology. This specialisation has a long and rich history, with Alexander, Murphy, and Greene (2012) noting that whilst there exist many historical contributors to the domain of educational psychology, its formal genesis can be traced to the American Psychological Association in 1892, and their focus on psycho-educational issues.

Educational psychologists (EPs) provide services to children or young people within an educational setting. Internationally they are referred to by a range of different titles, including school psychologists, guidance officers, school counsellors, and guidance counsellors (Oakland, Faulkner, & Annan, 2005; Thielking & Jimerson, 2006). Throughout this writing the term educational psychologist (EP) has been used to refer to these professionals. Farrell, Jimerson, and Oakland (2007) researched the practice of educational psychology in 43 countries, and found the services offered by EPs to have many similarities across differing countries. These included (i) the provision of services directly to students,

such as assessment, assistance, and counselling for those with behavioural, educational, or mental health challenges (ii) indirect services such as consultation with teachers and parents to assist those students, and (iii) school wide or systemic level services aimed at implementing interventions to facilitate systemic change where indicated.

EPs in AANZ work with children and young people, their parents, caregivers, and families, school management teams, school counsellors, teachers, and other helping professionals (such as speech therapists and clinical psychologists), as well as with representatives of the legal profession at times (Faulkner, 2007). They are likely to participate in collaborative multi-disciplinary support groups to assist individuals experiencing educational, developmental, and/or social challenges. Their duties may include the provision of individual, family, and group counselling, and liaising with welfare agencies and specialists to support students' emotional, behavioural, and educational needs (Edwards, Annan & Ryba, 2007; Faulkner, 2007; Thielking & Jimerson, 2006). Where child abuse is suspected, the EP is often the professional who will make a report to child protective services (Viezel & Davis, 2015).

EPs are often responsible for providing advice and support to school personnel around the implementation of research-driven behaviour management programs and interventions, which can be offered at school wide, small group, or individual levels, and for assisting with the development of individualised learning plans for students with learning difficulties. They are also likely to carry out psycho-educational observations and assessments of referred students (Farrell, Jimerson & Oakland, 2007).

In New Zealand, the majority of EPs are employed by the Group Special Education division of the New Zealand Government's Ministry of Education and provide an externally sourced consultation service to educational institutions (Edwards, Annan, & Ryba, 2007). Likewise, in Australia, a large proportion of EPs are employed by State governments or in the private school sector (Faulkner, 2007), with those psychologists employed by State governments typically providing support to clusters of schools (Oakland, Faulkner, & Annan, 2005).

The responsibilities of EPs primarily lie in the provision of psychological services to ensure the bests interests of children and youth are met (Oakland, Faulkner & Annan, 2005), particularly as experienced in an educational context. EPs must be cognisant of the needs of

individuals and their families and caregivers (Crowe & Toohey, 2009), whilst fulfilling the responsibilities defined by their employer, and meeting the psycho-educational responsibilities requested by school management teams and teachers (Denig & Quinn, 2001). They are required to act in accord with the law of the land, and to adhere to the policies and guidelines specific to their professional body Olley (2010) makes the observation that EPs are often the professionals with the most knowledge about policies and laws mandating the provision of special educational services.

In both Australia and New Zealand, EPs work with culturally and linguistically diverse clients. The APS CoE (APS, 2007; Principle A1) requires psychologists to avoid discriminating unfairly against people, to demonstrate an understanding of the consequences of unfair discrimination, and to assist their clients to address unfair discrimination. The CoENZ (NZPsB, 2012a) requires psychologists to seek to prevent or correct practices that are unjustly discriminatory, and to "seek to avoid or refuse to participate in practices that are disrespectful of the cultural, legal, civil, or moral rights of others and/or practises with any form of discrimination". Additionally, in Aotearoa New Zealand, psychologists are legally required to honour the principles of the Treaty of Waitangi in their practice (Edwards, Annan, & Ryba, 2007). Utilisation of culturally appropriate assessments and interventions is a core aspect of the provision of ethical and effective psychological services (Eatwell & Wilson, 2007; Fraine & McDade, 2009; Walker, Batchelor & Shores, 2009).

Ethical Challenges in the Practice of Educational Psychology

Ethical challenges fall into two broad categories. Ethical *dilemmas* occur when there are conflicting ethical grounds for taking differing actions to resolve a problem, and no course of action appears to be fully satisfactory (Kitchener, 1984; Bodenhorn, 2006). Ethical *transgressions* occur when professionals take actions (or fail to take actions) and thereby violate ethical codes (Dailor & Jacob, 2011).

Jacob-Timm (1999) carried out research to identify the types of ethical challenges and dilemmas encountered by school psychologists in the United States of America. The findings from this research were used to develop case studies for use in school psychologists' training, and to inform future research. Participants Jacob-Timms' research were a random

sample of 1,035 members of the National Association of School Psychologists (NASP) in the United States, with 226 responses being received.

Jacob-Timm asked participants to "describe, in a few words or more detail, an incident that you or a colleague have faced in the past two years that was ethically challenging or troubling to you." 27% of respondents reported not having experienced any ethical challenges in the two years preceding, and the eligible remaining 159 respondents reported 222 ethically troublesome incidents. Nineteen categories were identified from the incidents described by respondents, with the most commonly reported category being administrative pressure to act unethically, reported by 22% of respondents. Assessment and diagnostic procedures (14%), and breaches of confidentiality (14%), were the next most commonly reported ethical challenges, followed by unsound educational practices (13%). Jacob-Timm acknowledges the likelihood that respondents described situations they found most challenging, and that the research may therefore not identify the most commonly occurring challenges.

In ensuing research, Dailor and Jacob (2011) utilised the categories identified in Jacob-Timm (1999), to create an 88-item questionnaire which was distributed to 400 randomly selected NASP members recorded as being employed in public schools. They received responses from 217 practitioners, yielding 208 valid questionnaires. The questionnaire investigated the frequency with which EPs witnessed the ethical transgressions and dilemmas identified in Jacob-Timm (1999) over the past year, and gathered information about respondents' level of formal ethical training and their perceived readiness to handle ethical dilemmas. The strategies employed by respondents to resolve ethical challenges were also explored.

Findings here demonstrated the three most commonly observed ethical transgressions were related to assessment, interventions (predominantly relating to the failure to follow up on interventions), and administrative pressure to act unethically. The most frequently experienced ethical dilemmas were found to concern the reporting of child neglect and abuse, communicating to parents about children's risky behaviours, and unethical behaviour by other EPs (Dailor & Jacob, 2011).

In related research, Bodenhorn (2006) explored the commonness and challenge of ethical dilemmas faced by school counsellors in Virginia, USA, and found that the most *common*

ethical dilemma experienced by school counsellors related to confidentiality of student's personal disclosures. Confidentiality of student records, the appropriate actions to take where a student was a danger to self or others, parental rights, and dual relationships were other commonly reported ethical challenge. The most *challenging* ethical dilemmas were confidentiality, acting on indications of danger to self or others, disclosure of knowledge of others' ethical transgressions, parental rights, and dual relationships. Mendes, Nascimento, Abreu-Lima and Almeida (2015) found that privacy and confidentiality issues were the most commonly reported ethical dilemmas encountered by Portuguese EPs, followed by psychological practice and intervention issues and conflicting relationships.

Ethical dilemmas in the practice of educational psychology arise in a range of contexts, for example where the obligations of the EP to student and employer (or parent) are incongruent, where the ethical principles of the school and the psychologist clash, or where complex and ambiguous decisions need to be made by the psychologist.

In their Australian research of the perceptions held by principals, teachers, and EPs concerning the role of EPs, Thielking and Jimerson (2006) found that the three groups shared a mutual understanding of many aspects of the EP's role however differences were identified in the understanding of ethical considerations related to of role boundaries, dual relationships, confidentiality, and informed consent. They found that ethical dilemmas largely arise when the roles and responsibilities of EPs are misunderstood, generating expectations that place the EP in an ethically untenable position. A common example of this occurs when teachers expect to be informed about student issues that are discussed in counselling.

EPs in AANZ are mandated to provide a service which puts the wellbeing and best interests of the children and students in their care at the centre of their practice (Crowe & Toohey, 2009; France & Tarren-Sweeney, 2011), known as the principle of paramountcy. Thielking and Jimerson (2006) point out that the diverse and often extended group of stakeholders with whom EPs work, each of whom is likely to have their own unique directives or goals, creates an environment in which ethical challenges occur regularly. This can result in pressure from school management being placed on EPs to fulfil tasks for which they are not sufficiently resourced or qualified, or inappropriate requests for special education

placements (Dailor & Jacob, 2011; Helton & Ray, 2009). The EP's role is a complex balancing act (Glosoff & Pate, 2002), with the child's needs being of paramount consideration (Seymour & Blackwell, 2011; Crowe & Toohey, 2009), however parents and guardians also have rights and responsibilities which must be taken into account, and school personnel also have a duty of care towards their students, and associated expectations of the EP.

Confidentiality and privacy issues have consistently been found to be commonly reported ethical dilemmas (Bodenhorn, 2006; Jacob-Timm, 1999; Mendes et al, 2015). Ethical issues related to confidentiality occur in a wide range of contexts, for example where disclosure of confidential information is required in order to protect a student from self-harm or from harming others, where a student is involved in risky behaviour and the EP is unsure whether this should be disclosed to parents, and where school management, teachers or parents request confidential information about a child. Another situation where ethical breaches might occur in the practice of educational psychology arises where confidential information is disseminated or reproduced electronically without appropriate consideration of security (Campbell, 2004; Duncan, Williams & Knowles, 2016; Myers, Frieden, Bherwani & Henning, 2008; Van Allen & Roberts, 2004).

To successfully negotiate the ethical challenges that arise within their job, EPs need to be fully conversant with relevant legislation, codes of ethics, policies and professional standards, and be sensitive to the ethical components and consequences of their work. They need to consider the eco-systemic contexts within which ethical issues occur, and be competent in managing the complexity of these issues. In addition, they need to have the strength of character to act ethically, and the integrity to accept responsibility for their actions and be able to justify their choices (Jacob & Hartshorne, 2007). Ongoing professional training is essential to ensure EPs develop and maintain appropriate skills to effectively manage ethical issues (Helton & Ray, 2009). Andrews (2004) notes that meaningful preparation will augment EP's confidence and competence in managing ethical dilemmas, with the accompanying benefits of enhanced work satisfaction and extended longevity in the profession.

Training in Ethical Decision Making

In Australia, it is compulsory for ethics to be included in the curriculum content for all trainee EPs (Australian Psychology Accreditation Council, 2010). Similarly, the NZPsB (2012b) requires that the curriculum "includes those contributions of ethics, law, and jurisprudence that enable safe practice as a psychologist" (p. 20). Davidson, Garton and Joyce (2003) carried out research on the ethics education provided to students of psychology in Australia. It was found that the vast majority of ethics training occurred at graduate and post-graduate level, and this mainly focused on teaching students about ethical research and professional codes. The instructional model most widely used involved teaching about professional and research ethics codes.

Empirical evidence shows that ethical problem-solving and decision-making are enhanced in students who receive progressive training in ethical practice at *all levels* of their undergraduate and post-graduate education (Davidson et al., 2003). Ethics training can be provided through such means as formal seminars and courses, case studies, role playing, teaching by modelling (as experienced in a supervisory situation), and practicum and field-based experiences (Jacob & Hartshorne, 2007; Nagle, 1987). Davidson et al. (2003) found that the most effective ethical training offers a progressive approach which initially offers an introduction to broad ethical principles, then proceeds to training and practice in ethical problem-solving and decision-making, and finally considers real-world ethical encounters. Such training, offered over the full duration of the trainee psychologist's course of study, provides a strong base from which to commence practice.

Practice in working through some of the ethical challenges that impact on EPs in the course of their business can help to mitigate the sense of isolation and stress involved when faced with such challenges in the workplace (Andrews, 2004; Bamonti et al, 2014), and provides an opportunity for EPs to develop schemas for managing ethical challenges (Hardy & Carlo, 2005).

Ethical Decision Making Models

Ethical decision-making models exist to assist professionals facing ethical challenges, some of which provide a framework to help practitioners be consistent and thorough in their

approach to making ethically robust decisions (Cottone & Claus, 2000; Du Preez & Goedeke, 2013; Kitchener, 1984; Jacob & Hartshorne, 2007; Miner & Petocz, 2003; NZPsB, 2012a). Making ethical decisions requires cognitive engagement with the presenting issue, an awareness of social, emotional, and subjective factors that may impact on the decision-making process, and familiarity with laws, ethical codes, policies and procedures. The CoENZ offers a step by step practice-based decision making model (NZPsB, 2012a), which states that "In all circumstances psychologists should proceed as follows:

1. Identify the issues and practices that are ethically relevant.

2. Develop alternative courses of action, preferably in consultation with a professional colleague or supervisor.

3. For each course of action analyse the likely short-term, ongoing, and long-term risks and benefits for the individual(s) and/or group(s) involved or likely to be affected.

4. Conscientiously apply the principles, values and practice implications, to each course of action in the light of the identified risks and benefits and decide which offers the best balance between these.

5. Take the course of action, accepting responsibility for the consequences of the chosen course of action.

6. Evaluate the consequences of the action, correcting negative outcomes if possible and, if the issue(s) originally identified are not resolved, re-engage in the decision making process." (p. 2-3)

In situations where ethical decisions are challenged, a practitioner must be able to justify the decisions that have been made and the actions that have been selected. A well-constructed cogent approach to ethical decision-making will provide practitioners with the wherewithal to justify their decisions in a court of law if needed (Dailor & Jacob, 2011; Miner & Petocz, 2003).

Summary

Knowledge and competence in both applied and theoretical aspects of ethics, morals, and the law are fundamental to the effective practice of educational psychology. As a specialisation within the field of psychology, the practice of educational psychology is bound

by the codes of ethics for psychologists. Familiarity with this code ensures that EPs are aware of the accepted and expected standards of practice in their profession, and provides them with guidelines for the resolution of ethical dilemmas that occur in the provision of their services.

To build familiarity and competence with ethical requirements, educational psychology students have been shown to benefit from a comprehensive and progressive training program covering all aspects of ethical practice, within a philosophical framework, and across all years of tertiary study. This has been found to be best practice for building the knowledge base and level of competency to effectively manage the ethical challenges that face EPs (Davidson et al, 2003). The use of an ethical decision making model provides structure to the decision making process, and assists with justification of the chosen course of action (Dailor & Jacob, 2011; Miner & Petocz, 2003).

EPs work with multiple stakeholders, however the child or student is their primary client, and ensuring the best interests of the child are given paramount consideration is their overriding responsibility. When considering the best interests of the child, the EPs personal values and perspectives must be counterbalanced with an informed awareness of the cultural, social, environmental, and historical perspectives of the children and families with whom they are working, and considered within the framework provided by the laws of the land and the policies, procedures and practices of their profession.

Ethical challenges arising within the profession of educational psychology are many and varied, and form the focus of this research. Previous research carried out by Jacob-Timm (1999) and Dailor and Jacob (2011) explored the ethical challenges confronting EPs. The most common ethical transgressions were found in Dailor and Jacob (2011) to concern assessments, interventions, and pressure from administrators to act unethically. The most frequent dilemmas related to the reporting of child neglect and abuse, disclosure to parents of a child's risky behaviours, and unethical conduct by another EP.

The paucity of current research on the ethical dilemmas experienced by EPs in AANZ provided impetus for this research. Given the frequency with which a number of the ethical transgressions and dilemmas were reported in Dailor and Jacob (2011) it was considered that a similar study in AANZ would provide valuable insight into the ethical challenges faced

by EPs in these two countries. Consequently, this study seeks to provide up to date information on the most frequent ethical challenges that confront ECEPs in AANZ in their practice, and on the challenges they perceive to be the most difficult to resolve. The findings from this research will help inform training programs and in this way assist those commencing a career in the practice of educational psychology to develop competence and confidence in their ethical practice.

The next chapter presents the rationale for the research, ethical considerations, and the tools, techniques, and processes used to carry out the research. A description is provided of the methodology employed to respond to the two key research questions

1. *What are the most common ethical dilemmas experienced or encountered by participating early career educational psychologists in Australia and New Zealand, and*
2. *What are the most challenging ethical dilemmas experienced or encountered by participating early career educational psychologists in Australia and New Zealand?*

Chapter 3 – Theoretical Orientations and Methodology

An electronic survey was used to obtain quantitative data about the frequency with which respondents either experienced or encountered ethical dilemmas and challenges in the past year, and about their perception of the level of challenge posed by these experiences. Three questions were included which sought qualitative data relating to the most challenging and the most common ethical dilemmas experienced by respondents during their employment as an educational psychologist. The key research questions and research goals are outlined below and the philosophical orientation of the researcher is described. Following this, a description is given of the ethical considerations and procedures for the current research, and information is provided relating to the use of an electronic survey. A brief description of the survey instrument is offered, and information is provided relating to the methodology and the methods used to explore the research questions. Strategies for recruitment of participants, data analysis techniques, and processes for ensuring quality of data are also discussed.

Research Objectives

The primary objective of this research is to provide those responsible for the education and registration of educational psychologists (EPs) in Australia and in Aotearoa/New Zealand (AANZ) with insight as to the range of ethical dilemmas most commonly experienced or encountered by their students, and the ethical issues that early career educational psychologists (ECEPs) find the most challenging. This will enable educators to better prepare students to face such challenges confidently and competently. It is also hoped that further research will ensue on the best means of preventing, mitigating, or counteracting common ethical dilemmas.

To reduce the risks involved with ECEPs working through ethical challenges in isolation, this research aspires to bring the most common and challenging ethical dilemmas into the light of day, and to reassure ECEPs that they are not alone in facing these dilemmas. The awareness that similar ethical issues are experienced by their peers and colleagues may offer ECEPs confidence in bringing challenging issues to professional supervision meetings or discussions with other professionals.

Research Questions

The two key questions that form the focus of this research are:

1. *What are the most common ethical dilemmas experienced or encountered by participating ECEPs in Australia and New Zealand, and*

2. *What are the most challenging ethical dilemmas experienced or encountered by participating ECEPs in Australia and New Zealand?*

Philosophical Orientation

The philosophical perspective of the researcher impacts on all decisions made within the research process (Mertens, 2010), and it is relevant to acknowledge and disclose the paradigm from which the researcher has explored the research questions. The researcher is a mature-aged woman currently studying in the field of educational psychology, and working in a secondary school, with an undergraduate degree in psychology and post-graduate qualifications in secondary teaching and educational psychology. The researcher has had ten years' experience as a secondary teacher and school careers adviser. She currently resides in Australia however this research is carried out under the auspices of Massey University in New Zealand. The decision to explore the current topic arose from the awareness that EPs frequently face ethical challenges in their work, and that being informed about the ethical challenges that occur is an important aspect of the preparation required to effectively manage such situations. Because Australia and New Zealand share many similarities in the practice of Educational Psychology, and the researcher is associated with both countries, it was perceived to be a useful opportunity to explore the ethical challenges experienced in both countries. The current research has been approached from a pragmatic perspective (Mackenzie & Knipe, 2006), with the intention that insights gained will assist educational psychology educators as they prepare students to work through the ethical challenges they are likely to face within their line of work. Additionally, this study may inspire further research as to means of reducing the frequency with which ethical challenges occur. Learning derived from this study may also contribute to alleviating the stress that can be experienced by ECEPs facing ethical challenges.

A pragmatic approach emphasises the principle that research methods should be informed by the research questions. Quantitative methods are most suited to providing objective and

standardised data, whilst qualitative methods allow for more flexible and contextual data to be gathered (Punch, 2009). This research is primarily a replication of Dailor and Jacob's (2011) structured survey which explored the ethically challenging situation their respondents had encountered and/or experienced in the previous twelve months. When considering the ethical challenges and dilemmas faced by ECEPs it was considered important that participants had an opportunity to expand on the range of ethical challenges described in the quantitative portion of the survey. To achieve this, three qualitative questions were added to Dailor and Jacob's survey concerning the most challenging ethical dilemma, the most common ethical dilemma, and any other ethical challenges or dilemmas not described within the survey.

Researching respondents' experiences of ethical challenges and dilemmas has the potential to identify issues and actions that may be at best questionable and at worst, illegal or damaging. For this reason the decision was made to ensure complete anonymity of participants. It is not the goal of this research to judge participants on the ethicality of their actions rather it seeks to bring the ethical issues being experienced into focus so that research-driven preparatory learning can be provided.

Ethics Considerations and Procedures

Full ethical clearance was sought, particularly in light of the sensitive subject matter of the research. Application was made to the Massey University Human Ethics Committee (MUHEC) in New Zealand for approval of the research project, and approval was given under reference MUHECN 15/041 (see Ethics Approval Letter at Appendix i). Ethical considerations and risks were identified and assessed by the researcher, the supervisors of the project, and by MUHEC. Appropriate steps were taken to manage all identified risks, which included compliance with both Australian and New Zealand ethical requirements and ensuring participant anonymity.

As the research was carried out in both Australia and New Zealand, contact was made with the Australian Psychological Society (APS) to ensure compliance with their ethical considerations. The APS proposed consultation with the Australian National Statement on Ethical Conduct in Human Research (Australian Government, 2015). It was adjudged that the current research met the requisite standards of research merit and integrity, and the

principles of justice, beneficence, and respect (National Commission for Protection of Human Subjects of Biomedical and Behavioral Research, 1978).

Christensen, Johnson, and Turner (2011) point out that potential ethical challenges arising from electronic surveys include issues of informed consent, debriefing, and privacy. Informed consent requirements were met by providing respondents with an electronic link to the information sheet which gave full details of the survey (see Information Sheet at Appendix ii). The respondents were informed that clicking on the second link, which was provided within the information sheet, implied consent to participate. A flow diagram of this process is shown at Figure 1. This form of implied consent was employed to ensure anonymity of participants. It was noted that results could be embarrassing or even incriminating to the respondents, and in this context it was particularly important that anonymity was ensured. The notion of incentives for participants completing the survey was discounted for this reason.
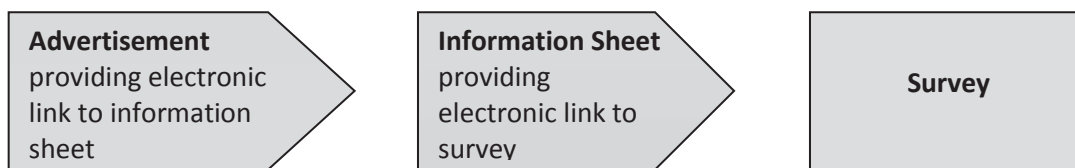

Figure 1. Process for reaching participants whilst protecting anonymity

When research is carried out via electronic means, and particularly anonymous research, the researcher is removed from the physical component of the research. As a consequence participants are unable to be debriefed and no follow-up is available from the researcher (Nosek, Banaji & Greenwald, 2002). The information sheet contained the recommendation that where participants experienced discomfort, they should discuss the matter within professional supervision, or with peers, colleagues or a kaumatua (Māori elder). A statement was added at the end of the survey reminding participants of the debriefing suggestions should they find the contents of the survey unsettling. Participants were informed that once the survey was submitted, data could not be altered or removed as the researcher was unable to connect specific participants with the data.

The Survey Instrument

A copy of the current survey entitled "Ethical Challenges Experienced by Early Career Psychologists Working in an Educational Setting" is attached at Appendix (iii). The survey is

largely a replication of the survey used by Dailor and Jacob (2011) "Ethics Training, Transgressions, and Dilemmas Questionnaire" (attached at Appendix iv) which researched ethically challenging situations reported by school psychologists in the United States of America. For the purposes of the current study, responses were sought from ECEPs in AANZ, defined as those who had worked for five years or less in the field of educational psychology.

A copy of Dailor and Jacob's (2011) survey, which was itself informed by Jacob-Timm's (1999) study of ethically challenging situations encountered by school psychologists, was received in response to correspondence with the second author. Minor alterations have been made to the wording of the survey instrument, to align it more closely with AANZ terminology, for example clarification of role title from administrator to administrator and/or manager. Three qualitative questions have been added, and a section is incorporated seeking information about the degree of challenge posed by ethical dilemmas. An additional question has been added to the quantitative portion of the survey relating to the frequency with which respondents had concerns about reporting another professional's unethical conduct.

The requirement for anonymity means that no provision can be made where there are problems in the design, or where participants misunderstand instructions. The current research largely replicates prior research carried out by Dailor and Jacob (2011), which was reviewed multiple times by psychology faculty members, and trialled by advanced doctoral school psychology students. Several minor adaptations were made to the original survey, and to allow for any potential flaws to be identified and rectified, a trial run of the amended survey was carried out by the supervisors of the project.

The adapted survey consists of a total of 56 items. Participants firstly identify their professional title, the training they received in professional ethics, and their perceived preparedness to deal with each of three ethical challenges. Following this participants identify their means of deciding upon a course of action to resolve ethical dilemmas.

The second section of the survey asks participants to indicate the frequency with which they encountered each of 36 ethical transgressions in the past year. Participants are then asked to indicate the frequency with which they experienced each of eight ethical dilemmas, and

the degree of challenge posed by each of these dilemmas. Ethical transgressions are defined as violations of codes of ethics, whereas ethical dilemmas are described as those situations involving conflicting ethical principles, such as conflicts between ethics and the law, and conflicts of interest. A further question asks respondents to identify from a range of options, the four ethical areas of most concern.

To provide an opportunity for triangulation, a brief qualitative section of the survey asks respondents to describe the most challenging and the most common ethical dilemmas experienced during their employment as an EP, and to describe any ethical challenges they have experienced that have not been identified in the survey.

The final part of the survey gathers biographical information, including the geographic area where respondents work, the age groups with whom they work, the country in which they are employed, their years of experience in the field of educational psychology, and the percentage of their work carried out in an educational setting.

Methods and Process of Recruiting Participants for the Study

A non-random purposive method of participant recruitment (Christensen, Johnson & Turner, 2011) is utilised in the current study, with the predefined homogeneous group of ECEPs being the respondents of interest. Both qualitative and quantitative research can be informed by a non-random sample group. Onwuegbuzie and Collins (2007) note that where the research goal is to gain insight into a particular phenomenon experienced by a specific group, a non-random purposive sampling methodology with participants selected for their ability to provide relevant information is appropriate. Email requests seeking participants were sent to contacts in professional associations for EPs in the States and Territories of Australia (see Email at Appendix v). Emails were also sent to alumni of the Massey University Masters of Educational Psychology programme. Advertisements were placed in two consecutive issues of the NZPsB magazine, Connexions (see Advertisement at Appendix vi).

Ensuring participant anonymity was an important consideration to encourage participation. In research that explores sensitive issues, participants may feel anxious about the consequences of their responses where they might be able to be identified. This may lead them to respond in an evasive manner, or to decline to participate (Nagy, 2011). To

safeguard the anonymity of respondents, advertisements and emails provided prospective respondents with an electronic link to the Information Sheet (attached at Appendix ii) which contained the link to the survey. The information sheet provided a briefing about the research, contact details for the researcher and supervisors, recommendations for support should it be needed, details of the participants' rights, the procedures for the project, and the security of the data. Responses were subsequently received anonymously through Google Drive with no identifiable or traceable information.

Structured Questionnaire Research Method

A structured questionnaire design was employed, as used in Dailor and Jacob's (2011) survey. This generated quantitative data as to the ethical transgressions and dilemmas encountered and experienced by ECEPs in AANZ. Three qualitative questions were incorporated into the survey. Povee and Roverts (2014) highlight the complementarities provided through use of both qualitative and quantitative data, and report that qualitative findings are often able to assist and enhance the interpretation of quantitative data. Differences in the ethical challenges confronting EPs may have occurred since the previous research, and unanticipated ethical challenges not described in Dailor and Jacob's (2011) instrument may occur in AANZ. Offering respondents an opportunity to identify incidents other than those described is seen as an important aspect of this study.

Quantitative data are perceived to be highly compatible with the scientific method of investigation and to reduce the impediments arising from the intrinsic and qualitative mindset of the researcher, which has an often unwitting influence over the research being effectuated (Reynolds & Cavanagh, 2005). The majority of the current research is informed by quantitative data, and the survey on which the current survey is based sought predominantly quantitative data. The small amount of qualitative data gathered in the survey are included to provide the researcher with complementary information, to ensure the currency of the information gained, and to enable the voice of the respondents to be more clearly heard (Greene et al, 1989). The addition of three qualitative questions is a reflection of the dualistic and pragmatic philosophical orientation of the researcher (Punch, 2009). Where research considers the attitudes and values of participants (for example, in describing the ethical dilemma they found the most challenging), a qualitative response has

the potential to provide valuable insight which may not be apparent through numerical data.

Electronic Surveys

As noted by Schaefer and Dillman (1998), where the sample population would all be expected to have access to internet, electronic surveys are a rapid, inexpensive, and convenient means of carrying out research and also for ensuring ease of response. Heerwegh and Loosveldt (2009) put forward a theory of planned behaviour in respect of motivating survey recipients to participate in on line surveys. Broadly speaking, this theory posits three factors which impact on the likelihood of response, (i) attitudes towards the behaviour, (ii) normative perception about the behaviour, and (iii) beliefs about perceived control over the behaviour.

In the context of attitudes towards the behaviour, it was hoped that respondents would see the opportunity to participate in research shedding light on ethical challenges and dilemmas as being beneficial to both the profession and themselves, and therefore a positive outcome. Dillman, Smyth and Christian (2009) note that emphasising aspects of social validation to inform prospective participant's perception about responding to a survey has been found to increase the likelihood of response. Helping others can provide people with a sense of reward, and this research endeavours to help ECEPs to be better prepared to face ethical challenges. The information sheet states that responses would be used to inform training practices and in this manner provide valuable assistance to ECEPs (Dillman et al., 2009).

Ensuring ease of completion of the current survey was a primary consideration to enhance participants' sense of control over the process. For the most part, the survey used a simple rating scale with respondents asked to identify the frequency with which they had observed ethical dilemmas, with the options of "never, less than once a month, about once a month, two to three times a month, about once a week, and more than once a week". Tick boxes were provided for the biographical information, with an "other" category provided for use as required. Three questions asked for qualitative data, relating to the most common and the most challenging ethical dilemmas experienced by the ECEP, and any ethical challenges or dilemmas not covered in the quantitative data.

The strongest incentives to respond to survey requests are the number of attempts made to contact potential respondents, and personalisation of contacts (Schaefer & Dillman, 1998). Anonymity requirements precluded the option of making multiple, personalised contacts with respondents in the current research. In an endeavour to compensate for this and to maximise the number of respondents, advertisements were placed twice in professional publications, and several requests were sent to key stakeholders.

Data Collection Procedures

All responses were received electronically through the researcher's Google Forms application, which lies within the Google Docs suite. Google Forms allows the collection of information from responses to a survey. The information is then automatically attached to a spreadsheet which is populated with the survey responses.

Data Quality Processes

The wording of the questions in the survey allows for the reporting of ethical dilemmas encountered by self or other. This is an effective means of counteracting the social desirability bias (Bryman, 2004), as respondents are not necessarily confessing their own ethical transgressions. As a means of strengthening internal reliability, qualitative responses related to the most common and most challenging ethical issues faced by ECEPs were requested to complement quantitative responses relating to the same constructs. The ethically challenging incidents explored within the survey were those reported as being experienced by school psychologists in Jacob-Timm (1999), and categorised in Dailor and Jacob (2011) providing support for the construct validity of the current research. Inter-rater reliability for coding of the qualitative data was gained from two professionals in the field of educational psychology.

Participants

A total of 16 responses were received from ECEPs, nine of whom were located in one state of Australia and seven of whom were from New Zealand. Their years of experience ranged from eight months to seven years, with the median being three years and the mean being almost three and a half years. Two responses were disallowed as the respondents stated they had worked in the field for a period of more than five years, and the current research is focused on early career practitioners with five years or less experience. This left seven

eligible respondents from each country. Four respondents stated they worked in urban settings, one worked in a rural setting, six worked in suburban settings and three worked in a mix of urban and suburban schools. Nine of the 14 eligible respondents stated that the majority of their work was with five to nine year old students; five of the 14 respondents stated that the majority of their work was with 10 to 15 year old students.

Data Analysis

The current research utilises a largely quantitative research design, with quantitative data gathered through the use of a structured questionnaire. Three qualitative questions were included. The data analysis was carried out using an exploratory sequential approach (Guest, MacQueen & Namey, 2012), with quantitative data being analysed first, followed by analysis of the qualitative data. Qualitative data was used to corroborate and extend on quantitative data, a process known as merging of mixed methods data (Fetters, Curry & Cresswell, 2013). The inclusion of qualitative data provided, for instance, an opportunity to describe ethically challenging incidents not contained within the quantitative component of the survey. Further, the qualitative questions complemented the findings of the quantitative data, providing additional information as to the nature of the ethical challenges that ECEPs found most common and most challenging.

Analysis of quantitative data was carried out through frequency count of the respondents who reported either experiencing or observing the 36 described ethical transgressions and eight ethical dilemmas. The ethical transgressions were sorted into nine categories as used by Dailor and Jacob (2011), to allow for comparison of data. Another category was added for transgressions related to reporting the unethical conduct of another practitioner, which has been identified as a commonly experienced challenge (Seymour, 2007). The eight ethical dilemmas were analysed individually, as in Dailor and Jacob (2011).

Thematic analysis of the qualitative data was carried out through descriptive coding, where possible using the categories identified in Jacob-Timm (1999) and subsequently used in Dailor and Jacob (2011). Comparison of coding for each of the qualitative responses was gained from two professionals in the field of educational psychology, with inter-rater agreement on coding for each item being at least 67%, either initially or following consultation. Each qualitative item was assigned to a single category where possible, and

responses that did not fit into any of the existing categories or which fitted into more than one category were recorded and analysed accordingly.

In the following chapter the key findings from this research are presented.

Chapter 4 - Results

A total of 16 participants responded to the invitation to contribute to the current research, nine of whom were from one state in Australia, and seven of whom were from New Zealand. Two participants were disqualified as the survey sought responses from ECEPs with five years or less experience, and the disqualified participants did not meet this criterion. This left 14 eligible respondents, seven from each country. In light of the small number of respondents, caution must be taken in generalising the results to the wider population of these two countries.

The New Zealand respondents largely referred to themselves as educational psychologists, whilst most Australian respondents referred to themselves as school psychologists. One respondent was a school counsellor (a teacher and a psychologist) and one respondent was a psychologist employed in an educational context. Six participants worked in suburban settings, four worked in urban settings, and three worked in both urban and suburban settings. One participant worked in a rural setting. Participants reported having between eight months and five years experience as an EP, with an average of approximately three years. For twelve respondents, the majority of their workload was with students between the ages of five and 15 years, however respondents reported working with a range of clients from pre-school level to fifteen plus, including students in special programs, e.g. programs for students with autism.

Ethics Training and Perceived Preparedness

Thirteen participants had received multiple forms of ethical training and one participant had received ethics training solely within graduate classes. Twelve respondents had received ethical training during their practicum placements, during their internship and within supervision. Ten participants had had regular discussions on ethical issues during psychologists' meetings, and carried out self study through reading articles, books, and codes of ethics. Ethics training in a range of graduate classes had been received by eight respondents, and three respondents had attended in-service training on ethics, or attended professional development workshops. Dailor and Jacob (2011) found in their research that 55% of respondents had completed graduate courses specifically focused on ethics, whilst in the current research only one participant had undertaken such a course. One respondent

stated they had received training on ethics through the registration process. New Zealand respondents had received an average of six types of ethics training, with a range of four to eight types of training. Australian respondents had received an average of five types of ethical training, with a range of one to seven training methods.

Participants were asked to use a three point Likert scale to rate their perceived preparedness, on commencement of their role as an EP, to cope with three ethical challenges, namely (i) dealing with general ethical issues that emerged on the job, (ii) handling pressure from an administrator/manager to act unethically, and (iii) addressing unethical conduct by a colleague. Figure 2 presents an overview of respondents' ethical training and their perceived preparedness to deal with these issues.

Ten participants reported that they were somewhat prepared to deal with general issues arising on the job on commencement of their role, and four participants stated that they felt very well prepared to face such issues. No participants stated that they felt "not at all prepared". Participants were asked how prepared they perceived themselves to be to handle pressure from an administrator and/or manager to act unethically. Nine respondents reported feeling somewhat prepared, with three participants feeling very prepared. Two respondents reported feeling not at all prepared to deal with this challenge. Ten participants reported feeling somewhat prepared to address unethical conduct by a colleague, with three respondents feeling not at all prepared. A single respondent reported feeling very prepared to address unethical conduct by a colleague. Dailor and Jacob (2011) found that 52% felt somewhat confident and 38% felt very confident to address unethical conduct by a colleague. This difference in confidence level may be a reflection of the early career status of respondents in the current research.

The majority of the respondents who stated that they felt very prepared for any of the three described situations had at least two years' experience, and at least four forms of ethical training, however one respondent with only eight months' experience felt very prepared to cope with pressure from a manager to act unethically. The respondents who reported feeling not at all prepared to deal with the identified ethical issues were all from New Zealand, and had all received at least five forms of training. Figure 2 provides a comparison

of the years of experience, the number of ethical training modalities, and the preparedness of respondents to cope with the three issues.

Problem Solving Strategies

The next question explored the problem solving strategies that respondents used to address ethically challenging situations experienced during the past year. Six strategies were described, with provision made in an "other" category for respondents to describe any different strategies they had used. The majority of respondents (n = 13) had consulted with other EPs or professionals, in person or through email or telephone. Ten respondents thought about the benefits and risks of various options, and six of the current respondents consulted ethical codes, laws, or other guidelines. A systematic decision-making model was used by three respondents, and two respondents contacted their local professional body; one respondent contacted the national professional body, and one respondent reported within the "other" category that they discussed the dilemma with their supervisor during supervision.
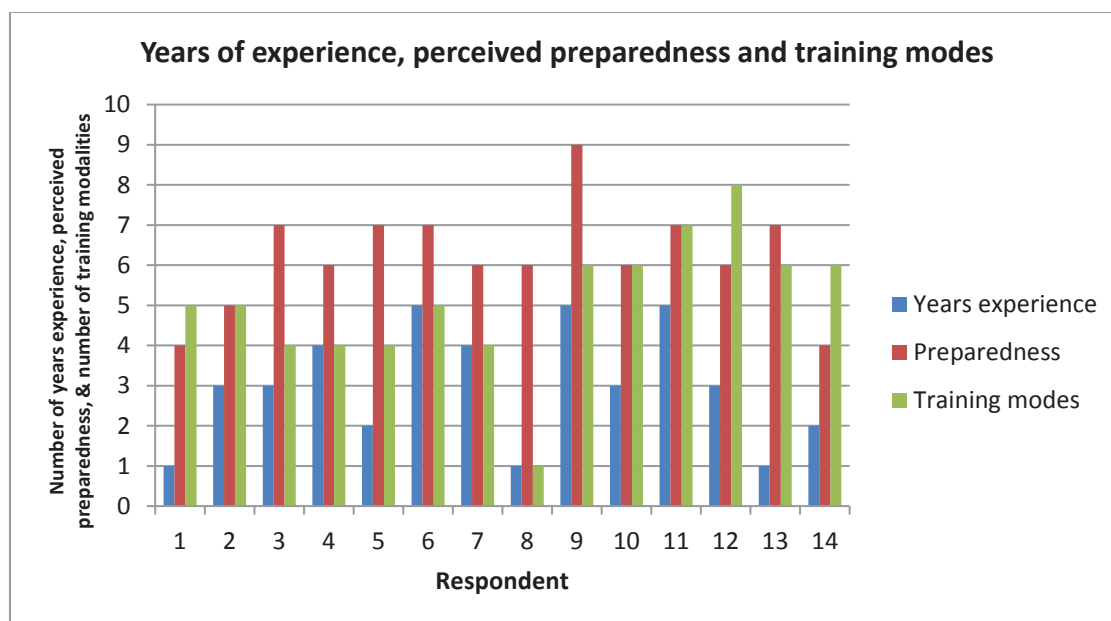
Figure 2: Years of experience, overall perception of preparedness, and number of ethical training modalities

When facing a challenging ethical dilemma, three respondents used only one course of action, that of consulting with other EPs. Two respondents consulted with other EPs, and also thought about the benefits and risks of various actions to guide them in choosing a

course of action. Respondents used between one and five strategies to assist them when faced with a challenging ethical dilemma, with the data set being bimodal at 2 and 3 (four respondents each). The relationship between years of experience and number of problem solving strategies used is shown at Figure 3.

Frequency of Observation of Ethical Transgressions

36 ethical transgressions were described in the survey, and participants were asked to indicate how frequently they had encountered each transgression during the past year, whether experienced by a colleague or by themselves. As with Dailor and Jacob's survey (2011) a Likert six point frequency scale was utilised, with options for never, less than once a month, about once a month, two to three times a month, about once a week, and more than once a week. The 36 transgressions were grouped into nine broad categories identified in Dailor and Jacob (2011), together with an additional category "Reporting Ethical Misconduct" which was included to capture the concerns experienced by ECEPs around reporting another professional's unethical conduct. All participants responded to all questions. Table 1 shows the total number of respondents reporting incidents under each of the ten broad categories, along with the number of respondents who reported witnessing each of the specific transgressions described within the ten categories.
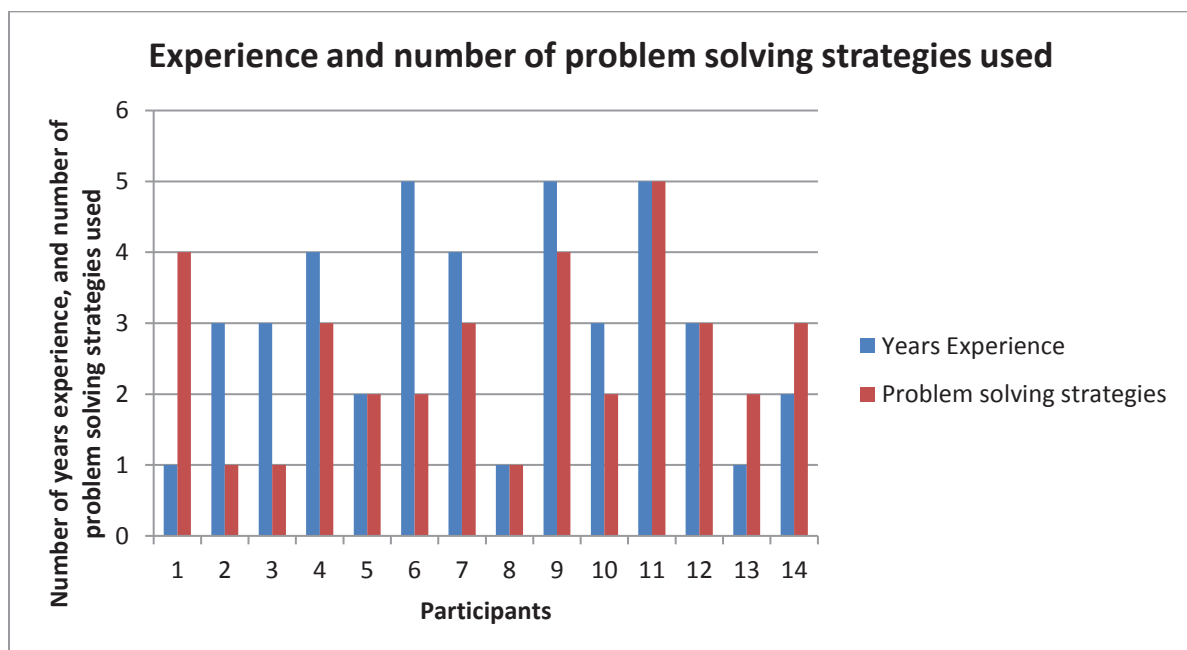

Figure 3: Years of experience and number of problem solving strategies used

The two most commonly observed transgressions were observed in areas of assessment and security of school records. Nine participants had observed ethical transgressions related to assessment, predominantly for using assessment tools that were not appropriate for the student in light of his or her native language (n = 4) or his or her specific disability (n = 3) Assessments being conducted in an unsatisfactory location were also reported by three respondents. Assessment related concerns were also the most commonly reported in Dailor and Jacob's research, reported by 86% of respondents. In the current study nine (64%) respondents had observed transgressions related to security of school records, which is a significant increase from the 38% of respondents reporting this in Dailor and Jacob's (2011) research.

Table 1: Ethical transgressions witnessed in the last year

TRANSGRESSION	N	% N=14
1. ASSESSMENT RELATED	**9**	**64%**
P conducted an assessment using instruments not appropriate for the student tested in light of his or her native language	4	29%
P conducted an assessment using instruments not appropriate for the student tested in light of disability	3	21%
P conducted assessments in an unsatisfactory location (e.g., library, hall)	3	21%
P made recommendations that were not substantiated by the data	3	21%
P conducted an assessment using one or more out-of-date tests or instruments	2	14%
P conducted an assessment using instruments not appropriate for the student's age or ability level	2	14%
P prepared a report that lists the student's test scores but offers no interpretation	2	14%
P signed and submitted a computer-generated psychological report without individualised interpretation of the results	2	14%
P selected assessment tools that have unknown or poor technical adequacy and used those results in decision-making	1	7%
P allowed psychological tests to be administered by unqualified persons	0	
3. SCHOOL RECORDS	**9**	**64%**
P electronically transferred sensitive private student information (e.g., via email) without taking steps to ensure security	9	64%
P withheld or destroyed portions of the psychological records or test protocols before parents came into review their child's psychological folder	1	7%
2. ADMINISTRATIVE PRESSURE	**8**	**57%**
P yielded to pressure from an administrator and/or manager to perform job duties that are outside the scope of his or her training and expertise (e.g., provide services to deaf, blind, bilingual students	4	29%
P yielded to pressure from an administrator and/or manager to make a student eligible for special education who did not meet eligibility requirements	3	21%
P yielded to pressure from an administrator and/or manager to "make do" with inadequate assessment and/or intervention materials.	2	14%
P yielded to pressure from an administrator and/or manager to agree with a special education placement that was not the least restrictive appropriate environment for the child	2	14%
P yielded to pressure from an administrator and/or manager to avoid finding a student eligible for special education who did meet eligibility requirements	0	
P yielded to pressure from an administrator and/or manager to avoid recommending certain support services (e.g., psychological counselling) due to costs to the district	0	
4. INTERVENTION	**7**	**50%**
P failed to follow-up to ensure their intervention recommendations were effective	7	50%
P selected an un-researched intervention for a student although evidence-based, effective treatments were available	2	14%

P planned a behavioural intervention based on extinction or punishment before multiple positive behavioural interventions had been implemented with integrity and found ineffective	1	7%
P recommended pharmacological treatment of a child to his/her parents	0	
5. INFORMED CONSENT	**7**	**50%**
P made recommendations for a student without allowing the student to participate in decision-making to the maximum extent feasible	5	36%
P began a psychological assessment of a student, who was a minor, prior to obtaining informed parent consent	2	14%
P provided on-going (multiple session) counselling to a student who was a minor without parent consent	1	7%
6. JOB COMPETENCE	**5**	**36%**
P provided intervention services that were outside the scope of his or her training and competence	4	29%
P conducted an assessment outside the scope of his or her competence	2	14%
P provided poor quality assessment or intervention services to a student-client because they failed to update skills through continuing education	1	7%
P misrepresented his or her training or credentials to practice to his/her clients or employer.	0	
7. CONFIDENTIALITY	**5**	**36%**
P violated confidentiality by disclosing information learned in a confidential relationship to individual(s) who have no right or need to know	5	36%
8. REPORTING ETHICAL MISCONDUCT	**4**	**29%**
P had concerns about reporting another professional's unethical conduct	4	29%
9. CONFLICTUAL RELATIONSHIPS	3	21%
P inappropriately solicited clients in the school setting for his or her own private practice or other business	2	14%
P provided psychological services to family members or children of very close personal friends	1	7%
P entered into a romantic relationship with a student who was or had been a client	0	
10. PARENT CONFLICTS	**3**	**21%**
P yielded to a placement requested by the parents that the psychologist acknowledges was not in the child's best interests	3	21%
P yielded to pressure from parents to identify a student as having a disability who did not meet eligibility requirements	0	

Administrative pressure to act unethically was observed by over half of the respondents, particularly to perform duties outside the scope of competence of the practitioner (n = 4), and to make students eligible for special education who did not meet eligibility requirements (n = 3). Intervention related transgressions, such as failing to follow up to ensure intervention recommendations were effective, and those related to informed consent, were also each experienced by half of the respondents.

Frequency of Ethical Dilemmas

Respondents were then asked how often they had encountered each of eight ethical dilemmas over the past year, using the same Likert scale as used in the previous section of the survey. They were also asked how challenging they perceived those incidents to be, using a simple five point Likert scale with one being minimal challenge, and five being highly challenging. Figure 4 shows the number of respondents who stated they had experienced each of the eight dilemmas, and the perceived level of challenge presented by each of the dilemmas. The most commonly experienced ethical dilemma was where respondents were

unsure of whether to contact child protective services in the case of suspected child abuse. Twelve respondents had witnessed this dilemma and it was seen as causing a high level of challenge by eight respondents.

Eight respondents had observed the ethical dilemma arising from being unsure of what to disclose to parents when providing services to a minor who had engaged in risky behaviour and half of the respondents found this situation presented a high level of challenge. Five respondents had become aware that a student may be at risk for self-harm, and were unsure of the appropriate professional actions and this situation was highly challenging by half of the respondents. Four of the respondents had witnessed an administrator or manager demanding that confidential information about a client be disclosed and the level of challenge posed by this dilemma was considered to be high by four respondents and low by the same number, with the remainder of respondents seeing it as averagely challenging. Three respondents in the current study reported observing a colleague engage in the same unethical conduct on more than one occasion, were unsure how to address this behaviour. In Dailor and Jacob's research this was the third most frequently reported dilemma, experienced by 25% of respondents.
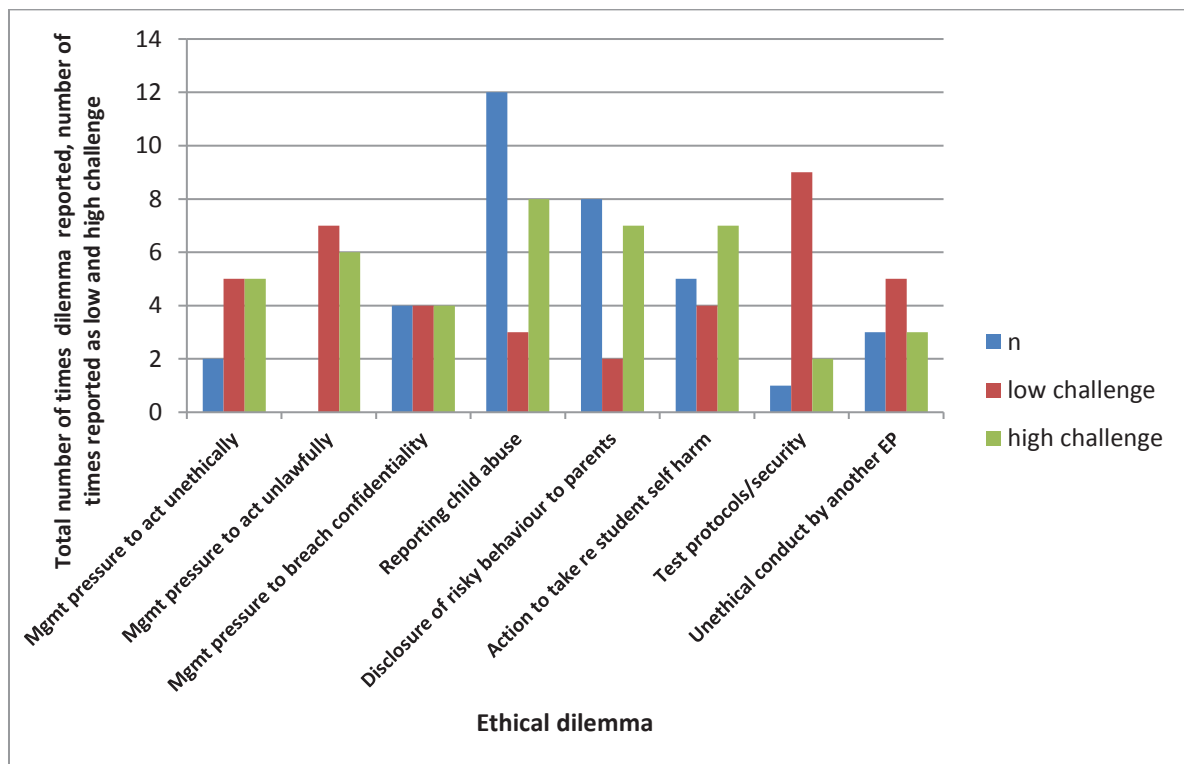
Figure 4: Number of times ethical dilemmas witnessed in the last year (n) and degree of challenge

Most Concerning Ethical Issues

Respondents were asked to choose the four ethical issues that caused them most concern from a list of 16 items (see Figure 5). Ten respondents stated that issues around whether to contact child protective services were a primary concern. Confidentiality of client disclosures and unsound educational practices were the next most frequently reported troubling ethical issues, each being identified by seven respondents as one of their top four concerns. Following this, client-informed consent and self determination, what to disclose to parents of a minor engaged in risky behaviour, and assessment related concerns were each reported as being of most concern by five respondents. The top three issues of concern reported in Dailor and Jacob were pressure from administrators to act unethically, unsound educational practices in schools, and assessment related concerns.
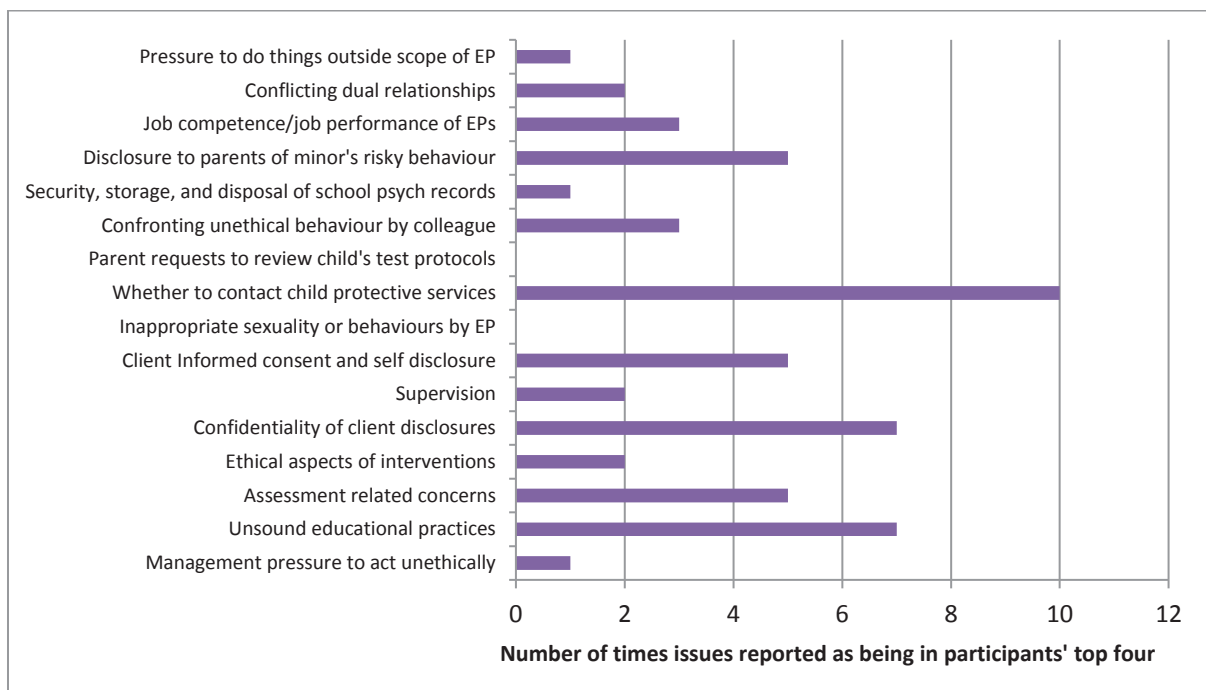
Figure 5: Top four most concerning ethical issues

Qualitative Findings - The Most Challenging Ethical Dilemma

Participants were asked to briefly describe the most challenging ethical dilemma that they had faced during their employment as an EP (see Table 2). Ethical dilemmas posed by interactions with child protection agencies were the dilemmas identified as most challenging by three respondents and a further three respondents reported administrative pressure to act unethically as being the most challenging. Four responses were coded to a new category termed "best interests" which broadly refers to the challenge related to

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ensuring the students best interests were met under the paramountcy principle. Of the responses classified under best interests, two responses were subcoded as relating to informed consent, and two responses were subcoded as combined issues of confidentiality, disclosure of risky behaviour to parents, and actions to take where students were self-harming. One response was coded to workload dilemmas, and another was identified as fitting into a category termed "organisational behaviour".

Qualitative Findings - The Most Common Ethical Dilemma

Respondents were asked to briefly describe the most common ethical dilemma they had experienced during their employment as an EP (shown at Table 2). Two respondents reported incidents relating to administrative pressures to act unethically, and another two responses referred to pressure to perform tasks outside the role of an EP. One respondent reported the dilemma around whether to report child abuse as being the most common. Four responses related to the best interests category. Two of these were subcoded to confidentiality, one was subcoded to the combination of confidentiality, disclosure of risky behaviour to parents, and actions to take where students were self-harming, and one was coded as best interests related to assessment practices.

Other Issues Identified Within Qualitative Data

Two ethical challenges were identified by respondents as not having been described within the survey. The ethical challenges arising from referrals to government agencies with the associated risk of damaging the therapeutic relationship was reported by one respondent, and another response, coded under best interests, related to school staff engaging in ongoing unsafe behaviours and inappropriate interventions and the ethical dilemma of whether to inform parents about such events.

Table 2: Qualitative findings – Most challenging, most common, and "other" ethical dilemmas

Most Challenging Dilemma	n	Sample comments
Administrative pressure to act unethically	3	*"A psychologist in a managing position telling me not to investigate disclosure any further so we do not have to act upon it"* *"Being asked to counsel a student from (government agency) without permission from the parents, to find out information for (school administrators) as the student wouldn't speak to them."*
Referral to government agencies in cases of suspected child abuse	3	*"Working with a student who has serious issues in their family life that meet the mandatory reporting guidelines, but strongly suspecting that if they are reported (Government agency) will intervene in an inappropriate and insensitive manner that may further jeopardise the child's safety."*

		"A student I was working with disclosed physical harm from his mother. He showed me marks around his wrist."
Best Interests Actions to take for students at risk of self harm Disclosure of risky behaviour to parents Confidentiality	2	*"Student disclosed deliberate self harm, with no suicidal ideation, and did not want this disclosed to parents."* *"Student telling P about self-harm and student not wanting parents to be informed."*
Best interests Informed consent	2	*"Separated parents, where one parent wanted the child to receive intervention and the other didn't."* *"Began psychological testing … parent began making accusations about the school wanting to kick her child out of the school … so the decision was made to discontinue testing."*
Organisational behaviour	1	*"… teachers had been locking a child in a space the size of a walk-in-wardrobe when behaviour became unmanageable … completely escalating the behaviour to the point where .. kicked the walls and doors and threw furniture around the room … teachers told ECEP … they had no other option but to lock child in the room... every other behaviour strategy I suggested was unacceptable …"*
Workload dilemmas	1	*"The need to complete individual intervention, such as emotional regulation, but not able to due to large caseload."*
Most Common Dilemma		
Best interest Confidentiality	2	*"Teachers wanting to know the content of counselling sessions because they want to help the student."* *"Maintaining confidentiality while discussing students with teachers."*
Employment role	2	*"Differences in what principal requests you to do and what our job stipulates we do."* *"Pressure from superiors (non psychologists) to perform duties outside the role of the school psychologist."*
Administrative pressure to act unethically	2	*"School management refusing to allow a child to attend school without full time teacher's aide support, when I knew that the child's behaviour did not warrant this level of support, and being pressured to apply for it anyway … happens every month"*
Referral to government agencies in cases of suspected child abuse	1	*The most common ethical dilemma is probably whether or not to refer to (government agencies /police).*
Best interest Assessment practices	1	*"Being asked to administer cognitive assessments without sufficient information or evidence to warrant it."*
Best interests Actions to take for student at risk of self harm Disclosure of risky behaviour to parents Confidentiality	1	*Breaking confidentiality when a student is self-harming*
Other Dilemmas		
Referral to government agencies in cases of suspected child abuse	1	*Cases that are borderline referrals to social services … weighing up the risk of disengagement if a referral was made vs continued support and engagement if no referral made and instead introducing other services, such as … and parenting supports.*
Best interest dilemma	1	*School staff engaging in unsafe behaviour, such as videoing children without consent, or intervention when there was no risk to that child's safety or the safety of others. Difficult … to decide whether to tell the parents about what you've observed at school.*

Integration of Qualitative and Quantitative Data

For triangulation and comparison purposes, key words and concepts were used to assign qualitative responses to the categories of ethical dilemmas used for analysis of the quantitative data. In many instances the qualitative responses did not fit precisely into any of these categories, for example where a student told the ECEP about self-harm and did not want parents to be informed. This issue can be seen to have ethical challenges around

confidentiality; it also relates to the categories of disclosure of risky behaviour to parents, and being unsure of actions to take where a student is self-harming. For this, and for several other responses, it was decided to record the response under the broad category of best interests, and subcoded to the three categories just mentioned.

The "best interests" category was established for responses where it was perceived that the primary dilemma related to the ECEP ensuring the child's best interests were met. As a number of the responses fitted into this category, subcodes were added to provide more specificity for data analysis. As an example of this, where teachers were seeking confidential information about students and the ECEP experienced a dilemma about disclosure, it can be seen that whilst the issue relates broadly to confidentiality, at all times it is the EPs responsibility to consider the best interests of the child, and it may be in the best interests of the child to disclose pertinent information to the teacher.

Summary of Findings

Responses indicated that the majority of ECEPs receive multiple forms of ethical training and preparation, and felt at least somewhat prepared to cope with the ethical issues that confronted them in their practice. The most commonly used strategy for dealing with challenging ethical issues was to consult with other EPs or professionals, either in person or through email or phone communication.

The three most commonly observed ethical transgressions related to assessment, the security of school records, and administrative pressure to act unethically. Whether or not to contact child protective services where suspecting that a child may be a victim of child abuse was the most common and challenging ethical dilemma reported by respondents, and this dilemma was reported as being one of the top four ethical issues causing concern to respondents. Confidentiality and unsound educational practices were also identified as being amongst the top four ethical issues of concern. Qualitative responses indicated that the most common ethical challenges related to administrative pressure to act unethically, lack of clarity about the employment role of EPs, and confidentiality as it relates to ensuring the best interests of the child were met. The most challenging ethical issues reported in qualitative responses concerned referrals to government agencies and administrative

pressures to act unethically. In the following chapter the findings of this study are discussed in relation to the literature, and the earlier findings of Dailor and Jacob (2011).

Chapter 5 - Discussion

In researching the most common and challenging ethical dilemmas and transgressions experienced by ECEPs from in AANZ, data from the current study indicate that the most commonly encountered transgressions concern assessment, security of school records, administrative pressures to act unethically, and interventions. Ethical transgressions related to practitioner competency and client-informed consent were also frequently reported. The most commonly reported ethical dilemmas concerned reporting suspected cases of child abuse to government agencies, followed by the requirement to disclose risky behaviour by minors to their parents, actions to take with students perceived to be at risk of self-harm and administrative requests for confidential information. Other regularly encountered ethical dilemmas related to confidentiality, unsound educational practices, and informed consent. These transgressions and dilemmas are discussed along with findings related to the types of education respondents received to cope with ethical dilemmas and transgressions arising on the job, and the problem solving strategies they employed when confronted with ethical challenges. Findings of the current study are explored in relation to those of Dailor and Jacob (2011), and in the context of literature relating to ethics in the field of educational psychology. The limitations and implications of the current study are identified, and recommendations are made for future research in this domain.

Ethical Transgressions

Assessments

Data from this study show that more than half of the respondents had observed ethical transgressions related to student assessments. The majority of these concerned assessments being used that were inappropriate for children and young persons' native language or disability, and recommendations being made that were not substantiated by assessment data. Respondents also reported assessments being carried out in inappropriate locations).

A key responsibility for EPs in AANZ is to carry out psycho-educational assessment to accurately identify students' needs, and to use the data gained from assessments to develop supports and interventions to enhance students' educational experiences (Edwards, Annan

& Ryba, 2007; Faulkner, 2007). Although standardised tests, behavioural assessments, and clinical judgement, are likely to be utilised for a formal diagnosis of intellectual disorder or disability in AANZ, a number of factors such as culture, acculturation, competence with the English language, trauma, and prior experiences, will have an impact on student outcomes in standardised assessments (Fraine & McDade, 2009; Eatwell & Wilson, 2007; Pope & Vasquez, 1998). Walker, Batchelor and Shores (2009) researched the correlation of cultural background and education with performance on the Wechsler Adult Intelligence Scale III, and found test performance to be significantly correlated with culture and education. They note that despite this, normative data for many psychological assessments are based on white, monolingual, English speaking Americans.

As noted by Fraine and McDade (2009), the validity of English-language assessment tools becomes questionable when used with population for whom English is a second language, and particularly for refugee students for whom the process of language acquisition can be protracted. Although versions of many assessments may have been standardised for AANZ, they still remain largely normalised against native speakers of English and are therefore not necessarily valid for culturally and linguistically diverse students. Bourke and Dharan (2015) caution that being required to use culturally unsuitable assessments places EPs in an ethically challenging situation. They suggest that using a dialogic approach to data gathering would provide EPs with a more reliable and complete picture of the student on which to base their recommendations, particularly when that student is from a culturally and linguistically diverse population.

Security of School Records
More than half of the respondents in the current study observed ethical issues arising from the electronic transfer of sensitive private student information (e.g. via email) without taking necessary steps to ensure security. Whilst email communication is favoured for its ease and efficiency, there is an inherent risk that emails may be accidentally or intentionally disseminated to others, or sighted by unintended persons; electronic data can also be readily reproduced (Myers, Frieden, Bherwani & Henning, 2008; Van Allen & Roberts, 2011), and inappropriately accessed, for example where information is sent to a distant printer. With the advent of widespread usage of electronic information and communication,

ensuring their security has become increasingly salient (Elhai & Hall, 2015; Wians & Bouregy, 2013).

Confidentiality is a core ethical principle described in both the CoENZ and the APSCoE, and both codes specifically refer to the requirement to safeguard confidentiality whilst storing, handling, transferring, disseminating, and disposing of records (APS, 2007; NZPsB, 2012a). In Australia, the "ethical guidelines for providing psychological services and products using the internet and tele-communications technologies" (APS, 2014) provides specific information to assist psychologists using information technology. In New Zealand, the document "keeping records of psychological services" (NZPsB, 2011) provides broad information about electronic communication, and refers practitioners to the Health Industry Privacy Code (Privacy Commissioner, 1994) and the CoENZ (NZPsB, 2012a) for more specific information. Data from this research suggest that ongoing professional development to address technology-related concerns and foster optimal behaviours may be a valuable area for professional development for EPs (Van Allen & Roberts, 2011) to address ethical challenges associated with the use of technology.

Administrative Pressures to Act Unethically

The results from the current study show that the most common ethical transgression, experienced by over half the respondents, concerned administrative pressure to act unethically. This issue was found in Dailor and Jacob's (2011) research to be the third most common, (following assessment and intervention related transgressions) reported by around one-third of respondents. Administrative pressure to act unethically was observed in such situations as (i) expecting the EP to perform duties outside the scope of training or expertise (ii) requests to make a student eligible for special education who did not meet eligibility requirements, (iii) expecting the EP to use inadequate assessment and/or intervention materials, and (iv) requesting a special education placement that was not the least restrictive appropriate environment for the child. Also commonly reported were requests from school management seeking the disclosure of confidential information. .

The differing conceptualizations of the roles and responsibilities of EPs held by teachers, principals, and EPs may be a contributory factor to this problem. Thielking and Jimerson (2006) examined the perspectives of these three groups, and found differences of opinion in

the areas of confidentiality, the primacy of the child as the client, dual relationships, and informed consent. They point out that expectations of teachers and principals in each of these contexts can place the EP in a situation where requested actions might be unethical. Ethical issues often arise through the concurrent obligations of EPs and other school personnel to be sensitive to individual student needs whilst at the same time complying with organisational and governmental requirements (Denig & Quinn, 2001).

Data from this study indicate that a majority of participants were either *somewhat* or *not at all* prepared for pressure from an administrator or manager to act unethically. Situations where EPs are pressured by managers to act unethically can be very stressful. Boccio, Weisz and Lefkowitz (2016) explored the consequences of EPs being confronted with administrative pressure to act unethically, and reported that approximately one-third of their respondents had experienced such pressure. It was found to result in reduced job satisfaction, higher levels of burnout, and respondents indicated they were more likely to be considering leaving their job and the profession. Helton and Ray (2009) observe that management pressures to act unethically force the EP to make a choice between competing loyalties to the child and to the employer. The primacy of the child is upheld in law (Crowe & Toohey, 2009; France & Tarren-Sweeney, 2011), however choosing to act against the requests of an employer can incur negative repercussions for the EP.

Helton and Ray (2009) outline strategies to assist EPs to effectively resolve the problem of pressure from managers to act unethically, which include educating key personnel within schools about the ethical codes guiding the practice of educational psychology, explaining to them the ramifications of failure to adhere to ethical guidelines, and consultation with knowledgeable others (for example, within supervision).

*Interventio**n**

Seven respondents reported observing ethical quandaries related to interventions, primarily related to failure to follow up on the effectiveness of intervention recommendations. The inability to complete interventions due to heavy work commitments was reported by one ECEP within the qualitative responses as being the most challenging dilemma. Follow-up is essential to ensure the effective implementation of interventions and their success or otherwise, and there is a dearth of research to identify why ECEPs might fail in this regard.

Heavy caseloads, inadequate resources, extensive administrative requirements, and EPs having difficulty coping with the demands of their role are likely contributory factors to this shortcoming (Edwards, Annan, & Ryba, 2007; Sagberg, 2014). A wide body of literature indicates that these factors may be instrumental in practitioner stress and burnout, and problems with the retention and recruitment of EPs (Boccio, Weisz, & Lefkowitz, 2016; Kaplan & Wishner, 1999; Koocher & Keith-Spiegel, 2008; Maslach & Goldberg, 1998; Sagberg, 2014). Failure to follow up on interventions also contravenes the requirements for professional responsibility outlined in the APSCoE (APS, 2007) and the responsible caring principles outlined in the CoENZ (NZPsB, 2012a), fails to consider the best interests of the child, and leaves children at risk of unsatisfactory outcomes. For these reasons, additional research is indicated to explore this topic in more depth.

Further ethical challenges related to interventions were noted in the qualitative responses, where one respondent reported school staff implementing detrimental interventions and another reported unsafe behaviours by school staff, and being unsure of an appropriate response. The EP's role includes collaboration with parents, teachers, and other professional groups to facilitate the use of research-driven effective behaviour management interventions and safe practices (Edwards, Annan, & Ryba, 2007; Faulkner, 2007). Where deleterious interventions or unsafe behaviours are observed, the ECEP might consider providing in-school training activities to equip teachers and parents with empirically supported strategies to better cope with emotional, behavioural, and/or academic challenges.

Practitioner Competency

Transgressions related to the provision of assessment and/or intervention services in areas outside the scope of a practitioner's domain(s) of competence were reported by five respondents, with likely ramifications for the quality and effectiveness of service being provided. The domains in which an EP may need to be competent are diverse. The survey question mentioned as examples the provision of services to deaf, blind, or bilingual students however competence in relation to different emotional, behavioural, and learning disorders is also an important aspect of the EPs role. Likewise, cultural competency is necessary for EPs working with culturally and linguistically diverse populations (Faulkner, 2007; Love & Waitoki, 2007).

Daly, Doll, Schulte and Fenning (2011) describe competence as being "developmental, impermanent, and context dependent" (p873). This highlights the value of regular and ongoing professional development in domains identified as being relevant to one's practice, as an important aspect of practitioner competency. Reflective practice, supervision, and consultation with peers are avenues where ECEPs might identify aspects of their practice that would benefit from professional development.

Unsound Educational Practices

Unsound educational practices were reported by half of the responding ECEPs as being one of the ethical issues causing most concern. The current research does not identify the specific educational practices that give rise to concern, and further exploration would be beneficial in this context. Research of the ethical challenges experienced by Portuguese psychologists carried out by Mendes et al, (2015) found inadequate teaching and discipline, failure to modify work suitably, and rejecting EPs recommendations to be key areas of concern. Providing assistance to teaching staff, both individually and school-wide, generally form key components of the EPs role (Farrell, Jimerson & Oakland, 2007), which include direct components such as assessment, counselling and assistance with learning needs, and indirect components such as consultation with teachers and parents, and the implementation of school or systemic-level interventions (Edwards, Annan, & Ryba, 2007; Faulokner, 2007). The modification of work to cater for different students' learning needs, and the development and implementation of empirically-proven interventions for classroom management are areas where EPs are in a position to provide professional learning and support for teaching staff.

Ethical Dilemmas

Reporting Child Abuse and Neglect to Government Agencies

An important finding of this research is the frequency with which respondents reported the ethical dilemma arising from being uncertain whether or not to report a suspected victim of abuse or neglect to child protective services. This was reported as being a major source of concern to EPs. The prevalence of this dilemma is corroborated by findings of qualitative data, wherein five respondents expressed concern about interactions with government agencies. The issue of whether to contact child protective services in a situation of possible

child abuse or neglect was reported as being highly challenging by over half of the respondents.

 Practitioners may be hesitant to contact government agencies such as Child, Youth and Family Services in New Zealand, and the Department of Family and Community Services in New South Wales, for a variety of reasons. These include the possibility of negative repercussions for families and damage to professional relationships (Woolley & Gregory, 2007), lack of clarity and confidence in the notification and follow-up process, lack of knowledge around mandated reporting requirements, and inadequate feedback on outcomes (Francis et al, 2012). Other reasons for not reporting include anxiety about filing an incorrect report, concern that contact with agencies would not be helpful, lack of evidence, desire to maintain the therapeutic relationship, and possible adverse consequences for the child (Lusk, Zibulsky, & Viezel, 2014).

Legislation exists in all Australian States and Territories making it compulsory for specified professionals to report suspected cases of child abuse and neglect (Australian Institute of Family Studies, 2016). Whilst the introduction of mandatory reporting has led to a significant increase in notifications in Australia, research carried out by Francis et al. (2012) found that professionals responsible for mandatory reporting did not feel well prepared for the reporting process.

In Aotearoa New Zealand, the Vulnerable Children's Act (2014) requires State Services, District Health Boards, School Boards, and specified others to have child protection policies that must contain provisions on the identification and reporting of child abuse and neglect. Section 15 of the Children, Young Persons, and Their Families Act (1989) in New Zealand provides that "*Any person who believes that any child or young person has been, or is likely to be, harmed (whether physically, emotionally, or sexually), ill-treated, abused, neglected or deprived may report the matter to a social worker or a constable.*".

In the current research, qualitative responses included the statements that when "*working with a student who … meets the mandatory reporting guidelines, but strongly suspecting that (the government agency) will intervene in an inappropriate and insensitive manner that may further jeopardise the child's safety*" and in cases that are borderline referrals, "*weighing up the risk of disengagement if a referral was made …*". These responses suggest

a lack of confidence in the reporting process which could be alleviated through enhanced communication between the government agencies responsible for following up on reports and the person making the report, together with improved opportunities for inter-agency collaboration, and ongoing professional training for EPs and other professionals who are likely to make reports (Francis et al, 2012).

The decision to report suspected cases of child neglect and abuse is likely to be a complex and stressful process, fraught with ethical dilemmas and the very real possibilities of harm to children if the wrong decision is made. EPs are well-situated for the tasks of identifying and reporting child abuse (Viezel & Davis, 2015), and it is essential that EPs are knowledgeable about all aspects of identifying and reporting child neglect and abuse, and have confidence in the reporting process.

Communication with Parents of Minors Engaged in Risky Behaviours

Data from the current study show that being unsure what to disclose to parents of a minor who were engaging in risky behaviour was a commonly experienced dilemma. Trust and confidentiality are fundamental requirements for building a therapeutic relationship where a student will feel safe to disclose personal information (Duncan, Williams & Knowles, 2013; Isaacs & Stone, 1999).

While the child's interests must be considered first and foremost under the paramountcy principle, Crowe and Toohey (2009) remind us that the rights and responsibilities of parents for their children need to be taken into account in decisions relating to disclosure. It is clear that maintaining student confidentiality can infringe on parental rights, and this creates an ethical dilemma for EPs. As Bodenhorn (2006) points out, confidentiality is an ethical requirement in the counselling relationship, but members of the client's support network must also be considered in the context of providing optimal service to the client.

Additionally, aspects such as the individual student and their behaviour, parent and family circumstances, historical influences, school factors, and support mechanisms may influence the decision whether or not to break confidentiality (Sullivan & Moyer, 2008). Other circumstances that impact on the decision whether or not to disclose information include the age and maturity of the student, issues around protecting the student, the frequency

and intensity of the behaviour, and the perceived seriousness of the issue (Bodenhorn, 2006; Sullivan & Moyer, 2008).

The ethical issues related to communication with parents of minors engaged in risky behaviour are complicated and have a range of potential ramifications, which might be either positive or negative. Best practice requires the psychologist to discuss legal and ethical obligations with both child and parent early in the therapeutic process, and to endeavour to build a cooperative alliance with parents (Dailor & Jacob, 2011; Glosoff & Pate, 2002; Isaacs & Stone, 1999). This will assist in ensuring the best interests of the child are met, and in paving the way for later communication. There are no simple and straightforward answers to these ethical dilemmas. A good decision in ethically challenging situations will require mindful preparation, careful deliberation, consultation with ethical codes, laws, and with knowledgeable others, meaningful communication with those involved, and reflection on one's own practice (Williams & Rucklidge, 2007).

Students at Risk of Self-harm
One-third of respondents reported situations where they were aware that a student may be at risk of self-harm and were unsure of the appropriate actions. This was also considered highly challenging by fifty percent of respondents. With students being required to attend school daily, school personnel are often those most readily able to identify students who are experiencing emotional and behavioural challenges. School staff can, however, be unsure on how to respond where students self-injure (Berger, Reupert, & Hasking, 2015). EPs have an important role to play in educating school personnel and school communities as to effective approaches to take where students are self-harming, and in the development of procedures and policies to guide responses to this challenging issue (Lee, 2016).

Sullivan and Moyer (2008) note the challenges inherent in determining precisely what constitutes behaviour dangerous enough to potentially harm self or others. There is a subjective element to this determination, which has been found to be highly challenging. It was noted in Dailor and Jacob (2011) that this dilemma was more often reported by EPs with five or less years of experience. It is likely that when confronted by this dilemma, those EPs with more experience have previously had opportunities to increase their competence

in identifying those behaviours which are potentially dangerous, and developed familiarity with suitable courses of action.

Confidentiality

One of the top four ethical concerns (see Figure 5), which was reported as regularly encountered by around one-third of the respondents in the current study related to confidentiality, either directly or indirectly. Disclosure of information learned in a confidential relationship to individual(s) who have no right or need to know, management and teachers requesting disclosure of confidential information, and dilemmas about disclosure to parents were amongst the reported issues. These results correspond with earlier research showing that maintaining confidentiality is one of the ethical challenges most frequently experienced by psychologists (Pope & Vetter, 1992) and school counsellors (Bodenhorn, 2006).

Parents and/or teachers tend to seek confidential information from psychologists in order to be able to help the student (Campbell, 2004) and it is the EP's responsibility to identify the course of action that is in the best interests of the child, in line with ethical and legal requirements. It is noteworthy that students may be receiving assistance from multidisciplinary teams, of which the EP is a part (France, Annan, Tarren-Sweeney, & Butler, 2007), and team members need to work together to ensure the child's best interests are met. In these situations it may well be in the best interests of the child to disclose pertinent information to appropriate personnel. Where possible, this should be discussed with the child as part of the informed consent process.

Prevention is better than cure, and best ethical practice dictates that a comprehensive and audience-appropriate informed consent process be agreed in the early stages of the EP/client relationship. This preparatory step may reduce the effects of an ethical dilemma related to confidentiality, or prevent it from occurring. Ensuring that parents and other key stakeholders are aware of the ethical standards to which an EP is required to adhere is also best ethical practice in this context. Glosoff and Pate (2002) emphasize the importance of education, consultation and communication to assist in the management of ethical challenges related to confidentiality.

Preparedness for Ethical Challenges

Data from the current study indicates that most ECEPs receive multiple forms of ethical training and preparation, and felt at least somewhat prepared to cope with the ethical issues confronting them in their practice. The ethical training received by respondents varied considerably. The majority of respondents had received ethics training in at least four contexts, predominantly within graduate classes, practicums, internships, and supervision. Discussion at psychologists' meetings was another common forum for ethical training. As noted by Leach, Bilali and Pagliaro (2015), morality and ethical behaviour are developed and reinforced within moral reference groups.

The extent of ethical training received by respondents demonstrated no association with respondents' perceived preparedness to deal with ethical challenges arising on the job. One ECEP with a single year of experience had received multiple forms of ethical training and yet reported feeling only somewhat prepared to deal with ethical issues arising on the job, and not at all prepared to deal with administrative pressure to act unethically or when confronted with unethical behaviour by a colleague. Another respondent with one year's experience, who had only received ethics training in graduate classes, felt somewhat prepared to deal with each of these ethical issues.

There was also no correlation between the level of challenge respondents reported when faced with ethical dilemmas in the workplace and the training they had received. A respondent with three years' experience, who had received ethical training through eight different modalities, reported a high level of challenge for the described ethical dilemmas. Another respondent with three years' experience, and who had received four forms of training, reported a low level of challenge across the same ethical dilemmas. The constructs of "preparedness" and "degree of challenge" are subjective and it is possible that the responses to these questions were influenced by individual personality factors, such as the respondents' degrees of assertiveness and/or conscientiousness (Costa & McRae, 1992).

No matter what training has been received by EPs, the ethical issues that confront them are likely to be unanticipated, at times because of the nature of the ethical issue, and at times because of the individuals involved. It is impossible to be prepared for all eventualities. The most that one can do is to have a plan for dealing with the unexpected. In this context, it is

worthwhile for EPs to use a systematic decision making model to provide guidance in making decisions about ethical issues (Cottone & Claus, 2000; Du Preez & Goedeke, 2013; Kitchener, 1984; Jacob & Hartshorne, 2007; Miner & Petocz, 2003; NZPsB, 2012a).

In the current study the majority of the respondents reported feeling inadequately prepared to address unethical conduct by a colleague. Around a third of respondents had experienced concerns about reporting another professional's unethical conduct. Davis, Seymour, and Read (1997, cited in Seymour, 2007) found that the responsibility to report a professional colleague's unethical conduct posed a common ethical dilemma for psychologists in New Zealand. Other research has shown that graduate clinical psychology students and directors of school psychology programs were hesitant to report on ethical violations by colleagues (Tryon, 2000).

Empathy is a necessary attribute for practitioners within the helping professions (Rogers, 2007), and this empathy may in part account for reluctance to report a colleague's unethical conduct. There may also be the awareness of possible retaliatory action or other negative consequences. Although gathering courage and confronting unethical behaviour may be uncomfortable, ECEPs have a professional responsibility to take carefully considered action when ethical misconduct is suspected or observed. As noted by Koocher and Keith-Spiegel (2008), where professionals observe unethical behaviour by a colleague they may be the only people in an appropriate position to confront or prevent such behaviour.

Problem Solving Strategies for Dealing with Ethical Challenges

Data show that the predominant strategy employed by ECEPs when faced with ethical dilemmas is to consult with other EPs or professionals. This demonstrates the perceived value of working collaboratively to clarify and work through ethical issues, either in person, via email or in phone conversation (Leach, Bilali & Pagliaro, 2015). Three respondents reported that their *sole* means of choosing a course of action was through consultation with other EPs or professionals. Thinking about the benefits and risks of various actions was the next most frequently used strategy, followed by consultation with ethical codes, laws, and other guidelines.

A single respondent reported discussing ethical issues within the supervision process. The Guidelines on Supervision (NZPsB, 2010, p.3) state that "The overarching goals of

supervision are the promotion and maintenance of high professional and ethical standards in the assessment, conceptualisation, planning, and service delivered to the supervisee's clients". Similarly, the APS (2011, p.7) states that within supervision, supervisee and supervisors will "review … professional and ethical issues relevant to psychological practice, including critical, reflective practice that is culturally safe and accountable." Supervision is a mechanism that is in place to support EPs working through ethical challenges, and further research is warranted to establish why EPs tend not to use this facility to assist them in managing these challenges.

It is also concerning to note that less than half of the respondent ECEPs consulted with codes of ethics, laws and other guidelines. The regular use of codes of ethics allows practitioners to become familiar with their content and the application thereof (Bodenhorn, 2006), a key area of competency for ethical and professional practice. Three respondents reported using a systematic decision-making model to resolve ethical challenges. Use of a systematic and logical decision making model to resolve ethical issues is a worthwhile practice, as it can assist EPs to make a fully informed decision, and facilitate their recall of how a decision was made should the decision be challenged (Dailor & Jacob, 2011).

Implications for Educators, Professional Bodies, the Profession, and Employers

To reduce the incidences of management and/or administrative pressure to act unethically, it is suggested that strong collaborative relationships are developed between professional bodies representing EPs in AANZ, school managers, and other key stakeholders, to establish clarity around the competencies and responsibilities of EPs, and awareness of their ethical obligations. Through this collaboration, schools will be in a better position to make judicious use of EPs' knowledge, skills, and abilities to provide a comprehensive and ethically-driven service to the school community. It will also encourage dialogue between school management and professional bodies representing EPs, which could include the exploration, identification and remediation of educational practices indicated by data from this research to be of concern. It may be considered worthwhile to provide information on privacy, confidentiality and informed consent procedures to key school personnel, at least annually.

The prevalence of concerns associated with the reporting of suspected child abuse indicates that specific training in all aspects of this process is an important part of the curriculum for

educational psychology students. ECEPs will benefit from familiarity with formalised frameworks for the reporting process, and the use of exemplars to guide them through processes and outcomes. The value of child protection agencies communicating with reporting personnel, and incorporating debriefing mechanisms and feedback into reporting frameworks is also highlighted to build confidence in the reporting process (Francis et al, 2012). Strengthening relationships between helping agencies is another mechanism by which the safety and well-being of vulnerable youth can be enhanced.

The extent to which EPs fail to follow up on interventions is a topic which merits further exploration, both to identify reasons for this failure, and to inform the development of strategies to minimise its occurrence. Further studies might endeavour to identify the strategies more experienced practitioners employ to ensure interventions are followed up, particularly in situations where work commitments are extensive and time is limited.

Concerns around the security of electronic data indicate that EPs would benefit from regular education to keep abreast of technological changes. Ongoing consultation between professional bodies and legal and information technology specialists is advisable, to identify potential threats, to develop and maintain electronic security policies, to train users in secure use of technology, and to develop physical means for safeguarding electronic information. Professional bodies could then consider providing members with regularly updated guidelines containing recommendations for the security of confidential information. This will allow practitioners to be cognisant of the constantly evolving threats to client privacy that arise as new technology emerges.

Finally, that only one respondent reported discussing ethical issues within supervision is concerning. A limitation of the current research in this context is that there were no questions regarding the frequency of supervision or the levels of consultation, for example formal supervision, or water cooler discussions. Future research could explore different types of supervision and their effectiveness. In New Zealand, for example, the Ministry of Education often utilises peer supervision in a group setting (which may be a multidisciplinary group), rather than one on one clinical supervision with a senior colleague. ECEPs may feel uncomfortable bringing ethical issues up in such a setting, preferring to discuss these issues in a more private context.

Limitations of the Study and Directions for Future Research

Given the limited number of respondents, and that half of the respondents were from New Zealand and the other half were from only one State in Australia, the responses to this survey may not be able to be generalised across all ECEPs in AANZ. In seeking respondents, it appeared that some organisations were reluctant to promote the survey to their members. A possible explanation for this may be that some organisations or government departments have risk assessment restrictions, perhaps to limit the possibility of creating a poor impression. This reduces the integrity of the research, which, in order to be fully informative and of most benefit, requires genuine open engagement with all key stakeholders.

The quantitative portion of the current study used predetermined ethical situations within a structured questionnaire. This may have prompted respondents' memories of particular issues, and distracted them from other recollections, and it may also have primed their responses in the qualitative section of the survey. The specific wording describing ethical situations in the quantitative portion may also have meant that a described issue was not quite the same as one that had been experienced by the respondent, and therefore may not have been included in the responses. Qualitative responses uncovered slight differences in the descriptors of ethical transgressions and dilemmas that may have confounded the results, for example where a teacher sought confidential information as opposed to a manager/administrator.

Whilst the current research classifies ethical challenges and dilemmas into broad categories, many of the challenges described can be considered to relate to more than one category. For example, where an EP is pressured by a manager to perform duties outside the scope of his or her training and expertise, this has been classified as administrative pressure, however there are also competency issues involved; where the practitioner provides intervention services outside the scope of his or her training and competence this is classified as a job competence issue, however it may well be that this action was initiated by the EPs manager.

On a practical level, the Likert scale was found to be cumbersome and somewhat imprecise, with the extended range between less than once a month and about once a month meaning

that respondents may have experienced a dilemma ten times, and responded "less than once a month". A future study might ask simply how many times this problem had been encountered over the past year.

Finally, whilst the current research explores the ethical dilemmas and transgressions witnessed by ECEPs, and the means employed to assist them in reaching a decision, it would be interesting to know what subsequent actions, if any, were taken by the respondents.

Conclusion

This research has been carried out with the objectives of ascertaining which are the most commonly experienced and the most challenging ethical dilemmas encountered by early career educational psychologists in Australia and Aotearoa New Zealand. There is scant research demonstrating the types of ethical dilemmas most frequently experienced in these two countries, and the current research provides a preliminary indication of the ethical quandaries confronting ECEPs.

Despite the small sample size data from the research will provide the educators of educational psychology students with useful information as to the types of ethical issues that will most likely confront their students and this will assist them to better prepare their students for these challenges. The small sample size, however, carries with it the limitation that care must be taken with the generalisation of findings.

Data from this study have indicated that assessment related concerns were the most commonly experienced by respondents, particularly in the use of assessment instruments that were inappropriate for the student in light of his or her native language or disability. To mitigate the potential ethical dilemmas identified with psycho-educational assessment of students, it may be helpful to encourage the use dialogic approaches either in place of or alongside standardised tests, to allow EPs to develop a more comprehensive understanding of the student's strengths and weaknesses (Bourke & Dharan, 2015). Management pressure to act unethically is another challenge which was commonly reported in the current research. Professional bodies representing EPs in AANZ could consider providing information to ensure that school management teams are aware of the roles, responsibilities, restrictions, and areas of competence of EPs. This will allow those stakeholders with whom EPs deal to be cognisant of the extent of the services they can

expect from EPs. Open dialogue between professional organisations representing EPs and school management is a valuable mechanism by which each group can inform the other to ensure students' needs are best met.

A common and highly challenging ethical dilemma reported in this research arises through ECEPs lack of confidence in the process of reporting suspected child abuse and neglect to government agencies. The findings of this research indicate that ECEPs are likely to benefit from additional training to clarify and instil confidence in the reporting process. Lusk, Zibulsky and Viezel (2011) suggest that targeted, specific training in this context is likely to be of most value. The provision of feedback and debriefing in situations where reporting has taken place are recommended in Francis et al (2012) as mechanisms by which confidence in the process can be improved. Additionally, Francis et al (2012) support the provision of inter-professional learning opportunities to allow for the strengthening of collaborative networks and the dismantling of barriers between professional groups, and to allow professional groups to work closely together to ensure the best outcomes for at-risk children.

A number of responses, both qualitative and quantitative, related to issues of confidentiality and disclosure of personal information. Examples include issues around the disclosure of risky behaviour to parents, and teachers seeking information about their students. In this regard it is emphasized that a robust informed consent process, communicated in a manner that is clearly understood by the student and other key stakeholders, is of utmost importance when establishing the therapeutic relationship (Glosoff & Pate, 2002).

Electronic breaches of confidentiality were also frequently reported, occurring when sensitive private student information was disseminated or reproduced electronically (e.g. by email, or photocopier) without taking action to ensure security. With constant advances in the field of technology, ongoing education in this context is recommended to identify ethical issues arising with the use of technology, and to foster best practice behaviours (Van Allen & Roberts, 2011).

In closing, it is recommended that ECEPs familiarise themselves with the codes of ethics developed by their professional bodies, and where ethical quandaries arise, to refer to their ethical codes, and discuss these ethical dilemmas within professional supervision. Further

research into the optimal forms of supervision may be valuable to identify means of ensuring ECEPs make use of this facility to assist them in resolving challenging ethical problems. The use of a systematic ethical decision-making model is a worthwhile practice for an ECEP, at least in the early stages of their career, as this assists them to develop competence in all aspects of the problem-solving process.

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MASSEY UNIVERSITY
ALBANY

4 November 2015

Debra Martis
409/65 Coventry Street
Southbank
Melbourne 3006

Dear Debra

HUMAN ETHICS APPROVAL APPLICATION – MUHECN 15/041
Ethical dilemmas experienced by early Educational Psychologists (Eps) working in an educational setting in Aoteraroa New Zealand or Australia

Thank you for your application. It has been fully considered, and approved by the Massey University Human Ethics Committee: Northern.

Approval is for three years. If this project has not been completed within three years from the date of this letter, a re-approval must be requested.

If the nature, content, location, procedures or personnel of your approved application change, please advise the Secretary of the Committee.

Yours sincerely

Dr Andrew Chrystall
Acting Chair
Human Ethics Committee: Northern

cc   **Mr Terence Edwards**   Dr Vijaya Dharan   Professor John O'Neill
      Institute of Education   Institute of Education   Director of Institute of Education
      Albany Campus   **Palmerston North**   **Palmerston North**

MASSEY UNIVERSITY
INSTITUTE OF EDUCATION
TE KURA O TE MĀTAURANGA

Ethical dilemmas faced by early career educational psychologists in Aotearoa/New Zealand and Australia

INFORMATION SHEET FOR PARTICIPANTS

Introduction

The current research is being carried out by Debra Martis as part of the requirements for completion of the Master of Educational Psychology with Massey University. The research involves an on-line survey of early career psychologists and educational psychologists in Aotearoa/New Zealand and Australia with 5 years or less experience and who work at least 50% of their time in a school setting. The purpose of the research is to gain an understanding of the ethical situations confronting these psychologists, and the processes used to resolve ethical challenges, with findings being used to inform training practices.

Project Description and Invitation

You are invited to complete a 64-item survey instrument, based on the tool used by Dailor and Jacob (2011) in their research, which was in turn informed by research carried out in Jacob-Timm (1999). The instrument has been reviewed by my supervisors. You will be asked what training you have received in professional ethics, your perceived preparedness to deal with ethical challenges, to briefly describe two ethical dilemmas, and the method(s) you used to reach a decision. You will be asked to identify how often you have encountered each of 36 ethical challenges, how often you have encountered each of 8 ethical dilemmas, and how difficult you found each of these dilemmas. You will be asked to identify the four ethical challenges that concern you the most, and to provide some background information.

Participant Identification and Recruitment

As many participants as possible will be reached through advertisements in professional organization newsletters, and email contact with professional organizations seeking assistance with reaching participants. Responses are sought from participants with 5 years or less experience in the field of educational and/or school psychology and/or psychologists who work at least 50% of their time in an educational setting. A large number of participants is preferred, as this will provide a better indication of the most common and most challenging ethical dilemmas being faced by early career educational and school psychologists. Advertisements will be placed in professional publications and details sent to professional organizations seeking potential respondents. Publicity material will provide an electronic link to the information sheet which will in turn provide an electronic link to the survey. Accessing and completion of the survey will be taken to imply consent to participate. As the survey is completely anonymous there is no facility for follow up contact to be made with participants.

Responses to the survey are anonymous, and once responses are submitted data will be unable to be removed.

Data Management

Upon receipt, data will be stored on a password protected private computer. This will be securely stored whilst the research is being carried out, and after completion of the research project, the data will be securely sent to my supervisor, Terence Edwards, for storage within the Massey University secure storage facility. Data will be destroyed three years after publication of the researcher's thesis. A link to a synopsis of the findings of the research will be published in the same publications as the initial advertisements seeking participants were placed.

Participant's Rights

Using the provided electronic link to access the survey is deemed to imply participant consent to participate in the research.

You are under no obligation to complete this survey. If you decide to participate, you have the right to:

- decline to answer any particular question;
- ask any questions about the study at any time during participation;
- be given access to a summary of the project findings when it is concluded.

You may experience some discomfort at recalling ethical challenges you have faced, and may lack confidence about the decisions you have reached. Where you experience discomfort or distress as a result of participation you should discuss the situation with peers, colleagues, and/or discuss the matter in professional supervision meetings. You also have the option of not answering or responding to questions that cause you discomfort. It should be noted that one goal of this research is to assist recently qualified practitioners to make sound ethical decisions, and to ensure structures are in place to offer appropriate training experiences to guide practitioners in making these decisions

TO ACCESS THE SURVEY CLICK/FOLLOW THIS LINK -
http://goo.gl/forms/99FTtaS6s6

Project Contacts

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Should you have any questions about this research project please do not hesitate to contact either myself in the first instance, or my supervisors via the contact details above.

This project has been reviewed and approved by the Massey University Human Ethics Committee: Northern, Application 15/041. If you have any concerns about the conduct of this research, please contact Dr Andrew Chrystall, Chair, Massey University Human Ethics Committee: Northern, telephone 09 414 0800 x 43317, email humanethicsnorth@massey.ac.nz.

2

Ethical challenges experienced by early career psychologists working in an educational setting

Thank you for agreeing to participate in this survey. Your participation is very much valued, and the field of Educational Psychology in Australia and New Zealand will benefit from the information you provide. If you are an Educational or School Psychologist with 5 years or less of experience, or an early career Psychologist who spends at least 50% of your time working in an educational setting, you are invited to complete the survey. If you choose to participate in this research, you have the right to decline to answer any particular question. Please note that clicking the link to access the survey is taken to imply consent to participate. Thanks again.

Within my professional role, I identify primarily as (check one)

o ☐ **A school psychologist** ☐ **An educational psychologist**

o ☐ **A psychologist who works in educational settings** ☐ **Other:** [   ]

What training have you received in professional ethics (tick all that apply)?

o ☐ **No formal training** ☐ **Graduate course(s) on ethics**

o ☐ **Ethics in many graduate classes** ☐ **Practicum, Internship, Supervision**

o ☐ **Professional development workshops** ☐ **In Service Training**

o ☐ **Regular discussion at psychologists' meetings** ☐ **Self study: Articles, books, codes of ethics etc**

o ☐ **Other:** [   ]

How prepared were you to respond to ethically challenging situations on commencement of your role as Psychologist/Educational Psychologist

	Not at all prepared	Somewhat prepared	Very prepared
How prepared did you perceive yourself to be to deal with ethical issues that arise on the job?	○	○	○
How prepared did you perceive yourself to be to handle pressure from an administrator and/or manager asking you to act unethically?	○	○	○
How prepared did you perceive yourself to be to address unethical conduct by a colleague?	○	○	○

If you experienced a challenging ethical dilemma in the past year, which of the following best describes how you chose a course of action? Tick all that apply

o ☐ **I thought about the benefits and risks of various actions**

o ☐ **I used a systematic decision making model**

o ☐ **I consulted other school psychologists or professionals, in person or via email or telephone**

o ☐ **I consulted ethics codes, laws, or other guidelines**

o ☐ **I contacted the state or local branch of my professional body**

o ☐ **I contacted my national organisation (e.g. APACS, NZPS)**

o ☐ **I did not experience a challenging dilemma in the past year**

o ☐ **Other:** [   ]

ETHICAL TRANSGRESSIONS - Please read the description of the following ethical transgressions, and then indicate how frequently you encountered the problem in the past year. The Psychologist (P) could be either a colleague or yourself.

In the PAST YEAR how often have you witnessed this type of ethical problem? (select one)

	Never	< 1x a month	about 1x a month	2-3x a month	about 1x a week	> 1x a week
1. P yielded to pressure from an administrator and/or manager to make a student eligible for special education who did not meet eligibility requirements.	○	○	○	○	◉	○
2. P yielded to pressure from an administrator and/or manager to avoid finding a student eligible for special education who did meet eligibility requirements.	◉	○	○	○	○	○
3. P yielded to pressure from an administrator and/or manager to avoid recommending certain support services (e.g., psychological counseling) due to costs to the district	○	○	○	○	○	○
4. P yielded to pressure from administrator and/or manager to agree with a special education placement that was not the least restrictive appropriate environment for the child.	○	○	○	○	○	○
5. P yielded to pressure from an administrator and/or manager to perform job duties that are outside the scope of his or her training and expertise (e.g., provide services to deaf, blind, bilingual students).	○	○	○	○	○	○
6. P yielded to pressure from an administrator and/or manager to "make do" with inadequate assessment and/or intervention materials.	○	○	○	○	○	○
7. P conducted an assessment using one or more out-of-date tests or instruments.	○	○	○	○	○	○
8. P conducted an assessment using instruments that are not appropriate for the student tested in light of his or her disability.	○	○	○	○	○	○
9. P conducted an assessment using instruments that are not appropriate for the student tested in light of his or her native language.	○	○	○	○	○	○
10. P conducted an assessment using instruments that are not appropriate for the student in light of his or her age or ability level.	○	○	○	○	○	○
11. P conducted assessments in an unsatisfactory location (e.g., library, hall).	○	○	○	○	○	○
12. P allowed psychological tests to be administered by unqualified persons.	○	○	○	○	○	○
13. P prepared a report that lists the student's test scores but offers no interpretation.	○	○	○	○	○	○

Item						
14. P signed and submitted a computer-generated psychological report without individualized interpretation of the results.	○	○	◉	○	○	○
15. P selected assessment tools that have unknown or poor technical adequacy and used those results in decision-making.	○	○	○	○	○	○
16. P made recommendations that were not substantiated by the data.	○	○	○	○	○	○
17. P violated confidentiality by disclosing information learned in a confidential relationship to individual(s) with no right or need to know.	○	○	○	○	○	○
18. P provided intervention services that were outside the scope of his or her training and competence.	○	○	○	○	○	○
19. P conducted an assessment outside the scope of his or her competence.	○	○	○	○	○	○
20. P misrepresented his or her training or credentials to practice to clients or employer.	○	○	○	○	○	○
21. P provided poor quality assessment or intervention services to a student-client because they failed to update skills through continuing education.	○	○	○	○	○	○
22. P provided psychological services to family members or children of close personal friends.	○	○	○	○	○	○
23. P inappropriately solicited clients in the school setting for his or her own private practice or other business.	○	○	○	○	○	○
24. P entered into a romantic relationship with a student who was or had been a client.	○	○	○	○	○	○
25. P had concerns about reporting another professional's unethical conduct	○	○	○	○	○	○
26. P yielded to pressure from parents to identify a student as having a disability who did not meet eligibility requirements.	○	○	○	○	○	○
27. P yielded to a placement requested by the parents that the psychologist acknowledges was not in the child's best interests.	○	○	○	○	○	○
28. P electronically transferred sensitive private student information (e.g., via email) without taking steps to ensure security.	○	○	○	○	○	○
29. P withheld or destroyed portions of the psychological records or test protocols before parents came into review their child's psychological folder.	○	○	○	○	○	○
30. P began a psychological assessment of a student, who was a minor, prior to obtaining informed parent consent.	○	○	○	○	○	○
31. P provided on-going (multiple session) counselling to a student who was a minor without parent consent.	○	○	○	○	○	○

32. P made recommendations for a student without allowing the student to participate in decision-making to the maximum extent feasible.	○	○	○	○	○	○
33. P selected an un-researched intervention for a student although evidence-based, effective treatments were available.	○	○	○	○	○	○
34. P planned a behavioral intervention based on extinction or punishment before multiple positive behavioral interventions had been implemented with integrity and found ineffective.	○	○	○	○	○	○
35. P failed to follow-up to ensure their intervention recommendations were effective.	○	○	○	○	○	○
36. P recommended pharmacological treatment of a child to his/her parents.	○	○	○	○	○	○

ETHICAL DILEMMAS - Ethical dilemmas can be created by situations involving competing ethical principles, conflicts between ethics and law, dilemmas inherent in the dual roles of employee and pupil advocate, or conflicting interests of multiple clients (i.e., pupil, parents, classmates, administrators, managers).

In the past year how often have you witnessed each type of ethical problem, and how challenging do you perceive these incidents to be?

	Never	< 1x a month	about 1x a month	2-3x a month	about 1x a week	> 1x a week
A. An administrator/manager pressured you to make decisions or take actions you believed were unethical, with implied threat to your job standing (e.g., negative evaluation, move to less desirable assignment, loss of job) if you did not comply.	○	○	○	○	○	○
What level of challenge does dilemma "A" pose? 1 is minimal, 5 is high	1	2	3	4	5	

	Never	< 1x a month	about 1x a month	2-3x a month	about 1x a week	> 1x a week
B. An administrator or manager pressured you to make decisions or take actions you believed were not in compliance with the law, with an implied threat to your job standing (e.g., negative evaluation, move to less desirable assignment, loss of job) if you did not comply.	○	○	○	○	○	○
What level of challenge does dilemma "B" pose? 1 is minimal, 5 is high	1	2	3	4	5	

	Never	< 1x a month	about 1x a month	2-3x a month	about 1x a week	> 1x a week
C. An administrator or manager demanded that you disclose information about a client that you consider confidential.	○	○	○	○	○	○
What level of challenge does dilemma "C" pose? 1 is minimal, 5 is high	1	2	3	4	5	

	Never	< 1x a month	about 1x a month	2-3x a month	about 1x a week	> 1x a week
D. You were providing services to a student and began to wonder if he/she was a victim of child abuse, but were not sure whether to contact child protective services.	○	○	○	○	○	○
What level of challenge does dilemma "D" pose? **1 is minimal, 5 is high**	1	2	3	4	5	

	Never	< 1x a month	about 1x a month	2-3x a month	about 1x a week	> 1x a week
E. You were providing services to a student (a minor) who had engaged in risky behaviour (e.g., alcohol use, drug use, unprotected sexual activity). You were not sure what, if anything, to disclose to the parents about these behaviours.	○	○	○	○	○	○
What level of challenge does dilemma "E" pose? **1 is minimal, 5 is high**	1	2	3	4	5	

	Never	< 1x a month	about 1x a month	2-3x a month	about 1x a week	> 1x a week
F. You became knowledgeable that a student may be at risk for self-harm and were unsure of the appropriate professional actions.	○	○	○	○	○	○
What level of challenge does dilemma "F" pose? **1 is minimal, 5 is high**	1	2	3	4	5	

	Never	< 1x a month	about 1x a month	2-3x a month	about 1x a week	> 1x a week
G. Parents requested to see their child's test protocols. You were not sure how to balance this request with your obligation to maintain test security.	○	○	○	○	○	○
What level of challenge does dilemma "G" pose? **1 is minimal, 5 is high**	1	2	3	4	5	

	Never	< 1x a month	about 1x a month	2-3x a month	about 1x a week	> 1x a week
H. A school psychologist you were acquainted with engaged in the same unethical conduct on more than one occasion and you were not sure how to address his or her unethical behaviour.	○	○	●	○	○	○
What level of challenge does dilemma "H" pose? **1 is minimal, 5 is high**	1	2	3	4	5	

In your own words, describe briefly the most challenging ethical dilemma that you have faced during your employment as a school psychologist

In your own words, describe briefly the most common ethical dilemma you have experienced during your employment as a school psychologist

Are there any ethical challenges or dilemmas you have seen or experienced that are not described in the preceding questions?
If so, please describe these.

Please choose the 4 ethical issues/areas that concern you the most

- ☐ Administrative or management pressure to act unethically
- ☐ Unsound educational practices in schools
- ☐ Assessment related concerns
- ☐ Ethical aspects of interventions
- ☐ Confidentiality of client disclosures
- ☐ Supervision
- ☐ Client informed consent and self-determination
- ☐ Inappropriate sexual comments or behaviours by psychologists
- ☐ Concerns regarding psychologist-parent interactions
- ☐ Issues around whether to contact child protective services
- ☐ Parent requests to review child's test protocols
- ☐ Confronting unethical conduct by a colleague
- ☐ School psychological records – security, storage, disposal
- ☐ What to disclose to parents of a minor engaged in risky behaviour
- ☐ Job competence/job performance of school psychologists
- ☐ Psychologists in conflicting dual relationships
- ☐ **Other:**

What groups form the majority of your case work?

	Most	2nd most	3rd most	2nd least	Least	not applicable
Pre School	○	○	○	○	○	○
5-9 years	○	○	○	○	○	○
10-15 years	○	○	○	○	○	○
15 years +	○	○	○	○	○	○
Special program (e.g. autism)	○	○	○	○	○	○

Where do you live and work?

- ○ New Zealand
- ○ Northern Territories
- ○ South Australia
- ○ Victoria
- ○ Australian Capital Territory
- New South Wales
- Queensland
- Tasmania
- Western Australia
- **Other:** [_____]

Which of the following best describes your employment setting?

- ○ Urban
- ○ Suburban
- ○ Rural
- ○ **Other:** [_____]

How many years' experience have you had as an educational or school psychologist, including internship?

[_____]

What percentage of your work is carried out in an educational setting?

[_____]

You are invited to provide any additional comments which you think will be useful in the exploration of ethical issues faced by Educational Psychologists in New Zealand and Australia. Your contribution is greatly valued.

[_____]

Submit

Never submit passwords through Google Forms.

100%: You made it.

Ethics Training, Transgressions, and Dilemmas Questionnaire

Ethics Training

What training have you received in professional ethics? **(Check all that apply)**

O No formal training.

O Graduate course(s) on ethics.

O Ethics were taught in multiple graduate classes.

O Ethics were addressed in practicum, internship.

O Professional development workshops.

O District in-service

O Ethics are discussed at regular school psychologist staff meetings

O Self-study (e.g., journal articles or books)

O Supervision

	Not at all Prepared	*Somewhat Prepared*	*Very Prepared*
How well prepared do you perceive yourself to be to deal with ethical issues that arise on the job?	O	O	O
How prepared do you perceive yourself to be to handle pressure from an administrator asking you to act unethically?	O	O	O
How prepared do you perceive yourself to be to address unethical conduct by a colleague?	O	O	O

Ethical Transgressions

*Instructions: Please read the description of the type of ethical transgression, and then indicate how often you encountered the problem in the **past year**. The "school psychologist" could be a colleague in your service area or you.*

In the *past year*, how often have you witnessed this type of ethical problem? (Check one)	*Not at all*	*< once a month*	*About once a month*	*2-3 times a month*	*About once a week*	*> 1 time a week*
A school psychologist yielded to pressure from school administrators to **make** a student **eligible** for special education who **did not meet** eligibility requirements.	O	O	O	O	O	O
A school psychologist yielded to pressure from school administrators to **avoid finding** a student **eligible** for special education who **did meet** eligibility requirements.	O	O	O	O	O	O

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A school psychologist yielded to pressure from school administrators to avoid recommending **certain support services** (e.g., psychological counseling) due to costs to the district.	O	O	O	O	O	O
A school psychologist yielded to pressure from administrators to agree with a special education placement that was **not** the least restrictive appropriate environment for the child.	O	O	O	O	O	O
A school psychologist yielded to pressure from administrators to perform job duties that are **outside the scope** of his or her training and expertise (e.g., provide services to deaf, blind, bilingual students).	O	O	O	O	O	O
A school psychologist yielded to administrative pressures to **"make do"** with inadequate assessment and/or intervention materials.	O	O	O	O	O	O
A school psychologist conducted an assessment using one or more **out-of-date tests** or instruments.	O	O	O	O	O	O
A school psychologist conducted an assessment using instruments that are not appropriate for the student tested in light of his or her **disability.**	O	O	O	O	O	O
A school psychologist conducted an assessment using instruments that are not appropriate for the student tested in light of his or her native language.	O	O	O	O	O	O
A school psychological conducted an assessment using instruments that are not appropriate for the student in light of his or her age or ability level.	O	O	O	O	O	O
chool psychologist conducted assessments in an unsatisfactory location (e.g., library, hall).	O	O	O	O	O	O
A school psychologist allows psychological tests to be administered by unqualified persons.	O	O	O	O	O	O
A school psychologist prepared a report that lists the student's test scores but offers no interpretation.	O	O	O	O	O	O
A school psychologist signed and submitted a **computer-generated psychological report** without individualized interpretation of the results.	O	O	O	O	O	O
A school psychologist selected assessment tools that have unknown or **poor technical adequacy** and used those results in decision-making.	O	O	O	O	O	O
A school psychologist made **recommendations that were not substantiated** by the data.	O	O	O	O	O	O
A school psychologist violated confidentiality by **disclosing information** learned in a confidential	O	O	O	O	O	O

relationship to individual(s) who have no right or need to know.						
A school psychologist provided **intervention** services that were **outside the scope** of his or her training and competence.	○	○	○	○	○	○
A school psychologist conducted an **assessment outside the scope** of his or her competence.	○	○	○	○	○	○
A school psychologist **misrepresented** his or her training or **credentials** to practice to his/her clients or employer.	○	○	○	○	○	○
A school psychologist provided **poor quality assessment or intervention** services to a student-client because they failed to update skills **through continuing education.**	○	○	○	○	○	○
A school psychologist provided psychological services **to family members** or **children of very close personal friends**.	○	○	○	○	○	○
A school psychologist **inappropriately solicited** clients in the school setting for his or her own private practice or other business.	○	○	○	○	○	○
A school psychologist entered into a **romantic relationship** with a student who was or had been a client.	○	○	○	○	○	○
A school psychologist was concerned about teaching or classroom setting	○	○	○	○	○	○
A school psychologist had concerns about supervision	○	○	○	○	○	○
A school psychologist had concerns about reporting another professional's unethical conduct	○	○	○	○	○	○
A school psychologist yielded to pressure from parents to identify a student as having a disability who **did not meet** eligibility requirements.	○	○	○	○	○	○
A school psychologist yielded to a **placement** requested by the parents that the psychologist acknowledges was not in the child's best interests.	○	○	○	○	○	○
A school psychologist electronically transferred **sensitive private student information (e.g., via email) without taking steps to ensure security.**	○	○	○	○	○	○
A school psychologist **withheld or destroyed** portions of the psychological records or test protocols before parents came into review their child's psychological folder.	○	○	○	○	○	○
A school psychologist began a psychological **assessment** of a student, who was a minor, **prior to obtaining informed parent consent**.	○	○	○	○	○	○

A school psychologist provided on-going (multiple session) **counseling** to a student who was a minor **without parent consent**.	O	O	O	O	O	O
A school psychologist made recommendations for a student **without allowing the** student to participate **in decision-making to the maximum extent feasible.**	O	O	O	O	O	O
A school psychologist selected an **un-researched** intervention for a student **although evidence-based,** effective treatments **were available.**	O	O	O	O	O	O
A school psychologist planned a behavioral intervention based on **extinction or punishment** before multiple positive behavioral interventions had been implemented with integrity and found ineffective.	O	O	O	O	O	O
A school psychologist **failed to follow-up** to ensure their intervention recommendations were effective.	O	O	O	O	O	O
A school psychologist recommended **pharmacological treatment** of a child to his/her parents**.**	O	O	O	O	O	O

Please choose the 3 *ethical issues/areas that concern you the most (1 = most concern):*

	Administrative Pressure to Act Unethically		Unsound Educational Practices in the Schools.
	Assessment-related Concerns		Ethical Aspects of Interventions
	Confidentiality of Client Disclosures		Supervision of Psychology Trainees
	Client Informed Consent and Self-Determination		Inappropriate Sexual Comments or Behaviors by Psychologists
	Concerns Regarding Psychologist-Parent Interactions		Psychologists in Conflicting Dual Relationships
	Parent Request for Review or Copies of Test Protocols		Job Competence/ Job Performance of School Psychologists
	School Psychological Records – Security		Confronting Unethical Conduct of Colleagues
	School Psychological Records – Storage and Disposal		Other:

Ethical Dilemmas

Ethical dilemmas can be created by situations involving competing ethical principles, conflicts between ethics and law, dilemmas inherent in the dual roles of employee and pupil advocate, or conflicting interests of multiple clients (i.e., pupil, parents, classmates, administrators).

In the *past year*, how often have you witnessed this type of ethical problem? (Check one)	*Not at all*	*< once a month*	*About once a month*	*2-3 times a month*	*About once a week*	*> 1 time a week*
An administrator pressured you to make decisions or take actions you believed were **not in compliance with federal or state law**, with an implied threat to your job standing (e.g., negative evaluation, move to less desirable assignment, loss of job) if you did not comply.	O	O	O	O	O	O
A school administrator demanded that you **disclose information** about a client that you consider confidential.	O	O	O	O	O	O
You were providing services to a student and began to wonder if he/she was a **victim of child abuse**, but were not sure whether to contact child protective services.	O	O	O	O	O	O
You were providing services to a student (a minor) who had engaged in **risky behavior** (e.g., alcohol use, drug use, unprotected sexual activity). You were not sure what, if anything, to disclose to the parents about these behaviors.	O	O	O	O	O	O
You became knowledgeable that a student **may be at risk for self harm** and were unsure of the appropriate professional actions.	O	O	O	O	O	O
Parents requested to see their child's test protocols. You were not sure how to balance this request with your obligation to **maintain test security**.	O	O	O	O	O	O
A school psychologist you were acquainted with engaged in the **same unethical conduct** on more than one occasion and you were not sure how to address his or her unethical behavior.	O	O	O	O	O	O

*If you experienced a challenging **ethical dilemma** in the past year, which of the following best describes how you chose a course of action**? Check all that apply.***	

☐ I thought about the benefits and risks of various actions.

☐ I used a systematic decision-making model.

☐ I consulted other school psychologists or professionals in person or via email or telephone.

☐ I consulted ethics codes, laws, or other guidelines.

☐ I emailed or phoned my local school psychology association consultant.

☐ I emailed or phoned my national association's ethics of school/educational psychologists.

☐ I did not experience a challenging dilemma in the past year.

Background Information

How many years have you worked as a school psychologist (including full-time internship)? _____

What was the highest degree you have attained?

O Masters   O Masters plus certificate   O Specialist   O Doctorate

What year did you receive your highest-level graduate degree?   _____

Are you?

O MALE   O FEMALE

Age?

O 21-30 years   O 31-40 years   O 41-50 years   O 51-60 years   O 60+ years

Which of the following best describes your primary employment situation?

O Individual school district   O Self-employed consultant

O   Cooperative (intermediate) school district   O Other: _____

If you are not self-employed, was your immediate supervisor trained as a psychologist? O   Yes   O No

What grades or age groups were included on your case load in the past two years? **(Check all that apply)**

O Infants and toddlers	O Middle School/Jr High (~7-8th grades)
O Preschoolers (2-5 years)	O High School (~9-12th grade)
O Early Elementary (~K-4th grade)	O Special program (e.g., autism).
O Upper Elementary (~5-6th grades)	O Administrative Role

Which of the following best describes your employment setting?

O Urban   O Suburban   O Rural

Please rate the extent to which your district/employer provides the following:	Excellent	Good	Fair	Poor
An appropriate space to work with students	O	O	O	O
An appropriate office space for report writing, etc	O	O	O	O
Computers for your use	O	O	O	O
Internet access	O	O	O	O
Computer security	O	O	O	O
General security of pupil psychological records	O	O	O	O
Secretarial or other clerical support	O	O	O	O
Assessment materials	O	O	O	O
Intervention materials	O	O	O	O
Access to professional books and journals	O	O	O	O
Release time for professional development	O	O	O	O
Financial support for professional development	O	O	O	O
Adequate number of psychologists for the number of pupils served	O	O	O	O
General perceived administrative support for school psychologists	O	O	O	O

I invite you to provide any additional comments. Feel free to share one or more incidents that you or a colleague has faced that was ethically challenging or troubling to you. Also, please feel free to include information about any topics that were not previously covered.

_____
_____
_____
_____
_____
_____

Thank you for completing this survey!

To recipients

Sent initially March 2015, with follow up May 2015

My name is Deb Martis, and I am a post-graduate student at Massey University in New Zealand. I am completing my thesis in Educational Psychology this year, and in that regard I am planning to carry out a replication of Dailor and Jacob's (2011) research on the ethically challenging situations reported by school psychologists which was informed by Susan Jacob's "Ethically Challenging Situations Described by School Psychologists" (1999). My thesis will focus on ethical dilemmas faced by newly qualified educational psychologists in Australia and New Zealand.

My supervisor for my research project, Terence Edwards, is the Senior Professional Clinician in Educational Psychology at Massey University, and he has suggested I contact you with regards to the above-mentioned study. My intention is to survey school psychologists in New Zealand and Australia with less than five years' experience, as it is perceived that these practitioners are facing ethical challenges anew, and are thus less familiar with the processes of working through ethical issues.

To that end, I am approaching you in the first instance to establish whether you have a publication where I could publish an advertisement seeking participants, or whether you might be willing to on-forward the survey to candidates who fit the criteria and who are currently employed in the field of school psychology (that is, with less than five years' experience, and who carry out at least 50% of their work role in an educational setting). It will be a brief survey, with the goal of establishing the type of ethical issues that have been experienced, and an anonymous description of one ethical dilemma that was faced.

Yours

Ethics Study: Educational Psychologists and Psychologists Working in Education.

Have you trained and registered within the last 5 years? *Is 50% or more of your work focused on and carried out in schools/educational settings*? If so, you are invited to participate in a research project by *Massey University* masters student Deb Martis who is investigating the ethical dilemmas experienced by early career educational psychologists and psychologists working in schools and other educational settings in New Zealand and Australia. Understanding of these issues will be of significant value to practitioners, students, and educators in informing professional practice. An information sheet can be accessed at http://tinyurl.com/nzva2rq and this provides access to the **anonymous survey,** which can also be accessed through http://goo.gl/forms/99FTtaS6s6. Your unique contribution and participation in this study is much appreciated.