

Session 38: Legal and ethical aspects of coaching

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Today we are exploring

- Legal and ethical aspects of coaching
- Considerations to ensure the safety of the coach and different coachees
- The role of supervision
- What supervision is, how it helps and how to access it

Reflecting on legal and ethical considerations?

- ✓ Finish this sentence: The legal and ethical considerations that relate to coaching feel…
- ✓ What do you currently know about the law that relates to coaching?
- ✓ What kinds of ethical dilemmas might arise in coaching?
- ✓ What helps you to maintain your understanding?
- ✓ How does your understanding impact your coaching?
- ✓ How do you know identify the gaps in your knowledge?
- ✓ Where can you go to address those gaps?
- ✓ What else do you notice?
- ✓ What do you want in place to maintain your understanding within in your coaching practice?
- ✓ Explore the different resources relating to legal and ethical considerations in the course materials for ideas

Laws that apply to coaching

- No legal requirement for coaches to have any particular qualification or licence
- "The signatories to this Code acknowledge that the terms "profession" and "professional" are being used for activities that are not under statutory regulation but are being increasingly professionalised and self-regulated." Global Code of Ethics
- If you keep computerised records of individuals' personal details you may be required to register as a data user with the Information Commissioner's Office (ICO)
- Consumer protection legislation: Consumer Rights Act 2015, Equality Act 2010
- Trading Standards Business Companion: https://www.businesscompanion.info/
- Health and safety: risk assessments, summary policy: www.starseedparenting.org/policies
- Employment law if you employ anyone
- Insurance
- Taken from https://www.lawdonut.co.uk/business/sector-specific-law/life-coaching-legal-issues
- Safeguarding adults and children law: https://www.et-foundation.co.uk/professional-development/safeguarding-prevent/designated-safeguarding-lead/safeguarding-guidance-and-legislation-for-adults-and-children/

Considerations to ensure the safety of the coach and coachees

What we need to think about to keep ourselves and others safe:

- Keeping adults and children safe – safeguarding policy, code of conduct, confidentiality policy
- Environment – lone working policy, classroom checklist, display screen equipment policy, health and safety policy
- Inclusion – Diversity, equity and inclusion policy
- Information – confidentiality policy, data protection policy, data retention policy, privacy policy
- Process for when things go wrong – complaints procedure
- Please see policies and summary policies for coaches at: www.starseedparenting.org/policies

Ethical considerations as a coach

Professional coaching organisations have produced quite similar codes of practice for their members to adhere to. A survey of these bodies' codes by Brennan and Wildflower [2014: 431-432] found by comparing these codes some consistency in the ethical principles underpinning a professional's practice emerged, including:

- Do no harm to yourself or others
- Adopt a duty of care that promotes the welfare of others
- Practise within the scope of your competence by knowing your limits
- Respect your client's interests
- Respect the relevant law of the countries in which you operate

https://www.associationforcoaching.com/page/EthicalContextandCodes

Survey of coaches' real life ethical dilemmas

Key results of the survey:

- **343 coaches** (of 353 total) participants fully completed the survey.
- **Mainly EMCC members** (87.6% including membership to EMCC and other organisations) from 46 countries participated in the online survey.
- **87% are over 45 years old**, of which 34.3% men and 64.9% women
- **71% of participants have a Masters or PhD**
- 41.1% of the respondents agreed with the first definition or a dilemma: **"A situation in which a difficult choice has to be made between two courses of action, either of which entails transgressing a moral principle"**
- 36.7% prefer the second definition: **"A difficult situation or problem with a client that I face in my professional practice".**
- 7.3% of the respondents declare that they never had a dilemma in their coaching practice while 28% had a dilemma in the last month and 31.5% in the last six months
- **72% had 1-4 dilemmas in the last 12 months**. 15.7% didn't have any dilemmas in the same period

Survey of coaches' real life ethical dilemmas

The participants were asked to choose **up to three of their most recent dilemmas**:

- "**managing own weaknesses**" 39.6%,
- "**conflicting interests** between sponsor and coachee" 33.2%
- "Working with a **client who diverts from the goals** that have been agreed with their sponsoring organization" 30%
- "**Confidentiality issues** in the organisational environment" 26.8%
- "**Managing boundaries** of the coaching profession" 25.9%
- "**Managing relations** in an organization" 24.7%

Survey of coaches' real life ethical dilemmas

- The main **root cause** of dilemmas they declared is **"Clash between my value system and the value system of my client"** by 42%
- The **biggest risks** of a wrong decision in handling a dilemma are:
  - **"losing trust with the coachee or the sponsor"** 47.8%
  - **"doing harm to the client's development"** 42.2%
  - **"damage of my credibility as a professional"** 40.2%
- **Participants' solution** to handle dilemmas:
  - **"supervision"** as first choice 72.3%
  - **"reflection on the issue"** 62.9%
  - **"recontracting with the client"** 45.4%
  - **"discussion with trusted colleagues"** 42.2%

https://the-goodcoach.com/tgcblog/2021/9/6/ethical-dilemmas-in-coaching-today-by-maria-biquet

Ethical supervision resources: Ethics in action by AC

AC created a resource for coach supervisors, and will also be of benefit to coaches, mentors and training providers. It is intended as an evolving learning space to help practitioners explore ethical issues according to their current needs:

In this Resource you can find:

• examples of codes of practice, frameworks for guiding thinking, case studies, opportunities for reflecting on potential ethical challenges, plus theory and practice.

• resources to promote a consistent practice with an ethos of mutual respect, ethical maturity and on-going learning

• support to help ongoing conversations and debate designed to raise ethical awareness by bringing attention to evolving thoughts, feelings, perceptions, beliefs and other context that constitute our sense-making and our consequent behaviour

https://www.associationforcoaching.com/page/ethicalsupervisionresources

Overview of supervision

Coaching supervision is a formal and protected time for facilitating a coach's in-depth reflection on their practice with a Coaching Supervisor.

Supervision offers a confidential framework within a collaborative working relationship in which the practice, tasks, process and challenges of the coaching work can be explored.

The primary aim of supervision is to enable the coach to gain in ethical competency, confidence and creativity so as to ensure best possible service to the coaching client, both coachees and coaching sponsors.

Supervision is not a 'policing' role, but rather a trusting and collegial professional relationship (Association for Coaching, 2018)

https://www.associationforcoaching.com/page/WhatisCoachingSupervision

How supervision helps

Supervision can be provided in a one-to-one or group setting, either face-to-face or virtually:

- analysis of client cases to open possibilities for new client interventions and coaching strategies
- reflection on the coach's internal thought processes and assumptions
- revealing blind spots
- exploring ethical issues and contracting challenges
- deepening self-awareness
- brainstorming solutions to complex and challenging client situations
- appreciating and celebrating the accomplishments of the coach
- providing accountability with a sounding board for ideas

https://www.associationforcoaching.com/page/WhatisCoachingSupervision

How to access supervision

As part of this FWM course:

- Book in with Charlie: https://www.starseedparenting.org/90-min-fwm-supervision-link

Other ways to access supervision:

- Through Association for Coaching: https://www.associationforcoaching.com/page/findacoach
- British School of Coaching: https://www.britishschoolofcoaching.com/supervision/
- Neurodiversity specific (to verified by FWM) : https://neurodiversity-specialists.co.uk/coaching-supervision-what-you-need-to-know/

What this means for you personally

- ✓ Reflect on legal and ethical considerations that could apply to you as a coach – what do you notice?
- ✓ Play with it a little – what if this was different?
- ✓ Use the questions at the start of this session to help you reflect
- ✓ Identify 1 ways you want to explore your ethical capacity over the next month – with awareness that you can explore other aspects another time
- ✓ Plan what you will do over the next month to develop this capacity
- ✓ Consider how feeling capable can help other parents

The importance in a parenting context

- ✓ Your awareness of and confidence in ethical considerations will naturally bring a new dynamic to your parenting
- ✓ You can share your awareness with coachees, both formally by showing and explaining, and informally by modelling the approaches in your sessions
- ✓ You can pick the knowledge, skill or behaviour that feels relevant in the context:
  - ✓ Introducing the coachee parent to the concept of ethics may help the coachee to explore nuances of ethics within their family
  - ✓ How could the coachee explore their own ethics in relation to parenting and start to notice what feels right and what doesn't?
  - ✓ How does the child feel in their body when their parent is behaving in line with with their own ethical framework?
  - ✓ How can the coachee check in with their child to explore what feels ethical and appropriate and what doesn't?
  - ✓ How can the coachee negotiate with others to ensure the child is treated in an ethical manner?