



Employee Assistance Programme (EAP) Policy

for the
Public Service of Trinidad & Tobago

Revised 30th December 2009

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FOREWORD

The Government of Trinidad and Tobago, through the Strategic Plan, Vision 2020, has articulated the country's vision for national development. Among the objectives set out in the Plan is the transformation of the Public Service into a citizen-centered, results-driven organisation. A key focus of the transformation strategy is the establishment of a modern human resource management system which facilitates the procurement, development and engagement of highly skilled and productive employees.

It is in this context that the Public Service Employee Assistance Programme (EAP) has been established as a fundamental element of the human resource management system envisaged for the Public Service.

The EAP is designed to facilitate improved employee well-being and organisational productivity through the provision of a suite of confidential, short-term counselling and consultation services which may be accessed by public service employees and organisations.

Following the culmination of a collaborative process involving all major stakeholders, including the representative Associations/Unions, the original EAP policy was approved by Cabinet in 2004. In the ensuing period, further consultations were held with all major stakeholders and the current policy document, approved by Cabinet in December 2009, incorporates refinements derived through the consultative process as well as those required to facilitate implementation of the programme. A major revision has been the addition of a Code of Ethics which sets out the ethical standards required of Service Providers delivering services to the Public Service EAP.

The policy outlines the scope of the programme, eligibility and institutional arrangements and is intended to guide Permanent Secretaries/Heads of Department/heads of organisations and other persons charged with overseeing the implementation of the Public Service EAP within Ministries, Departments, the Tobago House of Assembly and Statutory Authorities subject to the Statutory Authorities Act, Chapter 24:01. The document will be supplemented by a procedures manual which will provide detailed information on the processes established for the effective and efficient operation of the programme.



Stephanie Lewis
Chief Personnel Officer

April 16, 2010

EMPLOYEE ASSISTANCE PROGRAMME (EAP) POLICY FOR THE PUBLIC SERVICE OF TRINIDAD AND TOBAGO

INTRODUCTION

1. The Government of the Republic of Trinidad and Tobago (GoRTT) recognizes that there are times when personal problems may affect an employee's well-being and job performance. For this reason, the decision has been taken to implement an Employee Assistance Programme in the Public Service of Trinidad and Tobago.
2. The *Employee Assistance Programme (EAP) Policy for the Public Service of Trinidad and Tobago* is intended to provide a clear guide to the establishment and management of the EAP in Ministries/Departments, the Tobago House of Assembly (THA), Municipal Corporations and those Statutory Authorities subject to the Statutory Authorities' Act, Chapter 24:01 (hereinafter referred to as 'agencies').

STATEMENT OF PHILOSOPHY

3. The GoRTT is committed to promoting the health, safety and welfare of all individuals employed in agencies. The GoRTT recognizes that several factors (including the work environment - human, organisational and technical) can impact negatively on employee as well as system performance.
4. In this regard, the GoRTT views the establishment of the EAP as a critical human resource intervention strategy geared to improving productivity and employee well-being within the Public Service. The EAP shall therefore be a fundamental element of the human resource management (HRM) system of the Public Service of Trinidad and Tobago.
5. The GoRTT respects the sanctity of the employee's private life and constitutional rights. This EAP policy is therefore primarily meant to address those circumstances where an employee's personal problem(s) adversely affect or may affect his ability to perform assigned duties satisfactorily and safely.
6. The GoRTT recognizes alcohol and drug abuse/dependence, workplace interpersonal relations, marital or family difficulties, mental disorders or other psychosocial disorders, as conditions for which there are effective treatment and rehabilitation in the majority of cases. The EAP is designed solely to provide a means of restoring employee well-being and satisfactory job performance as well as protecting the safety and security of fellow employees and the public.
7. The GoRTT further recognizes that early identification and problem resolution is the most effective method of maintaining employee well-being and preventing or correcting unsatisfactory job performance. Therefore, an employee who utilizes the EAP is assured that his present job security and/or promotional opportunities shall not be jeopardized as a result of having done so.

8. Notwithstanding the assurance given above, nothing in this policy is to be interpreted as constituting a waiver of the employer's responsibility to take disciplinary action in the case of misconduct or unsatisfactory job performance or as in certain agencies under the Ministry of National Security - to implement drug testing and specific penalties for test failure.

POLICY STATEMENT

9. It is the policy of the GoRTT to provide employees and their dependants with the opportunity to receive confidential help to resolve personal problems that may affect job performance.

10. For purposes of this policy, a personal problem is a condition that impairs an employee's job performance in an identifiable manner. It may involve workplace interpersonal relations, marital or family difficulties or result from alcohol or drug abuse/dependence, mental disorders or other psychosocial disorders.

11. Employees shall be encouraged to seek evaluation, referrals, diagnostic counselling and treatment services from approved professionals by utilizing the EAP and/or non-governmental organisations which deliver an approved standard of care.

12. The decision to seek assistance, accept referrals for assessment/diagnosis and comply with the recommended treatment plan is solely the responsibility of the employee. Refusal to accept help when offered or failure to utilize help made available through the EAP is not cause for disciplinary action.

13. Utilization of the EAP by an employee does not constitute a waiver of the rights of that employee to use the grievance procedure within the existing industrial relations framework.

14. An employee participating in the EAP is expected to meet existing job performance standards and established work rules.

15. Public service executives and administrators are not authorized to diagnose the nature or extent of an employee's personal problem or seek to treat it. Any management or supervisory recommendation that an employee seek help through the EAP must be based upon objective evaluation of job performance.

16. In the implementation and maintenance of the EAP, a Central Advisory Committee (CAC) shall be formed by the Personnel Department and an EAP Advisory Committee (EAPAC) will be established in each agency. EAPACs shall be formed before the implementation of the EAP and shall be appointed by the Head of the Agency.

POLICY OBJECTIVE

17. The objective of this policy is to improve employee well-being and productivity in the Public Service of Trinidad and Tobago by providing employees and their dependants who may be experiencing personal, behavioural, health or work-related problems with the supportive services of a voluntary and confidential EAP.

ELIGIBILITY

18. The EAP shall be available to all public officers, permanent and regular daily-rated employees, and contract employees as well as their dependants, i.e. spouse, cohabitant (in accordance with the *Cohabitational Relationships Act, Chapter 45:55*), unmarried, dependent children (including legally adopted, wards and stepchildren) under the age of eighteen (18) years or up to the age of twenty-three (23) where the child is engaged in full-time education, disabled children and parents of the employee who are dependent upon and residing with the employee. (Eligible persons shall hereinafter be referred to as 'clients'.)

SCOPE OF SERVICES

Clinical Services

19. The EAP shall include the provision of the following clinical services:

- Assessment and referral;
- Short-term problem resolution (counselling); and
- Case management and follow-up.

20. The agency shall meet the cost of a maximum of five (5) individual sessions for each client in each financial year.

Assessment and Referral

21. The EAP Service Provider must conduct and document a comprehensive and accurate assessment of the client's presenting problem in order to identify and assess the nature of the problem(s), develop an appropriate plan of action, and when necessary, refer the client to an appropriate resource for problem resolution.

22. The responsibility for acceptance of the treatment /recommendations rests with the client. A client who requires a level of care beyond the EAP service shall be referred by the service provider to the public health care system and non-governmental organisations (NGOs) in the first instance. The client may also elect to access private services. In instances where payment for services arises as a result of the referral, such costs shall be the responsibility of the client.

Short-term Problem Resolution (Counselling)

23. The EAP Service Provider shall provide short-term problem resolution services to employees and their dependants as appropriate. Such sessions will comprise the delivery of counselling services and/or therapeutic interventions with the aim of identifying and mitigating/resolving the client's challenges in relation to personal, work-related, financial, health, lifestyle, and mental health and addiction issues. Long-term ongoing treatment is not part of the EAP model.

Case Management and Follow-Up

24. The EAP Service Provider shall offer case management and follow-up services which will consist of one (1) follow-up session with the client. Follow-up is intended to assess the progress made by the client and assure that adequate advice and support appropriate to the client's needs are provided by referral agencies, as required.
25. EAP Service Providers shall document the follow-up action taken in client records.

Organisational Services

26. Agencies shall be responsible for organizing the provision of the following EAP services:
- Programme promotion and education;
 - Management/Supervisory consultation and training;
 - Association/Union training;
 - Organisational consultation;
 - Crisis intervention; and
 - Critical Incident Stress Management (CISM).

Programme Promotion and Education

Employee Notification

27. The policy governing the EAP must be circulated to all employees at all work locations in the public service. Information about the EAP should be included in orientation sessions and materials provided for all new employees.

Promotion of EAP Services

28. Agencies shall be responsible for promoting the EAP and for developing and implementing a Communications Plan to ensure that eligible employees and their dependants are made aware of the purpose and benefits to be derived from participating in the programme.

Employee Education

29. Educational and orientation programmes about the EAP will be available to employees. They will include techniques and methods that will educate employees and empower them to effectively manage psychosocial problems and lifestyle issues. Agencies shall ensure that the EAP includes programmes that promote wellness and the adoption of healthy lifestyles.

Management/ Supervisory Consultation and Training

30. Consultation and training services shall be offered to managers/supervisors and human resource officers in order to improve their competence in managing human factor and organisational problems and facilitate improvement of employee performance and productivity.

Association/Union Training

31. Training will be offered to the Executive and representatives of public service Associations/Unions on the purpose, scope and benefits of the EAP.

Organisational Consultation

32. Agencies shall organize for the provision of consultation services in relation to organisational trends, issues, policies, practices and events that may impact on the well-being of the employee.

Crisis Intervention

33. Protocols and arrangements shall be established by the Agency for the delivery of Crisis Intervention Services to ensure timely response to emergencies and urgent situations in the workplace.

Critical Incident Stress Management (CISM)

34. Notwithstanding the crisis intervention services referred to above, the EAP shall provide comprehensive support in the event of a critical incident.

35. A critical incident plan of action must be developed within each agency. The CAC shall monitor to ensure the existence of such a plan.

ACCESSING EAP SERVICES

36. Participation in the EAP is voluntary. Employees may access EAP services either through self-referrals or supervisory referrals. Employees or their dependants who may be experiencing personal problems/difficult situations are encouraged to seek counselling and information by contacting a designated EAP Service Provider. When supervisors believe that work-related or personal problems may be adversely affecting an employee's job performance, they may suggest that the employee seek assistance from the EAP. Under no circumstances may a supervisor mandate EAP attendance or participation. Employees shall not be disciplined for refusal to attend.

Time-Off

37. Employees are encouraged to seek assistance from the EAP in a manner which minimizes disruptions to their work unit. An employee wishing to use EAP services during normal working hours must obtain permission from his supervisor for time-off. Subject to the exigencies of the Public Service, a supervisor may grant time-off up to a maximum of three (3) hours to any employee who requests time to keep an appointment with an EAP Service Provider. Employees shall account for such time in accordance with the Public Service EAP Procedures Manual.

Cost

38. A maximum of five (5) individual sessions per financial year shall be available at no cost to a client. Payment for any additional counselling, treatment or therapy beyond the stated number of sessions will be the responsibility of the client. Every effort shall be made by the EAP Service Provider to refer the client to services compatible with their financial resources.

39. The client shall be held responsible for the cost of missed, late or cancelled appointments.

INSTITUTIONAL ARRANGEMENTS FOR THE MANAGEMENT OF THE EAP

Role of the Personnel Department

40. The Personnel Department is responsible for policy formulation and monitoring the effectiveness of the public service EAP. The Department shall:

- a) communicate the EAP Policy to all stakeholders;
- b) ensure that agencies comply with the Public Service EAP Policy; and
- c) assess the impact of the EAP on performance within the Public Service.

Establishment and Role of the Central Advisory Committee (CAC)

41. A Central Advisory Committee (CAC) shall be established to oversee, monitor and evaluate the implementation of this policy and related procedures. The Committee shall be chaired by the Chief Personnel Officer or his/her representative and shall comprise:

- (i) a representative group of officers assigned to administer the EAP; and
- (ii) senior representatives of the following Ministries and Departments or such other representatives as may be approved by Cabinet:
 - Personnel Department
 - Ministry responsible for social development
 - Ministry responsible for health
 - Ministry responsible for national security
 - Ministry responsible for agriculture
 - Ministry responsible for education
 - Ministry responsible for providing legal services to the Government and its various agencies; and
 - Tobago House of Assembly (THA)

Representatives of public service Associations/Unions and other Ministries/Departments will serve on the Committee as required.

Role of the Central EAP Coordinator

42. A Central EAP Coordinator within the Personnel Department shall be directly responsible for the management of the Public Service EAP. The Central EAP Coordinator shall function as Secretary to the CAC and shall coordinate, monitor and evaluate the implementation of the EAP in the public service.

Role of the Agency

43. Except where specifically provided, each agency shall ensure that an EAPAC is established and that an EAP Officer is assigned to coordinate the administrative aspects of the EAP in accordance with policy and procedural requirements. Agencies may contract with more than one provider to deliver EAP services that conform to this policy. Employees shall be kept informed about the programme and how to access services. Each agency shall also ensure that all guidelines and procedures regarding confidentiality are followed.

Role of the EAP Advisory Committee (EAPAC)

44. The EAPAC shall be formed by the Head of the Agency. This Committee shall serve in an advisory capacity in order to assure programme quality, programme acceptance and support throughout the organisation.

45. The EAPAC will comprise the Head of the Agency or his nominee, representatives of the staff, at least one of whom will be a member of the relevant Association/Union, and representatives of the Human Resource Management (HRM) Unit in the Agency. Persons appointed to the EAPAC must be educated on the purpose, scope and operation of the EAP so that they can communicate this information effectively to others in the Agency.

Role of the EAP Officer

46. Except where specifically provided, each agency shall ensure that a suitably qualified employee is assigned to coordinate the administrative aspects of the EAP in accordance with policy and procedural requirements. The employee will be required to develop and implement an annual Communications Plan approved by the Head of the Agency, conduct and/or coordinate training workshops for management, staff and representatives of public service Associations/Unions and liaise with EAP Service Providers to ensure that services are being delivered effectively and efficiently in accordance with the public service EAP policy and procedures.

Role of the Supervisor

47. The supervisor's role is to identify any employee whose job performance is impaired, motivate that employee through intervention and constructive confrontation to acknowledge that a problem exists and, if appropriate, to seek help through the Public Service EAP.

Role of the Associations/Unions

48. Representatives of public service Associations/Union(s) will be directly involved in the programme through representation on the EAPAC. They will be responsible for supporting and encouraging their members to take advantage of the services offered by the EAP.

Role of the Employee

49. The employee is responsible for:

- educating himself and his dependants about the programme;
- seeking assistance through the EAP, as necessary;
- seeking approvals from the supervisor when time-off or leave is required to attend sessions during working hours;
- ensuring that appointments are kept; and
- reading the *Statement of Understanding and Release of Information Forms* before signing them.

EAP Service Providers

50. All EAP Service Providers must be competent to offer EAP services and demonstrate the highest level of professionalism. They shall deliver programme services as outlined in the relevant contract and in accordance with the Code of Ethics set out in Appendix B to this policy. They shall ensure that all clients understand and sign the *Statement of Understanding* before services are delivered.

ETHICAL ISSUES

Confidentiality

51. The Public Service EAP shall protect the confidentiality and privacy of individual employees and all clients of the programme. All records and communications shall be confidential and shall not be disclosed except in the circumstances specified in the policy. No information of a personal nature shall be shared or discussed with anyone without the informed and written consent of the client.

52. Client records shall not be placed in an employee's personnel file. Information from client records shall not be noted in any document subject to public disclosure except mandated by law.

53. The client's right to privacy on matters related to the nature, extent, duration or treatment of a personal problem shall be maintained. This right, except where otherwise specified, extends to any discussion between the client and an EAP Service Provider, supervisor, or the employee responsible for administering the EAP.

54. The client has an absolute right to access his records in the presence of the EAP Service Provider. Access by a third party shall be provided only after a written and signed request by the client is received except in certain specified circumstances.

55. An individual who is authorized to conduct financial and clinical audits shall have access to client files for the purpose of the audits. That person shall sign a statement of confidentiality and shall not identify, directly or indirectly, any individual client in any manner.

Exceptions to Confidentiality

56. The EAP Service Provider may be required to disclose information in certain situations without the written consent of the client. These circumstances/exceptions are as follows:

- a) where the client is a minor, that is, under the age of 18 years, the information from the session may be shared with the parents or guardian(s);
- b) as a result of a subpoena by a court of law;
- c) medical necessity - in a medical emergency relevant information can be given to medical personnel;
- d) in instances of suspected cases of child abuse, child neglect or abuse of a vulnerable adult (including the elderly and differently abled);
- e) where it is assessed that the client poses a serious threat or risk to self or to others or property;
- f) in cases of supervisory referrals, where the following information may be disclosed to the supervisor:
 - (i) whether the employee has/has not kept the appointment;
 - (ii) frequency of appointments; and
 - (iii) whether EAP services have been/have not been concluded;
- g) where clinical or financial audits are being conducted; and
- h) where it is required to share client information with the clinical supervisor within the organisation of the Service Provider to ensure that quality service is being provided to the client.

All clients shall be informed of these exceptions to confidentiality and sign the *Statement of Understanding* as a condition to receiving counselling services from the EAP.

57. No other information shall be released to the supervisor without the written permission of the employee.

58. All reported breaches of confidentiality shall be investigated and appropriate action taken. Nothing in this policy shall limit the client's right to take independent legal action.

Adherence to Code of Ethics

59. EAP Service Providers are required to adhere to the Code of Ethics as set out at Appendix B.

RISK MANAGEMENT

60. Agencies shall :

- ensure that all EAP Service Providers have adequate insurance for professional malpractice and professional liability; and
- take action to treat with any allegations of illegal or immoral conduct by EAP Service Providers in the delivery of EAP services.

FUNDING EAP SERVICES

61. Agencies shall be responsible for submitting a comprehensive annual budget in keeping with the financial procedures of the Public Service.

Availability of funds

62. The provision of EAP services is subject to the appropriation and availability of funding. In the event that funds are not appropriated or are otherwise unavailable, the Agency will inform the EAP Service Provider promptly in writing that the delivery of EAP services must cease until further notice.

PROGRAMME MONITORING AND EVALUATION

63. The appropriateness, effectiveness and efficiency of the Public Service EAP will be periodically evaluated.

64. Services rendered by the EAP Service Providers shall be monitored to ensure adherence to contractual obligations.

65. EAP Service Providers shall be required to submit statistical reports to the Central EAP Coordinator and to agencies. The EAP Service Providers shall also submit reports related to their response to all critical or traumatic incidents.

66. These reports shall not permit the identification of clients.

67. Client satisfaction with EAP services shall also be monitored by the Central EAP Coordinator through appropriate means, such as customer feedback forms.

Programme Evaluation and Audit

68. It shall be the responsibility of the Central EAP Coordinator and agencies to ensure that the EAP is being implemented according to policy, procedural and contractual requirements.

Impact Assessment

69. Agencies will be required to assess on an annual basis the impact of the EAP on performance-driven factors such as productivity levels and workforce capacity associated with work attendance. A written report of this evaluation shall be submitted to the CAC.

Clinical Audit

70. The Central EAP Coordinator shall arrange for an audit of clinical practice at least every two years by a recognized clinical professional who is knowledgeable about all aspects of clinical practice.

71. The audit process should review the quality and content of client notes, the adequacy of clinical procedures for providing crisis intervention, assessment and referral, case management and follow-up and, where applicable, short-term problem resolution.

72. An audit report shall be presented to the CAC.

PROVIDER FACILITIES

73. EAP services shall be provided to clients in a safe, secure and sanitary environment consistent with the requirements of the Occupational Safety and Health (OSH) Act.

74. The accommodation provided for clinical services shall be located in an area appropriate for maintaining programme integrity, privacy and client confidentiality. The facilities shall also cater for physically challenged individuals.

ENQUIRIES

75. Enquiries about this policy should be directed to the EAP Officer in the agency who, in turn, may seek interpretations from the Personnel Department.

APPENDIX A - GLOSSARY

- (i) **Agency** - refers to Ministries/Departments, the Tobago House of Assembly, Municipal Corporations and those Statutory Authorities subject to the Statutory Authorities Act, Chapter 24:01
- (ii) **Assessment** - a structured evaluation process performed to identify, define, and triage a client's personal problem(s) and concerns
- (iii) **Client** - any employee, spouse or registered dependant who caused the EAP Officer or EAP Service Provider to take action of some kind on his behalf
- (iv) **Communication Plan** - an annual plan designed to maximize the visibility and workplace acceptance of the EAP
- (v) **Confidentiality** - the act of ensuring that no information of a personal nature is shared or discussed with a third party without the informed and written consent of the client, subject to stated limitations
- (vi) **Critical Incident** - any unusual event that produces strong emotional, behavioural or physical reactions which affect an employee's ability to function
- (vii) **Dependant** - spouse, cohabitant (in accordance with the *Cohabital Relationships Act, Chapter 45:55*), unmarried dependent children (including legally adopted, wards and stepchildren) under the age of eighteen (18) years or up to age twenty-three (23) where the child is engaged in full-time education, disabled children, and parents of the employee who are dependent upon and reside with the employee
- (viii) **EAP** - a worksite-based programme designed to assist:
 - (a) work organisations in addressing productivity issues, and
 - (b) employees in identifying and resolving personal concerns, including, but not limited to, health, marital, family, financial, alcohol, drug, emotional, stress, or other personal issues that may affect job performance.

- (ix) **EAP Officer** - the officer assigned responsibility for the administration of the EAP in the Agency
- (x) **EAP Service Provider** - the person/organisation providing EAP Services
- (xi) **Presenting Problem** - a problem that the client initially presents to the EAP Service Provider
- (xii) **Problem resolution** - in self-referrals, problem resolution is the client's achievement of personal goals developed in conjunction with the EAP Service Provider. In supervisory referrals, it is an employee's return to his previous level of satisfactory job performance
- (xiii) **Referral** - the process of linking clients with appropriate resources to resolve personal problems or concerns
- (xiv) **Release of Information Form** - the legal form signed by a client allowing the EAP Service Provider to share specific information regarding the client with a specific person
- (xv) **Self-referral** - where a client through a process of self-realization recognizes that a problem exists and seeks assistance by consulting the designated EAP Service Provider directly
- (xvi) **Short-term problem resolution** - the process of assisting a client with the resolution of a problem in a period of time which typically does not exceed two months
- (xvii) **Stepchild** - unmarried dependent child of employee's spouse/cohabitant by a former marriage/ relationship who resides with the employee
- (xviii) **Supervisor** - a person authorized to oversee and manage the performance of other employees at the workplace
- (xix) **Supervisory Referral** - a formal recommendation to a troubled employee when unsatisfactory work performance continues after normal supervision practices have been followed
- (xx) **Ward** - unmarried dependent child who is under the protection of the employee and resides with the employee
- (xxi) **Work-related problems** - issues directly related to an employee's work situation such as job dissatisfaction, interpersonal relationships, stress and other issues arising in the workplace

Appendix B - Code of Ethics

Introduction

This Code sets out the ethical standards expected of ALL EAP Service Providers delivering services to the Public Service EAP.

Professional Competency

A responsible EAP Service Provider recognizes the need to make continuous efforts to upgrade and refine skills. Service Providers should acknowledge their limitations and only provide services that are consistent with their qualifications and experience.

An EAP Service Provider must:

- offer services that are within his established competence and the programme's defined parameters. When the problems of clients are beyond these limits, Service Providers must refer clients to an appropriate resource;
- make decisions in accordance with the client's best interest;
- seek consultation with fellow Service Providers or other appropriate resources in managing cases when the Service Provider encounters clients or situations that are beyond the programme's parameters or the Service Provider's expertise;
- ensure that appropriate referrals are made to other professionals based on the client's needs and the professional's expertise, education, credentials, and competence in treating the client's assessed problem. Such referrals will consider other issues including the relationship fit of the professional and the employee and any employee concerns regarding costs, availability and distance;
- participate in educational and training programmes on an ongoing basis to maintain and enhance proficiency and competency; and
- accurately represent his own professional qualifications, competence and the purposes of the programme.

Confidentiality

All information obtained through individual and organisational consultations shall be treated as confidential. The Service Provider must ensure that the physical facility of their work environment and the methodology used to store and transmit information, including the collection, use, disclosure, retention and disposal of personal information, will not allow inadvertent breaches of such information.

Limits to confidentiality

Relevant information may be divulged in the following circumstances:

- where the client is a minor, that is, under the age of 18 years, the information from the session may be shared with the parents or guardian(s);
- as a result of a subpoena by a court of law;
- medical necessity - in a medical emergency relevant information can be given to medical personnel;
- in instances of suspected cases of child abuse, child neglect or abuse of a vulnerable adult (including the elderly and differently abled);
- where it is assessed that the client poses a serious threat or risk to self or to others or property;
- in cases of formal supervisory referrals, where the following information may be disclosed to the supervisor:
 - whether the employee has/has not kept the appointment;
 - frequency of appointments;
 - whether EAP services have been/have not been concluded.
- where clinical or financial audits are being conducted; and
- where it is required to share client information with the clinical supervisor within the organisation of the Service Provider to ensure that quality service is being provided to the client.

All clients shall be advised by the EAP Service Provider as to the limits to confidentiality **before** the provision of EAP services.

Conflict of interest

EAP Service Providers must:

- not receive financial consideration or gain or any other consideration for referring clients to particular therapists or treatment programmes;
- avoid exploitation of the professional relationship with the client to further any social, political, economic, personal or business interest;
- refer a client to another suitable resource when the Service Provider, for a personal reason, cannot provide service to the client;
- self-refer only in circumstances where the client has been advised of at least two other referral options, has elected to continue with the EAP Service Provider and has signed the Freedom of Choice Form;
- inform concerned parties of possible or actual conflicts of interest; and
- remain neutral in conflicts between the client, management or public service Associations/Unions.

Respect for the dignity and rights of persons

Every EAP client must be respected regardless of race, national or ethnic origin, colour, religion, age, sex, marital status, family status, disability, conviction for which a pardon has been granted, political affiliation, social or economic status, or physical or mental capabilities or characteristics or other similar grounds.

An EAP Service Provider must:

- respect all clients regardless of their personal characteristics;
- respect the client's right of self-determination by encouraging active involvement in decisions related to treatment and referral;
- respect the client's right to privacy and confidentiality by collecting only personal information that is relevant and by sharing it only to the extent required for referral, with the informed consent of the client save and except as provided for in the section on *Limits to Confidentiality*;
- respect the client's right of informed consent by providing all the information necessary so that a reasonable person in similar circumstances would be able to make a reasoned and informed choice;
- obtain, except in those instances where this Code of Ethics requires or permits the release of information, signed consent forms from the client in all situations where the release of personal information is requested;
- honour commitments made to the client;
- not exploit relationships with clients to enhance the Service Provider's own self-worth or position in the community;
- not engage in sexual conduct with clients seeking assistance, referral, treatment, or follow-up services for assessment during the existence of any professional client relationship, which relationship shall be deemed to exist five (5) years beyond the last date on which the Service Provider and the client met professionally;
- encourage respect for the dignity of others and avoid practices that are inconsistent with the legal, civil or human rights of others; and
- respect the right of the client to discontinue participation in the programme at any time.

PERSONNEL DEPARTMENT

Revised December 30, 2009