

# SUPERVISEE'S BILL OF RIGHTS



## INTRODUCTION

The purpose of the Bill of Rights is to inform supervisees of their rights and responsibilities in the supervisory process.

## NATURE OF THE SUPERVISORY RELATIONSHIP

The supervisory relationship is an experiential learning process that assists the supervisee in developing therapeutic and professional competence. A professional counselor supervisor who has received specific training in supervision facilitates professional growth of the supervisee through:

*monitoring client welfare*

*encouraging compliance with legal, ethical, and professional standards*

*teaching therapeutic skills*

*providing regular feedback and evaluation*

*providing professional experiences and opportunities*

## EXPECTATIONS OF THE INITIAL SUPERVISORY SESSION

The supervisee has the right to be informed of the supervisor's expectations of the supervisory relationship. The supervisor shall clearly state expectations of the supervisory relationship that may include:

*supervisee identification of supervision goals for oneself*

*supervisee preparedness for supervisory meetings*

*supervisee determination of areas for professional growth and development*

*supervisor's expectations regarding formal and informal evaluations*

*supervisor's expectations of the supervisee's need to provide formal and informal self-evaluations*

*supervisor's expectations regarding the structure and/or the nature of the supervisory sessions*

*weekly review of challenging/new case until supervisee demonstrates competency in case conceptualization*

The supervisee shall provide input to the supervisor regarding the supervisee's expectations of the relationship.

## **EXPECTATIONS OF THE SUPERVISORY RELATIONSHIP**

A supervisor is a professional counselor with appropriate credentials. The supervisee can expect the supervisor to serve as a mentor and a positive role model who assists the supervisee in developing a professional identity.

The supervisee has the right to work with a supervisor who is culturally sensitive and is able to openly discuss the influence of race, ethnicity, gender, sexual orientation, religion, and class on the counseling and the supervision process. The supervisor is aware of personal cultural assumptions and constructs and is able to assist the supervisee in developing additional knowledge and skills in working with clients from diverse cultures.

Since a positive rapport between the supervisor and supervisee is critical for successful supervision to occur, the relationship is a priority for both the supervisor and supervisee. In the event that relationship concerns exist, the supervisor or supervisee will discuss concerns with one another and work towards resolving differences.

Therapeutic interventions initiated by the supervisor or solicited by the supervisee shall be implemented only in the service of helping the supervisee increase effectiveness with clients. A proper referral for counseling shall be made if appropriate.

The supervisor shall inform the supervisee of an alternative supervisor who will be available in case of crisis situations or known absences.

## **ETHICS & ISSUES IN THE SUPERVISORY RELATIONSHIP**

### **1. Code of Ethics & Standards of Practice**

The supervisor will insure the supervisee understands the *American Counseling Association Code of Ethics and Standards of Practice* and legal responsibilities. The supervisor and supervisee will discuss sections applicable to the beginning counselor.

### **2. Dual Relationships**

Since a power differential exists in the supervisory relationship, the supervisor shall not utilize this differential to their gain. Since dual relationships may affect the objectivity of the supervisor, the supervisee shall not be asked to engage in social interaction that would compromise the professional nature of the supervisory relationship.

### **3. Due Process**

During the initial meeting, supervisors provide the supervisee information regarding expectations, goals and roles of the supervisory process. The supervisee has the right to regular verbal feedback and periodic formal written feedback signed by both individuals.

#### **4. Evaluation**

During the initial supervisory session, the supervisor provides the supervisee a copy of the evaluation instrument used to assess the counselor's progress.

#### **5. Informed Consent**

The supervisee informs the client that supervisee is in training, is being supervised, and receives written permission from the client to possible audio tape or video tape, if it becomes necessary.

#### **6. Confidentiality**

The counseling relationship, assessments, records, and correspondences remain confidential. Failure to keep information confidential is a violation of the ethical code and the counselor is subject to a malpractice suit. The client must sign a written consent prior to counselor's consultation.

#### **7. Direct and Vicarious Liability**

If a professional fails to follow acceptable standards of practice and harm to a client results, the professional can be held liable for the harm caused.

Direct liability would be charged when the actions of a supervisor were themselves the cause of harm to a supervisee or a client (for instance, if a supervisor suggested (and documented) an intervention that was determined to be the cause of harm). The supervisor does not have to actually carry out the intervention, but if the supervisee follows the suggestion of a supervisor and this results in harm – this is direct liability.

Vicarious liability is being held liable for the actions of the supervisee when these were not suggested, or even known, by the supervisor. Therefore, if a supervisory relationship exists, the supervisor can potentially be held liable for any negligent acts of the supervisee.

It should be obvious that the supervisor is very invested in the actions of his/her supervisee – and must take the responsibility of supervision very seriously.

#### **8. Isolation**

The supervisor consults with peers regarding supervisory concerns and issues.

#### **9. Termination of Supervision**

The supervisor discusses termination of the supervisory relationship and helps the supervisee identify areas for continued growth and explore professional goals.

### **Expectations of the Supervisory Process**

The supervisee shall be encouraged to determine a theoretical orientation that can be used for conceptualizing and guiding work with clients.

Since it is probable that the supervisor's theory of counseling will influence the supervision process, the supervisee needs to be informed of the supervisor's counseling theory and how the supervisor's theoretical orientation may influence the supervision process.

### **Expectations of Supervisory SESSIONS**

The weekly supervisory session may include, but is not limited to, a review of all cases, audio tapes, video tapes, and may include live supervision, if deemed necessary.

The supervisee is expected to meet with the supervisor face-to-face in a professional environment that insures confidentiality.

### **Expectations of the Evaluation Process**

During the initial meeting, the supervisee shall be provided with a copy of the formal evaluation tool(s) that will be used by the supervisor.

The supervisee shall receive verbal feedback and/or informal evaluation during each supervisory session.

The supervisee shall receive written feedback or written evaluation on a regular basis during beginning phases of counselor development. Written feedback may be requested by the supervisee during intermediate and advanced phases of counselor development.

The supervisee should be recommended for remedial assistance in a timely manner if the supervisor becomes aware of personal or professional limitations that may impede future professional performance.

Beginning counselors receive written and verbal summative evaluation during the last supervisory meeting. Intermediate and advanced counselors may receive a recommendation for licensure and/or certification.

## **ETHICAL ISSUES IN COUNSELOR SUPERVISION INFORMED CONSENT**

**Supervisors** have a responsibility to incorporate the principles of informed consent as these relate to their supervisees and the clients they serve.

- Supervisors adequately discuss with supervisees expectations, roles, and rules related to the supervisory relationship.
- Supervisees should be aware of procedures for contacting their supervisors, or an alternate supervisor, in cases of crisis situations.

- Supervisees and supervisors should clearly review expectations of performance (e.g., what the supervisees' work assignments/responsibilities will entail), evaluation criteria and procedures, and due process and appeal procedures of their institution.
- Supervisors must be sure that consumers are aware that their counselors are being supervised, the parameters of that supervision, and how this influences confidentiality (e.g., that tapes may possible be reviewed by supervisor and a supervision group).

## **CONFIDENTIALITY**

Supervisors make every effort to safeguard confidentiality within both the therapeutic and supervisory relationships.

- Supervisors work to ensure supervisees' awareness of and respect for consumers' rights to privacy and confidentiality in their working relationship and the information resulting from it (e.g., case notes, test results).
- Supervisors help supervisees differentiate between confidentiality, privacy, and privileged communication. Supervisees need to be aware of agency policies regarding procedures for obtaining consumers' consent for release of information.
- Supervisees should understand when confidentiality must be broken and how this should be done.
- Supervisors are responsible for protecting supervisees' right to privacy and confidentiality. It is important for supervisors and supervisees to review the limits of confidentiality within the supervision relationship.

## **MULTIPLE RELATIONSHIPS**

Despite the inherent duality in the supervisory relationship, supervisors are responsible for creating and maintaining appropriate relationship boundaries with supervisees.

### **Social and Sexual Relationships**

- Supervisors clearly define and maintain ethical, professional, and social relationship boundaries with their supervisees. They are aware of the differential in power that exists and the supervisee's possible incomprehension of that power differentia.
- Supervisors should not engage in social contact or interaction that would compromise the supervisor-supervisee relationship. Dual relationships with supervisees that might impair the supervisor's objectivity and professional judgment should be avoided and/or supervisory relationship terminated.
- Supervisors do not engage in sexual relationships with supervisees and do not subject them to sexual harassment.

### **Counseling Supervisees**

- Supervisors should not establish a psychotherapeutic relationship as a substitute for supervision. Personal issues should be addressed in supervision only in terms of the impact of these issues on clients and on professional functioning.

- If supervisees request counseling, supervisors provide them with acceptable referrals. Supervisors do not serve as counselors for supervisees over whom they hold administrative, teaching, or evaluative roles.
- Supervisors do not accept close relatives as supervisees.

### **Multiple Supervisory Roles**

- Supervisors who have multiple roles with supervisees should minimize potential conflicts. When supervisors function in more than one role (e.g., clinical supervisor, administrative supervisor), the roles should be divided among different supervisors when possible. When this is not possible, it is important to carefully explain to supervisees the expectations and responsibilities associated with each supervisory role.

### **COMPETENCE**

Supervisors have multiple responsibilities. They must balance their responsibility to protect consumers' well-being while simultaneously promoting supervisees' professional development.

- Supervisors are responsible for making every effort to monitor consumer welfare, supervisee performance (actions and non-actions) and professional development, and supervisee compliance with relevant legal, ethical, and professional standards of care.
- To assist in monitoring both consumer welfare and supervisee development, supervisors should meet regularly in face-to-face sessions with their supervisees. Actual work samples (via tape or live observation) in addition to case notes should be reviewed by supervisors as a component of the ongoing supervisory process, if deemed necessary by the supervisor.
- Supervisors make their supervisees aware of professional and ethical standards and legal responsibilities.
- Supervisors encourage and assist supervisees in defining their own theoretical orientation toward their work, in establishing supervision goals for themselves, and in learning to monitor and evaluate their own progress toward meeting these goals.
- Supervisors should be competent to assess supervisees' skills and restrict supervisees' activities to those that are commensurate with their current level of skills. At the same time, supervisors must be able to appropriately challenge supervisees in developing additional skills.

### **RETENTION/DISMISSAL/ENDORSEMENT**

Supervisors are simultaneously facilitators of their supervisees' growth and gatekeepers for the profession. They need to give supervisees every possible opportunity to succeed in their field placements and employment, to keep them informed to their progress, and to dismiss from the site or work settings supervisees who are unable to counsel effectively. We must be fair to supervisees whose performance is inadequate and help them improve, but also act as gatekeepers to the profession.

### **Evaluation**

- Supervisors clearly state to supervisees the levels of competency expected, appraisal methods, and timing of evaluations.

- Supervisors, through ongoing supervisee assessment and evaluation, should be aware of any personal or professional limitations of supervisees which are likely to impede future professional performance.
- Supervisors provide supervisees with periodic performance appraisal and evaluation feedback.

**Remediation and Dismissal**

- Supervisors have the responsibility of recommending to and securing remedial assistance for supervisees who are unable to provide competent professional services. These recommendations should be clearly and professionally explained in writing to the supervisees.
- Supervisors should not endorse a supervisee for certification, licensure, completion of an academic training program, or continued or future employment if the supervisor believes that the supervisee is not qualified for the specific tasks associated with employment or are impaired in any way that would interfere with the performance of their duties.
- Supervisors take reasonable steps to assist supervisees who are not certified for endorsement to become certified.
- Supervisors seek professional consultation and document their decision to dismiss or refer supervisees for assistance. Supervisors assure that supervisees have recourse to address such decisions.

Cut off and return below portion to Supervisor



*By signing below, I acknowledge receipt and full understanding of all items covered in this **Supervisee’s Bill of Rights, Informational Handbook** and other information provided. I will furthermore, strive to help, be engaged, be prepared and supportive of the Supervision Process and on all aspects covered in the Handbook and other Program information.*

\_\_\_\_\_  
*Supervisee’s Signature*

\_\_\_\_/\_\_\_\_/\_\_\_\_  
*Date*

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