

CVRP



College of Vocational Rehabilitation Professionals

Standards of Practice

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Introduction

The mandate of the College of Vocational Rehabilitation Professionals (The College) is to protect the public and establish the minimum requirement of competency and certification. The primary function of the College is to ensure Registrants are qualified, competent, and following clearly defined standards of practice and ethics.

The College of Vocational Rehabilitation Professionals (The College) is the national, self-regulatory body for the vocational rehabilitation (VR) profession. The College is responsible for protecting the public by setting and enforcing standards and guidelines and governing the conduct of our Registrants. The College will uphold the quality of services provided by Registrants as well as act on behalf of a member of the public who is concerned about the vocational services they have (or ought to have) received.

One way to ensure the College has an appropriate, informed, and transparent process for protecting the public and adjudicating complaints is to set and rely on professional Standards of Practice.

The Standards of Practice

- outline the professional standards that College Registrants are expected to uphold.
- apply to direct and indirect professional practice activities.
- pertain to the expected professional behaviour of College Registrants.
- are used by the College to adjudicate complaints.
- are to be utilized by Registrants in conjunction with applicable legislation.

It is incumbent upon Registrants to thoroughly read, understand and adopt these standards and use them to promote excellence in service delivery and professional behaviour. The Standards of Practice set out in this handbook are the minimum standards, which are regularly reviewed by the College.

In addition to the Standards of Practice, Registrants are expected to engage in ethical behaviour. The College endorses the Code of Ethics published by VRA Canada. However, Registrants must be aware that the Standards of Practice supersede the Code of Ethics with respect to the College's mandate to adjudicate complaints involving public safety.

Professional Misconduct

By-Laws: means the by-laws of the College of Vocational Rehabilitation Professionals.

College: means the College of Vocational Rehabilitation Professionals.

Registrant: means a Registrant of the College.

Procedures: means the procedures developed by the College pursuant to the By- Laws in relation to registration, complaints, discipline, professional practice, fitness to practice or any other procedures developed by the College from time to time.

Profession: means the profession of vocational rehabilitation, disability management, and evaluation services conducted by Registrants.

Professional Misconduct in the Practice of Vocational Rehabilitation and Registrants' Relations with Clients

The following are acts of professional misconduct for the purposes of the By-Laws and Procedures:

1. Failing to maintain, or contravening the standards of practice of the profession, by act or omission.
2. Abusing a client or a client's representative sexually, verbally, physically, or emotionally.
3. Performing a professional service for which consent is required without consent.
4. Failing to provide a truthful, understandable, and appropriate explanation of the nature of an assessment, intervention or other service provided or recommended by the Registrant following a client's reasonable request for an explanation.
5. Discontinuing professional services that are needed, unless:
 - i. the client requests the discontinuation,
 - ii. the client withdraws from the service,
 - iii. reasonable efforts are made to arrange alternative services,
 - iv. the client is given a reasonable time and opportunity to arrange alternative services,
 - v. the client has failed to make payment within a reasonable time for professional services, despite reasonable requests for payment from the Registrant or
 - vi. continuing to provide the services would place the Registrant or their staff at serious personal risk.
6. Giving information about a client to a person other than the client or their authorized representative, except with the consent of the client or the client's authorized representative or as required or authorized by law.
7. Recommending or providing an assessment or service that is unnecessary or that the Registrant knows or ought to know is not likely to benefit the client.

8. Providing service that the Registrant knows or ought to know they do not have the knowledge, skill, or judgment to provide.
9. Failing to adequately supervise a person who is under the professional responsibility of the Registrant and to whom the Registrant has assigned tasks related to the practice of vocational rehabilitation and evaluation.
10. Practicing the profession while the Registrant is in a conflict of interest.
11. Practicing the profession while under the influence of any substance, while suffering from illness or other dysfunction, which the Registrant knows or ought to know impairs the Registrant's ability to practice.
12. Without reasonable cause, breaching a term of an agreement with a client relating to:
 - i. professional services for the client,
or
 - ii. fees for professional services.
13. Making a claim about a remedy, treatment, device, or procedure other than a claim that can be supported as a reasonable professional opinion.
14. Influencing a client or a client's authorized representative to change the client's will or other testamentary instrument.
15. Failing to make reasonable attempts to communicate or collaborate on the care of the client with the client's other relevant health care providers when necessary for the client's health unless the client does not consent to such communication/collaboration care.

Record Keeping and Reports

16. Failing to keep records as required.
17. Signing or issuing a report or other document or making a record in a Registrant's professional capacity that the Registrant knows or ought to know is false, misleading, or otherwise, improper.
18. Falsifying a record relating to the practice of vocational rehabilitation or evaluation.
19. Failing, without reasonable cause, to provide a report or certificate relating to a service performed by the Registrant, within a reasonable time, to a client or a client's authorized representative after the client or their authorized representative has requested such a report or certificate.
20. If the Registrant intends to close their practice and where care has not been transferred to another practitioner, failing to take reasonable steps to give appropriate notice of the intended closure to each client for whom the Registrant has primary professional responsibility or failing to ensure that each client's records are transferred to the Registrant's successor or to another Registrant if the client so requests.
21. Failing to ensure that a client's records are retained or disposed of in a secure manner.

Representations about Registrants and Qualifications

22. Inappropriately using a term, title, or designation in respect of the Registrant's practice.
23. Inappropriately using a term, title or designation indicating a specialization in the profession.
24. Failing to identify oneself as a vocational rehabilitation professional to a client or a client's authorized representative when providing vocational rehabilitation or evaluation services.
25. Failing to advise the College promptly of a change in the name used by the Registrant in providing or offering to provide vocational rehabilitation or evaluation services.
26. Permitting, counseling, or assisting a person who is not a Registrant to represent himself or herself as a Registrant of the College.

Business Practices

27. Failing to inform the client, before or at the commencement of a service, of the fees and charges to be levied for the service and for late cancellations or missed appointments, or of any penalties that will be charged for late payment of the fee.
28. Submitting an invoice, bill, or receipt for services that the Registrant knows or ought to know is false or misleading.
29. Charging a fee that would be regarded by Registrants as excessive in relation to the service performed or the expertise of the Registrant.
30. Charging a block fee without first specifying the following in writing:
 - i. the services covered by the fee
 - ii. the amount of the fee
 - iii. the arrangements for paying the fee, and
 - iv. the rights and obligations of the Registrant and the client if the relationship between them is terminated before all the services are provided.
31. Failing to provide an itemized account for professional services within a reasonable amount of time, if requested to do so by the client or the person or agency who is paying, in whole or in part, for the services.
32. Offering or giving a reduction in fees for prompt payment of an account unless such reduction of fees is clearly outlined in the Registrant's fee guidelines and offered to all clients.
33. Receiving or conferring a rebate, fee or other benefit by reason of the referral of a client from or to another person.
34. Selling or assigning any debt owed to the Registrant for professional services. This does not include the use of credit cards to pay for professional services.
35. Advertising or permitting the advertising of the Registrant or their practice in a manner that is false or misleading or that includes statements that are not in good taste, factual and verifiable.

College Compliance

36. Contravening the By-Laws or a College Procedure, Policy, Guideline or Standard.
37. Contravening a term, condition or limitation imposed on a Registrant's certificate of registration.
38. Practicing the profession while the Registrant's certificate of registration has been suspended.
39. Failing to comply with an order of a Committee of the College.
40. Failing to appear before a panel of the Complaints Committee when requested to do so by the College.
41. Failing to carry out or abide by an undertaking given to the College or breaching an agreement with the College.
42. Failing to cooperate with a College investigation.
43. Failing to reply appropriately, fully, accurately and within thirty days (30) to a written inquiry or request from the College.
44. Failing to cooperate with an investigator of the College, or another self-regulatory body who produces evidence of their appointment.

Miscellaneous Matters

45. Contravening, by act or omission, a federal, provincial or territorial law, or municipal by-law, if,
 - i. the purpose of the law or by-law is to protect or promote public health,
or
 - ii. the contravention is relevant to the Registrant's suitability to practice.
46. Engaging in conduct or performing an act, during professional practice, that, having regard to all the circumstances, would reasonably be regarded by Registrants as disgraceful, dishonourable or unprofessional.
47. Engaging in conduct that would reasonably be regarded by Registrants as conduct unbecoming of a vocational rehabilitation professional.

Advertising

Purpose

The purpose of this standard is to ensure that any advertisement by a Registrant serves the public interest and ensures that members of the public receive information that allows them to make informed and rational choices when engaging in vocational rehabilitation/evaluation services. To serve the public interest, advertising should be done in a manner that educates the public on services that the Registrant is certified to provide. Advertisements should be accurate, factual, and verifiable to the public, clients and any person who reads the advertisement, whether or not they intend to use the services of the Registrant.

Definitions

For the purpose of this standard, an advertisement is considered any message or communication delivered to the public by a Registrant (either individually or through a corporation), through any medium, including verbally, in writing, electronically, on media or otherwise, which conveys information about the Registrant and their services, for the purpose of influencing an individual or group to use the services of the Registrant.

Public statements include, but are not limited to, paid or unpaid advertising, product endorsements, grant applications, licensing applications, other credentialing applications, brochures, printed matter, directory listings, personal resumes or curriculum vitae, or comments for use in media, such as print or electronic transmissions, statements in legal proceedings, in lectures and oral presentations, and in published materials. Registrants will not knowingly make public statements that are false, deceptive, fraudulent, or exploitative concerning their research, practice, or other work activities, or those of persons or organizations with which they are affiliated.

Regulatory Context

It is an act of professional misconduct to contravene or fail to comply with this standard of practice.

Standard

Registrants shall ensure that advertising includes:

- accurate communication regarding the Registrant's College certification and any College subspecialties
- accurate and verifiable information pertaining to services or fees
- information in a language or format that is easy to understand
- clear statements or descriptions regarding the purpose of the advertisement

- an option for recipients to unsubscribe or terminate communications at any time or to cease receiving the advertisement.

Registrants shall ensure that advertising does not:

- include false or unjustified expectations of favorable results
- imply or state guarantees of success
- appeal to a person's fears
- contain superlative or comparative terms, such as "best outcomes", "guaranteed return to work" or any other words that suggest or imply the Registrant provides superior work to a colleague
- imply or state that a Registrant is recognized as a specialist other than certified subspecialties by the College
- use any testimonials, client names or the names of any organizations, peers or other professionals
- make reference to affiliations with an association, society or body other than the CVRP (other than on a curriculum vitae, business stationary or approved public displays)
- use statements that are false, deceptive or exploitative
- use pressure tactics or coercion
- offer free services or contain hidden costs or fees
- barter for services
- promote an exchange of fees for services to a charitable donation

Registrants will ensure that advertising does not contravene any other CVRP standards of practice, policies, guidelines, or privacy legislation.

Supervision

This Standard pertains to the requirement of:

- applicants of the College of Vocational Rehabilitation Professionals
- interns in vocational rehabilitation
- provisional Registrants
- Registrants undergoing remediation, and
- CVRP Registrants performing services under the CCVE Scope of Practice

to obtain supervision:

- while developing the skills and experience required for CVRP and/or CCVE certification, professional practice, or remediation, or
- to perform services under the CCVE Scope of Practice, without the CCVE certification

as well as the roles and responsibilities of supervisors and supervisees, in accordance with the College's Registration, Certification and/or Professional Conduct policies.

The College encourages qualified CVRP and CCVE Registrants in good standing to participate in supervision to:

- enhance supervisees' experience and understanding of vocational rehabilitation services
- contribute to the overall body of knowledge, skills and professional practice within the profession
- ensure public safety and proper care to vocational rehabilitation clients, and to
- sustain self-governance of vocational practice through the College.

For the purpose of this standard, qualified Registrants who may act as Supervisors are defined as:

- having the certification to perform the services which are being performed by the supervisee, and
- Registrant of the College in good standing for 3 consecutive years, or
- Registrant of the College in good standing in the Fellow or Diplomate classification,

with extensive practice experience in the area of vocational rehabilitation and/or evaluation in which supervision is provided, who have taken the responsibility to provide guidance, make observations, and conduct assessment of supervisees.

To demonstrate this Standard, supervisors are required to:

- ensure they meet the above noted requirements to act as a Supervisor.

- clearly outline roles, responsibilities, duration, fees, and terms related to completion of the supervision relationship as well as clearly outlined an agreement and understanding on how the supervision relationship will be terminated or completed
- ensure the safety of the public and clients receiving vocational rehabilitation services by the supervisee
- ensure best practices in client service delivery by the supervisee
- ensure supervisees review and adhere to the College's Standards of Practice, behave ethically and maintain professional boundaries
- provide training, mentorship and guidance to supervisees about vocational rehabilitation and/or evaluation services and their delivery, risk factors and professional responsibilities
- provide training, mentorship and guidance to supervisees about file documentation, privacy and billing practices
- provide training, mentorship and guidance to supervisees about professional boundaries
- provide training, mentorship and guidance to supervisees about their professional and ethical obligations to the public, the profession and the College
- provide appropriate working conditions, timely evaluations and opportunities for suitable experience, training and remediation (if required)
- provide an environment that is safe, free of harassment, discrimination and intimidation.
- evaluate, monitor and ensure, to the best of their ability, the knowledge, skill and judgment of the supervisee in relation to the services being carried out by the supervisee and in accordance with professional standards of practice and provide remedial assistance and/or guidance when needed.
- promote supervisee autonomy and professional development while respecting their personal dignity and cultural identity.

To demonstrate this standard, supervisees are required to:

- engage in activities assigned by the supervisor while developing one's own autonomy
- adhere to the roles, responsibilities, duration, fees and terms related to the supervision relationship as outlined in an agreement with the supervisor
- act at all times in a manner which ensures the safety of the public and clients receiving vocational rehabilitation services
- review and adhere to the principles of ethical practice, the therapeutic relationship, professional boundaries, standards, guidelines, policies and ethical principles of the College
- develop knowledge and skills in the areas of file documentation, privacy, billing practices and professional and ethical obligations to the public, the profession and the College
- adhere to recommendations of the supervisor in a timely manner and seek clarification when needed

Conflict of Interest

The purpose of this standard is to inform College Registrants of the risks associated with potential power imbalances that arise from the therapist/client relationship to ensure that the interests of clients and the public are protected at all times, in accordance with the College's Policy, Conflict of Interest.

A conflict of interest exists where a relationship creates an actual, potential, or perceived conflict between the Registrant (directly or through a related person or corporation) and a client (or member of the public), in situations where a reasonable person would conclude that the Registrant's interests/professional judgment and/or duty to act in the best interest of the client/public were improperly influenced (directly or indirectly) by the aforementioned relationship.

Registrants of the College (in all certification classes) must abide by the Conflict-of-Interest Standard by ensuring that they do not practice the Profession while in a conflict of interest, which includes the following actions (directly or through a related person or corporation):

- i. accept a rebate or other benefit for referring a client to any other person
- ii. offer, provide or negotiate a rebate or other benefit to a person for the referral of a client
- iii. accept, provide or negotiate a rebate or other benefit for recommending or providing materials or equipment or any valuable goods or services to a client
- iv. use any premises or equipment without reasonable payment to a person who stands to gain financially from supplying such materials, equipment, goods or services to you or your clients
- v. enter into an agreement or arrangement with any person that interferes or potentially interferes with your professional practice or judgment in the service or referral of a client
- vi. participate in any form of revenue, income or fee sharing with any person other than:
 - a. a College Registrant,
 - b. a member of another College or allied health professional corporation, and only when appropriate in the delivery of vocational rehabilitation services to the client.
- vii. recommend or supply materials, equipment, goods or services that are sold by a related person or corporation, or that are sold by any person associated with the Registrant, without first providing the client with a written description of the product and advising the client that he or she may purchase the product elsewhere.
- viii. any other action(s) for which a reasonable person would conclude that:
 - a. there was a conflict of interest
 - b. the Registrant's professional judgement and/or actions were influenced by their personal financial interest or some other gain
 - c. client care and/or public safety was compromised by the Registrant's actions

It is not a conflict of interest for a Registrant to refer a client to a related person or a corporation in order to obtain a product or service, provided that the Registrant advises the client, both verbally and in writing:

- i. the nature of the Registrant's relationship with the related person or corporation
- ii. that the client may choose another provider of the product or service, without affecting the professional relationship between the Registrant and the client, and
- iii. the name and contact information of at least one other local provider of the product or service.

A copy of the written disclosure of conflict of interest must remain in the client's file. Failing to adhere to this Standard is considered an act of professional misconduct.

Consent

Definition:

Consent is a process that requires dialogue between the Registrant proposing the service and the client who will receive the service.

Consent must be:

- Informed
- Voluntary
- Written and/or verbal
- Expressed: consent that has been clearly and unmistakably given.

Standards for Obtaining Consent:

- Written consent should be sought whenever possible.
- Consent must be documented in the client record.
- Registrant must determine if the client has the cognitive capacity to provide consent (i.e., able to fully understand the purpose and process of consent). If there is reason to believe that the client may not have the cognitive capacity to provide consent, the Registrant must seek consent from a substitute decision- maker on behalf of the client.
- The client must be informed that consent applies to the collection, use, and disclosure of personal (health) information, as well as consent to participate in all aspects of the proposed vocational evaluation/assessment, and/or rehabilitation services.
- The Registrant must inform the client about the limitations of the proposed service and whether or not any treating relationship will exist between the Registrant and the client. The qualifications of the Registrant proposing the service, and any other participants (such as an assistant, an interpreter, a student/intern, or other professionals for service delivery), must be made known to the client during the consent process.
- A discussion of the purpose of the service as well as potential risks and limitations within the Registrant's scope of practice
- The client must be informed of their right to withdraw consent at any time, the process to do so and the Registrant's next steps as a result of the withdrawal.
- Consent for release of information does not apply when information is legally required.

Boundaries of Competence

This standard pertains to the expectations of conduct in any professional relationship where a College Registrant is in a position of power or authority.

The overriding responsibility of College Registrants is to hold the best interests of their client's paramount. In fulfilling this professional obligation, Registrants must possess a sound understanding of professional capabilities, areas of competence, and professional limitations, as verifiable by education, training and experience.

Registrants must continually assess their knowledge, skill and judgment, as these pertain to their competence to work with particular clients, especially when a client presents with an unfamiliar issue or one the Registrant does not have the expertise to deal with.

Knowing when to seek supervision or consultation, and when to refer a client to another professional is integral to fulfilling a Registrant's professional obligations. Registrants must act in the best interests of clients and ensure that clients are not harmed by a Registrant's failure to acknowledge their own professional limitations. When appropriate, Registrants will make efforts to refer the client to another professional or provide the client with resources to seek services with another professional.

Performance Expectations

A Registrant demonstrates this Standard by:

- Demonstrating awareness of the potential for power imbalances (real or perceived) in professional relationships.
- Establishing and managing the boundaries of the professional relationship by:
- Recognizing and understanding the components of the professional relationship.
- Maintaining an appropriate level of professionalism and objectivity with respect to client service.
- Refraining from accepting and giving gifts.
- Refraining from inappropriate self-disclosure; and
- Recognizing that boundary crossings are often subtle and motivated by what appear to be honourable intentions.
- Refraining from behaviour that could be inappropriate, abusive (verbally, physically, emotionally, financially and/or sexually) and/or neglectful. (Refer to Standard Professional Misconduct).
- Refraining from unnecessary, excessive, or inappropriate touching of a client. Appropriate physical contact that is necessary for services, such as while administering work samples, may be reasonable, provided that the Registrant first advises the client of the physical contact and the reason for it, and obtains consent from the client prior to proceeding.
- Engaging in appropriate professional communication by:

- Speaking calmly and using plain language.
- Refraining from voicing personal opinions such as about values, lifestyles politics, etc.
- Ensuring client choice and informed consent; and
- Being aware of both verbal and non-verbal communication and how it may be perceived.
- Respecting a client's rights to make decisions about treatment and/or services.
- Advocating for the client's best interests.
- Demonstrating sensitivity to diversity (diversity includes but is not limited to age, gender, religion, sexual orientation, ethnicity, cultural beliefs, ability, values and lifestyles) and adjusting boundaries as appropriate.
- Refraining from engaging in a close personal relationship with a client.
- Close personal relationships can diminish a Registrant's objectivity and can increase a client's vulnerability. A close personal relationship can jeopardize the unique components of the professional relationship and risk harm to the client.
- A sexual relationship with a client, their immediate family members, guardians, caregivers and/or their substitute decision maker (SDM) is strictly prohibited and is considered sexual abuse. Registrants are not permitted to engage in a sexual relationship with a client for at least five years after the end of the professional relationship. A sexual relationship with a client may never be acceptable if the power imbalance continues to exist or if the client is vulnerable to the effects of boundary violations (i.e. has a history of sexual abuse).
- Refraining from dual relationships.
- Educating clients and client advocates on the professional relationship and protecting them from boundary violations or abuse.
- Maintaining a professional image in any professional engagement.
Registrants must also be aware of and adhere to federal legislation and statutes as well as those in the province(s) in which Registrants provide services.

Definitions:

Professional Relationship: A relationship between the Registrant and the client that is based on respect, trust and professionalism, and acknowledges the inherent power of the Registrant over the client.

Client Advocate: Anyone who the client has consented to assisting them in meeting their needs and/or who advocates for the client's best interests.

Substitute Decision Maker: A person who is authorized to make treatment decisions, give, or refuse consent to a service on behalf of a person who is incapable with respect to the treatment.

Close Personal Relationship: A relationship with a person that is characterized by feelings of warmth and familiarity, and/or has elements of exclusivity, privacy or intimacy.

Boundaries: The limits that allow for safe and respectful connections between individuals.

Dual Relationships: When a Registrant has a business or personal relationship with a client outside of their practice. For example, a client cannot provide professional services to a Registrant, such as financial planning or managing real estate transactions.

Family Members: A client's spouse or partner, parent, child, sibling, grandparent or grandchild.

Abuse: The misuse of the power imbalance existing in the professional relationship and a manipulation of the core elements of the relationships – respect, trust, and professionalism, when the Registrant knew, or ought to have known, that their behaviour would cause harm. Abuse can be verbal, physical, financial, sexual and/or emotional. Neglecting a client's needs may also be considered abusive.

Representation of Professional Qualifications

This standard pertains to the requirement of Registrants of the College of Vocational Rehabilitation Professionals (the College) to properly identify and represent their professional qualifications.

Clients, customers, and other stakeholders are entitled to know the name, be able to verify the registration status, and have information pertaining to the professional qualifications of the Registrant with whom they are dealing. In addition, the College must be able to identify and locate a Registrant if a complaint or a report about the Registrant is received. Registrants shall neither misrepresent nor falsely enhance their professional qualifications, experience, or performance.

In their professional role Registrants must identify themselves using the name recorded in the public registry of the College. The College should be notified if a Registrant undergoes a legal name change.

Only Registrants of the College shall use the College's certification titles and only those titles that the Registrants have appropriately achieved and continue to hold in good standing. Registrants shall not use any of the College's certifications on business cards, door plates, in advertisements, directories, or in any other way intended to advertise their professional service unless they are in good standing with the College.

No Registrant shall display the College logo on their website or any other written/digital materials.

When Registrants are making personal statements in a public context, including the making of public statements, they must do so in a manner that clarifies they are speaking from their personal perspectives and that they are not speaking on behalf of the College or its Registrants.

Registrants shall make reasonable efforts to ensure that statements made by others, on the Registrant's behalf about the Registrant, are accurate.

Registrants shall not knowingly make public statements that are false, deceptive, fraudulent, or exploitative concerning their research, practice or other work activities. Registrants should also avoid making statements that could easily be misunderstood by virtue of what they say about their professional qualifications and services or by what they omit to say about them.

Sensitivity to Diversity

Registrants must recognize that clients will have a diverse array of backgrounds, beliefs, values and attitudes and that differences between the Registrant and client in these areas may subject a client to negative consequences such as power imbalances or loss of personal autonomy. Registrants must therefore ensure they understand, and respect clients' diversity related to their age, ethnicity, culture, gender, religion, sexual orientation, social or economic status, as well as related to their disability and health status. Registrants must ensure that their understanding in these areas as it pertains to each client, enables Registrants to ensure a safe and supportive environment for clients, free from power imbalances, discrimination or any other risks.

For the Purpose of this Standard:

- Registrants must strive to enhance their ability to provide vocational services by reflecting on how their clients' cultural values and beliefs impact the professional relationship.
- Registrants are accountable to listen to, understand, and respect their clients' values, opinions, needs and ethno-cultural beliefs. Registrants must integrate these elements into their rehabilitation plans and/or evaluation recommendations to ensure the clients' needs are considered.
- Registrants must respect a client's request for an alternative rehabilitation approach such as seeking therapy from one's leader in an indigenous community. If a Registrant feels a client's choice based on their cultural beliefs may negatively impact their vocational rehabilitation, the Registrant must discuss with the client any risks within the vocational rehabilitation scope of practice, related to such choice(s), so the client may make an informed decision.
- The Registrant must reflect continually on their client's cultural beliefs and values to determine if or how they will impact their vocational rehabilitation plan or evaluation process.

Extension to Ethical Responsibilities

The College's code of ethics outlines the values and principles that form the College's expectations for ethical practice. The code of ethics applies to all contexts, domains and levels of decision making within vocational rehabilitation practice. The College's values and principles are promoted by the Registrants and are used to help the public understand the profession's ethical obligations. The code of ethics in turn promotes ethical behaviour and attitudes of the Registrants and guides ethical practice.

Registrants must consider what is right in furthering the interest of their clients and protecting the public interest. Registrants are in a position of duty to the individuals who rely on their knowledge, skills, and judgement. They are in a position of authority because of their access to sensitive information and because of the provision of services to people who are vulnerable. Therefore, Registrants have a responsibility to uphold the College's fundamental values.

The College's fundamental values are respect and trust. These values are related to the obligations that a professional has to the public, who place their respect and trust in professionals.

Respect is promoted by applying the following principles (including but not limited to):

- Client centered practice
- Respect for autonomy
- Collaboration and communication

Trust is promoted by applying the following principles (including but not limited to):

- Honesty
- Fairness
- Accountability
- Transparency

Ethical principles (including but not limited to):

- Respect for the dignity of persons and peoples
- General respect, general rights, non-discrimination, fair treatment/ due process, informed consent, freedom of consent, protections for vulnerable individuals and groups, privacy, confidentiality, extended responsibility.
- Responsible caring
- General caring, competence and self-knowledge, risk/benefit analysis, maximize benefit, minimize harm, offset/correct harm, extended responsibility.

Duty to Warn

This standard outlines the limits of confidentiality under which Registrants may disclose confidential information without the informed consent (verbal or written) of the client, as per the Registrant's duty to warn.

Note: The law regarding duty to warn is complex. As such, it is advised that Registrants stay updated on applicable laws and seek legal advice if unsure of their duty to warn in a particular situation. Additionally, if Registrants are faced with a conflict between this standard and applicable law, they are advised to follow the applicable law. However, it is important that Registrants act in a timely manner in order to mitigate risk of harm to their clients and/or others.

Specifically:

1. At the beginning and throughout an assessment or vocational rehabilitation services, the Registrant must inform the client of the limits of confidentiality.
2. Duty to warn includes where a Registrant:
 - a. determines that disclosure is necessary to protect against or reduce a clear and substantial risk of imminent serious bodily harm being committed by the client on themselves (e.g., suicide) or another individual (e.g., homicide).
 - b. If a Registrant believes a substantial risk of imminent serious bodily self-harm exists, there may be a professional and/or legal obligation to inform the client's physician and the police. The Registrant should also inform their supervisor/employer.
 - c. If a Registrant believes a substantial risk of imminent serious bodily harm against another individual exists, there may be a professional and legal duty to warn the intended victim and advise them to contact the police and for the Registrant to also inform the police. The Registrant should also inform their supervisor/employer.
 - d. determines that disclosure is necessary to protect an identifiable minor (e.g., against physical harm, sexual abuse, or neglect), consistent with applicable law.
 - e. determines that disclosure is necessary to protect a vulnerable adult, who due to their condition or circumstance, would be unable to seek support or assistance for abuse or neglect, consistent with applicable law.

Records Maintenance, Access, and Privacy/Confidentiality

Record keeping demonstrates the Registrant's accountability by documenting services from referral to closure.

The client record contains personal and health information and is a legal document as well as a source of evidence for all events, decisions, interventions and plans in the course of service. It aids in maintaining continuity of care, as well as in monitoring the client's vocational rehabilitation status, services provided to-date, and outcomes.

Standards for Record Maintenance, Access, Privacy/Confidentiality

- Registrant must adhere to the applicable legislation with respect to privacy, confidentiality, and security of a client's record.
- Registrant must prevent unauthorized access to a client's record and demonstrate appropriate effort to maintain the integrity of the record as well as safeguard the client's record during storage, travel/transportation, and when exchanging reports or other information with any stakeholders.
- Registrants are required to ensure records are retained for 7 years from last entry, or, if the client is a minor, 7 years after client turns 18, and thereafter ensure secure destruction of records. In some cases, records may be required to be returned/forwarded to the referral source when service is completed. In such cases, this must be explained to the client at the time of informed consent, and the client must be provided with the name of the person or entity who will assume the role of maintaining their records and providing access to same.
- A Registrant must implement a plan for clients to access their record during absences of the Registrant, or when a service is discontinued or transferred to another provider.
- Financial records must be maintained for 7 years for every client to whom a fee is charged for service. Financial records may be stored separately from a client's record but must meet the privacy, confidentiality, and security requirements as per relevant legislation.

Sexual/Personal Relationships

Public protection is the priority of the College of Vocational Rehabilitation Professionals (the College). Clients have a right to safe, competent, and ethical services, that includes the right to be safe from any harassment, sexual abuse or inappropriate behaviour by the Registrant. Registrants shall not engage in any personal, financial, emotional and/or sexual relationships with client.

Sexual abuse of a client occurs when a Registrant of the College does any of the following, whether in the presence of the client or through other methods, such as through email or social media:

- engages in verbal or physical relations of a sexual nature with a client.
- engages in an emotional/personal relationship with a client
- starts a relationship with a client with whom the Registrant had a past personal relationship
- touches a client in a sexual manner
- behaves in a sexual manner toward a client (for example, unwanted touching of a client's shoulder or hand, or inappropriate commenting on a client's physical appearance outside of the context of the client's vocational rehabilitation)
- makes remarks of a sexual nature to a client or within earshot of clients

Client sexual abuse is different from the criminal act of sexual assault, which refers to a sexual act without consent. In the context of a Registrant-client relationship, it does not matter if the client consents; it is always sexual abuse.

Maintaining professional boundaries is always the Registrant's responsibility. This includes physical boundaries. The power imbalance that exists between the client and Registrant, any sexual or romantic relationship a Registrant has with a client is abuse and professional misconduct.

A CVRP Registrant shall not engage in a sexual or romantic relationship with a client, their immediate family members, or substitute decision maker for five years after the end of the professional relationship with the client. This prohibition is indefinite if clients are vulnerable to the effects of boundary violations and/or exploitation by a rehabilitation provider.

Assessment and Evaluation Services Performed by Registrants

For the purpose of this standard, the following definitions are relied on, as set out by the College, regarding vocational assessment and evaluation services, and the corresponding certification required to engage in the respective services:

Vocational Assessment/Rehabilitation Assessment/Return to Work (RTW)

Vocational Assessment/Rehabilitation Assessment/Return to Work (RTW) Assessment is defined as the global appraisal of an individual's work/training background, general functional capacities, and social/behavioural characteristics. This assessment usually includes an analysis of medical factors, psychological makeup, educational background, social behaviours, attitudes, values, work skills and abilities. The assessment generally includes a review of transferable skills. The assessment's purpose is to identify individual characteristics, education, training and placement needs serving as the basis for planning an individual's future education/employment. This type of assessment requires the expertise and experience of a Certified Vocational Rehabilitation Professional (CVRP).

Vocational Evaluation

In comparison to a Vocational Assessment/Rehabilitation Assessment/Return to Work Assessment, a *Vocational Evaluation* is a comprehensive process, specifically designed for expert forensic analysis, dispute resolution, independent third-party assessments or medical legal purposes. It is defined as a specific process that involves the evaluation of an individual's work-related characteristics relevant for education and training to obtain and maintain employment. A Vocational Evaluation is often used to assist in determining an individual's benefit entitlement, residual vocational capacity, earning capacity (pre- or post-injury/illness, residual, lifetime), work life expectancy and vocational related losses, as well as to opine on rehabilitative or mitigating factors. It includes a comprehensive assessment of specific work characteristics, which may include, occupational interests, specific job skills, worker traits, general intelligence, temperament, physical capacities, strength, range of motion and other work-related functions and aptitudes. A Vocational Evaluation may also include standardized psychometric testing and work sampling. Therefore, a Vocational Evaluation requires the expertise and experience of a Canadian Certified Vocational Evaluator (CCVE). However, under the direct supervision of a CCVE, a CVRP may participate in part or all components of a Vocational Evaluation, according to their specific level of knowledge, education, training, experience, and practice setting (provided that such individual, the evaluation process and all related documentation, is adequately supervised by the CCVE and is under the professional responsibility of the CCVE. Such supervision shall be documented through notation in the client's records and/or signing/co-authoring of the client's report by the CCVE.

Transferable Skills Analysis

A Transferable Skills Analysis (TSA) for Return to Work and Career

Counselling/Planning: purposes are defined as a systematic process of identifying an individual's existing work abilities, skills, traits and aptitudes through a detailed analysis of their demonstrated vocational history, hobbies, recreational and volunteer activities, as well as accomplished education/training. During a TSA, the CVRP may conduct a thorough interview, capturing information on the individual's psychosocial and functional status, referencing current health symptoms and limitations (medical, physical, psychological and/or cognitive) that may impact the individual's vocational profile and capacities to ascertain a viable return to work plan. A TSA for the purposes of Career Counselling/Planning is to be used as a tool to determine needs for retraining and job placement.

A Transferable Skills Analysis (TSA) designed in support of *forensic* analysis, dispute resolution, independent third-party assessments for medical legal purposes requires the expertise and experience of a CCVE. This type of TSA is considered more complex than a TSA designed for return to work or career counselling or planning, as it is typically used to assist in determining future employability and earning capacity and has a greater impact on the clients' vocational and financial wellbeing. This type of TSA is often used in the event that an individual may not be able to perform the essential duties of the individual's past position or that their position no longer exists.

Under the direct supervision of a CCVE (provided that such individual, the evaluation process and all related documentation, is adequately supervised by the CCVE and is under the professional responsibility of the CCVE), a CVRP may participate in portions or all components of a TSA designed for *forensic* analysis, dispute resolution, independent third-party assessment or medical legal purposes. Such supervision shall be documented through notation in the client's records and/or signing/co-authoring of the client's report by the CCVE.

Standards

When conducting vocational assessment and evaluation services, Registrants are required to:

- 1 hold the appropriate certification in good standing prior to engage in any of the above noted services.
- 2 at all times behave in a manner that is ethical and professional.
- 3 apply evidence-based, standardized and/or best practices where available, considering the needs, rights and dignity of clients.
- 4 have understanding and knowledge about the nature of any services and the skills required to perform them.
- 5 determine appropriateness of services to the client's unique circumstances, taking into account their needs based on available medical, psychological, social, financial, cultural, personal, vocational and avocational factors.

- 6 communicate the purpose and scope of the services with clients and any stakeholders, including the limitations, benefits and risks, process, potential outcomes, and alternative to the services.
- 7 communicate with the client the roles and responsibilities of the client and the Registrant relevant to the service provision, and any limits of the service.
- 8 communicate with relevant stakeholders such as employers or insurers any information relevant to the service provision.
- 9 communicate with the client any details they may require in advance of the service, such as the potential duration of the service, the type of appropriate attire, the need to bring devices, reading glasses or any other items, the need to bring food/drinks, their need for accommodations and/or any assistive technology.
- 10 provide the client with the opportunity to ask questions about the service.
- 11 obtain informed consent from the client as per the Consent Standard.
- 12 advise client of their right to refuse or withdraw their consent.
- 13 advise client of their right to terminate the services at any time as well as circumstances in which the Registrant will terminate the services.
- 14 provide a clean, organized, safe and accessible environment where the services will be performed.
- 15 take reasonable steps to ensure the environment where the services are carried out respects the client's need for privacy and confidentiality and discuss any risks thereof with the client.
- 16 ensure any assessment tools used are appropriate, safe and accessible and match the needs of the client.
- 17 advise the client and/or any relevant stakeholders about how the results of the services will be communicated.
- 18 monitor and adjust, as needed, the steps involved in the services being delivered, and communicate any changes and the reason for such changes with the client and/or any stakeholders.
- 19 collaborate, as needed and when possible, with other health care providers or relevant persons (i.e., a caregiver or guardian).
- 20 communicate the outcome of the services in a clearly written report, without the use of jargon, in plain language that is understandable.
- 21 follow through on any recommendations made, when such recommendations are set out as the responsibility of the Registrant.
- 22 ensure that all aspects of the service from accepting a referral to providing a written report, and, if necessary, carrying out proposed recommendations, are continuously monitored for the client's consent and quality control.
- 23 document any concerns expressed by clients or any other relevant stakeholders including any resolution(s) discussed, as well as how/when such resolutions will be carried out, who will carry them out and details of any actions carried out.