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## OBTAINING INFORMED CONSENT:

### NOTICE TO PSYCHOLOGISTS WORKING IN SCHOOLS

The Board has received a number of complaints regarding failure to obtain informed consent and several questions on the issue as it affects psychologists working in boards of education. Briefly, the major source of questions is the recent Ministry of Education directive setting up Early Identification Programs in all Ontario schools. One of the purposes of these programs is to identify superior children in the early grades so that they can be given enriched education. Another purpose is to identify children who may need special help in particular areas. Psychologists are being asked to help in the identification process, typically by recommending tests and assisting in various ways with administration and interpretation.

Related to these programs are several ethical issues, the main one being that of getting parents' informed consent for testing. This note is designed to give psychologists in Ontario OBEP's interpretation of how current ethical standards apply in this situation. For convenience these interpretations will be set out in a question and answer format. For the most part the questions are essentially ones that have been raised by parents or psychologists.

*Q. Pupils are sent home with a letter stating that tests will be administered unless the school gets a written objection from the parent. Is this an adequate means of getting informed consent?*

A. No. If the school does not have the equivalent of a signed statement giving positive permission for testing, or even confirmation that the announcement letter was received, we do not see how the school or any psychologist involved in the program can claim to have obtained informed consent.

*Q. What should the announcement contain so that consent could be considered to be informed consent?*

A. What constitutes informed consent has no exact definition. It is an increasing source of dispute in legal suits against professionals and institutions. For school programs we think the announcement should cover at least the following points:

1. The nature and context of the testing, and any possible harmful effects of the testing situation itself;
2. The purpose of the tests, how the results will be used;
3. The amount and nature of the parents' access to the results;
4. Most important, full disclosure of all consequences that could result from testing;
5. Who will use the results; and,
6. Who will have access to them.

It should always be kept in mind that there is virtually no way of guaranteeing that consent is informed. The purpose of getting informed consent is to ensure that there is communication between subject and provider. This communication ensures as far as possible that both the subject and the provider are aware of all factors of any significance that would influence the benefits of the intervention and affect the decision of the parent whether or not to permit participation of the child. Society's experience is that lack of this communication often puts the subject of professional intervention at risk. It is for this reason that informed consent is treated as a serious matter in all professions.

intellectual function.

The answers we have given here should be treated as an attempt to outline OBEP's understanding of the application of ethical principles to the school situation. They are not intended to be treated as completely definitive formulations of general standards or directives. Situations vary greatly from one board of education to another, and it is up to the individual psychologist to judge what is proper. Finally, we have addressed only issues that have been raised with us by parents or psychologists. That is, there could well be other issues or circumstances that have not yet surfaced.

SUPERVISION

Over the past year, and particularly during the May and November 1979 oral examinations, the Board became increasingly aware that both Permanent and Temporary Registrants would find it useful to have further clarification of the psychologist's role as Primary or Standby Supervisor. Page 101 of the 1979 Directory (or page 15 of *The Psychologists Registration Act*) offers the following description of supervisors' responsibilities:

"The Primary Supervisor (and if required, the Standby Supervisor) has a dual responsibility as follows:

-The supervisor is jointly responsible to the candidate and to the Board of Examiners for the training, supervising and assessing of the candidate's professional performance during the year of temporary registration. In a sense he or she agrees to accept 'tutorial responsibility' for the candidate.

- The supervisor is responsible to the Board of Examiners for reporting at intervals of three months, all significant aspects of progress, assets and liabilities of the candidates.

*Standby Supervisors* should consider themselves in terms identical to those applying to Primary Supervisors. They should be prepared to take over in the event of withdrawal (for whatever reason) of the

- Q. *Group screening tests will be administered and scored by education personnel. Psychologists will not be directly involved until a later stage. Does this relieve psychologists of responsibility for the group tests?*
- A. If the psychologists are involved in planning or designing the program, their professional responsibilities span the whole program. If they are not involved in the planning or the early phases of administration and then are called on to use the group test results, they would still have to satisfy themselves about the propriety of the early phases even though they did not participate in them.
- Q. *Is there a distinction between tests of achievement and tests of intellectual function? In other words, what constitutes a psychological test?*
- A. A test is a psychological test when its result is used by a psychologist to render an opinion on psychological characteristics or functioning. Group achievement tests could well be treated as psychological tests if the results are used by a psychologist to make inferences about, for example,

Primary Supervisor. It is the responsibility of the candidate to inform both the Standby Supervisor and the Board of the change in his or her status to that of Primary Supervisor.

If no such withdrawal occurs, the Board requires of the Standby Supervisors a completed Work Appraisal form at the close of the year of supervised experience. It should also include descriptions of the nature, frequency and duration of contacts with candidates. It is understood that the Standby Supervisor will maintain sufficient contact with the candidate to permit the completion of an informed report on the work of the candidate during the period in question."

Regarding frequency of supervisory sessions with a candidate, the Board requires Primary Supervisors to meet with the candidate a minimum of one two-hour session every two weeks. Unless alternative arrangements have been approved by the Board, supervisory sessions are assumed to take place in the candidate's work setting thus giving the supervisor an opportunity to observe directly the candidate's performance and progress during the period of Temporary Registration.

At the time of the May and November 1979 oral examination, it became apparent that some uncertainty existed concerning the role of the Standby Supervisor. The Board intends that the Standby Supervisor will assume an active role and suggests that frequency of supervisory meetings be approximately half that of the Primary Supervisor, or one two-hour session per month. The Standby Supervisor is required to submit one work appraisal form at the end of the candidate's year under supervision. The format of this report is identical to the quarterly reports submitted by the Primary Supervisor.

All reports from both supervisors must be received in the Board office before a candidate can be admitted to his or her oral examination. It is important, therefore, that final supervisory reports be submitted in good time so that a

candidate's oral exam may proceed without delay or last-minute complications.

Psychologists are reminded that, in completing a supervisor's agreement form, they are signing a legal and binding document. If for any reason they are unable to fulfill their obligations under this agreement, the Board should be informed immediately so that alternate arrangements can be made with as little interruption as possible to a candidate's supervision.

#### FALL EXAMINATIONS

On October 19 the written Examination for Professional Practice in Psychology was held in Toronto, London, Ottawa, Halifax and Owen Sound. The Board is grateful to Ms. Jane Grigg, Ms. Rita Lynham, Dr. David Evans, Professor Gilles Chagnon, Mr. Victor Day and Dr. Avrum Green who served as proctors.

The Board was assisted in conducting the oral examination of candidates in November by:

*Dr. George Blake*, Director of Psychological Services, Oshawa General Hospital;  
*Dr. Martha Breidenbaugh*, Professor, Department of Psychology, University of Waterloo;  
*Mr. Donald M. Fortune*, President, Donald M. Fortune and Associates;  
*Dr. Prem K. Gupta*, Chief Psychologist, S.A.Y.C. Maximum Security Centre for Juvenile Offenders, Oakville;  
*Dr. Harold O. Lobb*, Chief Psychologist, CPRI, London;  
*Dr. Paul O'Grady*, Chief Psychologist, Metropolitan Separate School Board, Toronto;  
*Dr. F.X. Plaus*, Executive Director, Niagara Centre for Youth Care;  
*Mrs. June Rogers*, Staff Counsellor, Ottawa Board of Education;  
*Dr. Moira Sansom*, Chairman, Department of Psychology, Huron College, London;  
*Mrs. Judith Schapira*, Chief Psychologist, Dufferin-Peel Roman Catholic Separate School Board; and  
*Dr. Keith Wood*, Department of Psychology, Lakehead University.

PERMANENT REGISTRANTS

On November 30, 1979 the Board approved the admission of the following persons to the Permanent Register:

- |                    |                    |
|--------------------|--------------------|
| Daniel Bachor      | Bo-Kyung Kim       |
| Howard Barbaree    | Robert Konopasky   |
| Andrew Barlow      | Douglas Montgomery |
| William Barnes     | Mary Morris        |
| Elsbeth Baugh      | Charles Murray     |
| Elizabeth Briggs   | Ronald Myhr        |
| Raymond Brunette   | Neill Neill        |
| Sandra Burns       | Yvonne Perrault    |
| Arthur Caspary     | Zofia Radziuk      |
| Lise Chislett      | Alexander Rnic     |
| Christopher Cooper | Amiram Rokach      |
| Gary Dibb          | Vincent Roper      |
| Elinor Dickson     | Maria Ruiperez     |
| John Dorner        | Joseph Schner      |
| Marshall Dorosh    | Dorothy Shipe      |
| Susan Dotzenroth   | Donna Shoom-Kirsch |
| Richard Feallock   | Michael Sobol      |
| Norm Forman        | Steven Stein       |
| Timothy Gilmore    | Henry Tamowski     |
| Rhoda Glasberg     | Evelyn Vingilis    |
| Gail Golden        | Ona Weizmann       |
| Nena Hardie        | James White        |
| Carl Hartleib      | Alexander Wilson   |
| Edward Helmes      | Maxine Wintre      |
| Christopher Holmes | Janet Zarb         |
| Barbara Killinger  |                    |

TEMPORARY REGISTRANTS  
SINCE SEPTEMBER, 1979

The following people have been placed on The Temporary Register since September, 1979:

- |                   |                    |
|-------------------|--------------------|
| Maria Barrera     | Ted Petit          |
| Wendy Brennan     | Barbara Richardson |
| Michael Burger    | William Ross       |
| Glenn DiPasquale  | Donald Rudzinski   |
| John Gilman       | Trevor Smith       |
| Christine Hansen  | Frances Smyth      |
| Francis Hare      | Brian Tansley      |
| Antoon Leenaars   | John Telner        |
| Patrick McGrath   | Guy Thibaudeau     |
| Richard Morris    | John Thompson      |
| Paul Nesbitt      | Gayle Way          |
| Marshall Wilensky |                    |

ANNUAL REVIEW OF PSYCHOLOGISTS

Questionnaires mailed in April 1979 to the 997 psychologists on the Permanent Register in Ontario were returned by 903, or 90.6 percent.

Psychological Services in Other Languages

Of the 871 responding to the question, 171 (or 19.6 percent) indicated they were able to offer services in languages other than English. This included 86 psychologists (9.9 percent) able to provide services in French and 104 psychologists (11.9 percent) in other languages.

Those who gave permission to release their names will be listed in an additional section of the *1980 Directory*, alphabetically by language.

Employment

As in the 1978 survey, the great majority of psychologists, 83.6 percent, continued in their principal area of work to be "employed", with 11.0 percent reporting that they are "self-employed". However, a still increasing number, 40.7 percent, of those answering the question, reported part-time independent practice. This represents an increase over the 39 percent in 1978 and the 31 percent in 1977 who reported part-time independent practice.

Women, representing 32.1 percent of the respondents, were as likely as the men to indicate that they are "self-employed in their main area of work", 12.2 percent compared with 10.6 percent of the men. However, they were less likely than the men to indicate a secondary area of work, 37.1 percent compared with 57.9 percent of the men. They are also less likely to be self-employed in this secondary area of work, 28.6 percent compared with 45.9 percent of the men.

### Work Setting

For a third of the respondents, as in 1978, the principle work setting was a hospital, mental health centre or other "treatment centre". Another 22.8 percent were employed in post-secondary institutions and 13.6 percent in primary or secondary educational facilities. Of the remaining 30.2 percent, roughly 7.6 percent maintained private offices, 3.7 percent were with industrial or commercial firms, 3.8 percent with retardation facilities, 2.3 percent in various government departments.

### Main Area of Psychological Expertise

Although specialty designations have no legal meaning in Ontario, the 1979 questionnaire asked respondents to indicate their "main area of psychological expertise". The large majority, nearly two thirds (63.8 percent) of the 874 who responded to the question, indicated "clinical", "counselling" or "rehabilitation". This was followed by 12.4 percent checking "school" or "pre-school"; 10.8 percent, "educational"; 10.4 percent, "developmental"; and 9.5 percent, "industrial", "organizational" or "personnel". Less frequent choices were "neuropsychology", 4.2 percent, "experimental", 3.3 percent; "social", 2.9 percent; and "systems, methodologies and issues", 2.2 percent; and "other", 5.4 percent. A number of respondents checked more than one area while 29, or 3.2 percent of the total, did not respond to the question.

### APA ETHICAL STANDARDS OF PSYCHOLOGISTS

In the November, 1979 issue of the *APA Monitor*, the American Psychological Association announced its 1979 Revision of the *Ethical Standards of Psychologists*. The *Monitor* indicates that, while most of the revisions proposed by the APA Committee on Scientific and Professional Ethics and Conduct are either grammatical or syntactical, some are substantive and differ from the 1977 Revision, particularly those under Principle 4, Public Statements and Principle 5, Confidentiality.

As all psychologists are aware, the Ontario Board of Examiners is on record as having adopted the 1977 Revision of the *APA Ethical Standards of Psychologists*.

Until such time as the Board has had an opportunity to study the 1979 Revision, psychologists registered in Ontario may consider the 1977 Revision to be in force.

The Board invites comments on the 1979 Revision and can supply copies to those who do not have access to the *APA Monitor*.

### NOTE ON THE OBEP STANDARDS

Principle 7.7 of the OBEP *Standards of Professional Conduct* states:

A psychologist who is responsible for the direction of a psychological service unit must also assume responsibility for the preservation and security of client records for a period of at least six years after the date of last entry.

The Board wishes psychologists to know that this standard is intended to protect the client from willful or accidental failure on the part of a psychologist to maintain adequate records. It is not intended to force the psychologist to preserve records against the express wish of the client.

### NOTICE

Psychologists are reminded to inform the Board office as soon as possible of any recent or impending address change. Your assistance will greatly assist us in our efforts to keep our records current.

Also, please note that renewal fee notices will be mailed during the last week of April. The renewal fee for psychologists residing in Ontario is \$150; the fee for out-of-province psychologists is \$250.00. Without exception, all renewal fees must be received no later than May 31, 1980.

It is with regret that the Board announces it has been informed of the death on January 24, 1980 of Dr. Kenneth Ritter. Dr. Ritter, a Temporary Registrant, was a member of the Department of Psychology at the University of Western Ontario.

CRITERIA FOR DOCTORAL PROGRAMS  
LEADING TO REGISTRATION AS A  
PSYCHOLOGIST IN ONTARIO

In April, 1979 the Ontario Board of Examiners in Psychology circulated to the chairmen of all psychology departments in Ontario a draft set of criteria "for designation of doctoral programs in psychology". Comments were invited and the criteria were subsequently revised after discussion of the comments received. The Board was assisted in this task by Dr. Richard Steffy, University of Waterloo; Dr. David Rennie, York University; and Dr. Alvin Mahrer, University of Ottawa.

It is important to the Board of Examiners to have such a set of criteria as a basis for evaluating applications from candidates who hold doctorates based on programs other than programs in departments of psychology in Ontario universities. Such applications represent approximately one-third of the total received by the Board.

A second draft of a set of criteria which would be used by the Board of Examiners in evaluating eligibility for registration in Ontario has recently been sent to chairmen of departments of psychology with, once again, a request for comment.

The set of criteria are reproduced below for information to psychologists. It may be helpful to bear in mind in reading Criterion 6 that registration in Ontario is available to "practitioners" of all aspects of psychology, including teaching and research. It may also be noted that no attempt is made to define the core content of the curriculum. Instead, the Board of Examiners has invited the Ontario Congress of Academic Psychologists to address this issue and to make recommendations at a later date.

It is the intention of the Board that these criteria would assist it in providing consistent, fair and legally acceptable assessment of applications based on doctorates from departments of psychology outside Ontario. Your comments would be welcomed.

CRITERIA FOR DOCTORAL PROGRAMS LEADING  
TO REGISTRATION AS A PSYCHOLOGIST IN  
ONTARIO

THE FOLLOWING CRITERIA WILL BE USED TO IDENTIFY AND DESIGNATE EDUCATIONAL PROGRAMS WHOSE GRADUATES WILL BE ELIGIBLE TO PRESENT THEMSELVES AS CANDIDATES FOR REGISTRATION AS PSYCHOLOGISTS.

1. Training in professional psychology is doctoral training offered in an accredited institution of higher education.
2. The program, wherever it may be administratively housed, must be clearly identified and labeled as a psychology program.

The psychology program must stand as a recognizable, coherent organizational entity within the institution.

The program must be an integrated, organized sequence of study.

3. The majority of the faculty members in the program should be psychologists and they should be responsible for the program. The faculty of the program must have clear authority and primary responsibility for the core and specialty areas whether or not the program cuts across administrative lines.
4. The program must have a body of resident students who are enrolled in that program for a doctoral degree.
5. The curriculum requirements of the program must include supervised practicum, internship, field or laboratory training appropriate to the practice of psychology.
6. Admission to graduate programs in psychology shall require a four year undergraduate degree in psychology or appropriate equivalent study.

SUPERVISION OF NON-PSYCHOLOGISTS

During 1979 the Board has received a number of enquiries concerning its standards on supervision, both with respect to their interpretation and to their application in specific circumstances. At the same time

the Board has been aware that other groups and organizations, such as the American Association of State Psychology Boards, have been struggling with the development of guidelines for supervision. The delegates to the 1979 annual meeting of AASPB, including representatives of the Ontario Board, withheld their approval of the report of its Committee on Supervision, partly on the grounds that its proposed guidelines did not provide sufficiently for the exercise of discretion and judgment on the part of the supervising psychologist.

The Ontario Board of Examiners has purposefully refrained from giving a detailed description of required supervisory activities or their frequency. Instead, it has relied on general principles which would permit individual psychologists to exercise judgment in the degree to which they would delegate responsibility to those working under their direction or supervision. For example, the APA Standards for Providers of Psychological Services, endorsed by the Board, state in Principle 1.2:

"Providers of psychological services who do not meet the requirements for the professional psychologist shall be supervised by a professional psychologist who shall assume professional responsibility and accountability for the services provided. *The level and extent of supervision may vary from task to task so long as the supervising psychologist retains a sufficiently close supervisory relationship to meet this standard.*" (Italics are not in the original.)

The Board interprets the standards as permitting the delegation of varying degrees of responsibility, provided the psychologist does not relinquish his or her own responsibility and accountability for the services provided.

It should be emphasized, however, that in consistency with Section II of The Psychologists Registration Act, the services of the unregistered person cannot be represented as "psychological" if no psychologist is exercising professional responsibility. Instead, they must be seen to be practising independently or as part of some organizational unit other than a "psychological" service.

Number of Psychologists issued Permanent Certificates of Registration\*  
by the Ontario Board of Examiners in Psychology:  
1976 - 1979.

Year	Number at Start of Year and Resident in:			Additions During Year			Attrition	Number at End of Year and Resident in:			Net Gain	
	Ontario	Other	Total	Ontario Grads	Other	Total		Ontario	Other	Total	N	(%)
1976	738	96	834	N (%) 41(.55)	N (%) 33(.45)	74	16	N (%) 788(.88)	N (%) 104(.12)	892	68	8.2
1977	788	104	892	44(.59)	30(.41)	74	20	840(.89)	106(.11)	946	54	6.1
1978	840	106	946	58(.69)	26(.31)	84	33	870(.87)	127(.13)	997	51	5.4
1979	870	127	997	60(.69)	27(.31)	87	2	947(.88)	135(.12)	1,082	85	8.5

\*Fluctuations in the rate of attrition may be due to changes in Regulation 698 which, in 1977, reduced the period during which lapsed certificates may be renewed from ten years to two, and in 1978 and 1979 affected renewal fees.