



DEPARTMENT OF COMMUNITY DEVELOPMENT
MINISTRY OF CULTURE, YOUTH AND SPORT

کود ایتیکا کاء و نسلور
جابتن قمبرا غونن مشارکت (جاقیم)

COUNSELLORS CODE OF ETHICS
DEPARTMENT OF COMMUNITY DEVELOPMENT (JAPEM)

COUNSELLING UNIT
DEPARTMENT OF COMMUNITY DEVELOPMENT
MINISTRY OF CULTURE, YOUTH AND SPORT

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Foreword

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ
السَّلَامُ عَلَيْكُمْ وَرَحْمَةُ اللَّهِ وَبَرَكَاتُهُ

Alhamdulillah, all praise and gratitude are due to Allah Subhanahu Wa Ta'ala, for with His grace, the Department of Community Development (JAPEM) is able to publish and produce *Counsellors Code of Ethics*' book.

The production of this book is an initiative to improve the quality of counselling services at JAPEM, in line with the mission of the counselling services at JAPEM, which is **"Providing Professional Counselling Services Towards Producing a Resilient Society"**. It is also one of an integrated actions under Ministry of Culture, Youth, and Sports' Strategic Plan 2020-2024 which was based from the Counselling Competency Framework in addition to supporting the Brunei Darussalam Mental Health Action Plan 2022-2025 that aims to sustain and strengthen the mental health of the community as a whole.

With the publication of this book, it is hoped to play a significant role in detailing the rights and obligations between counsellors and clients through established professional relations. In addition, it also plays a role in ensuring the welfare and well-being of the counsellor are guaranteed and becomes a reference and guide in carrying out tasks related to counselling.

On this occasion, I would like to express my appreciation and congratulations to the members of the Department of Community Development, especially the Counselling Officers who have been deeply involved in the brilliant presentation of the mind leading to the creation of the monumental work of this book, the *Counsellors Code of Ethics*. I would also like to extend my highest appreciation and thanks to everyone who has contributed to the publication of this book. May Allah Subhanahu Wa Ta'ala bless and reward your good deeds.

Wabillahi Taufiq Wal Hidayah, Wassalamu'alaikum Warahmatullahi Wabarakatuh.



DAYANG FAUZIAH BINTI HAJI MOHD SALLEH

Acting Director

**Department of Community Development
Ministry of Culture, Youth and Sports**

PREFACE

Counselling services at the Department of Community Development (JAPEM) was established in response to the government's inspiration to provide professional counselling services that could enhance individual, family, and group development in order to foster balanced mental health and build resilient communities. Counsellors adhere to the *Counsellors Code of Ethics* when providing counselling services to ensure that the clients' best interests are met, and the services remain of the highest calibre.

This Counsellors Code of Ethics is developed based on references from the American Counselling Association (*ACA Code of Ethics, 2014*), Lembaga Kaunselor Malaysia (*Kod Etika Kaunselor, 2011*), Canadian Counselling and Psychotherapy Association (*Code of Ethics, 2007*), Brunei Counselling Association (*Kod Etika PERKAB, 2018*), and Royal Brunei Armed Forces (*Kod Etika Kaunseling ABDB, 2002*).

Professional values:

- Enhancing individual development throughout life.
- Accepting and respecting various approaches and cultures in supporting individual values, dignity, potential, and uniqueness in the context of social and culture.
- Accepting and conducting with full trust, fairness, and honesty in accordance with the *qudwah* posited by Islam as well as respecting the diversity of religions and races in this country.
- Encouraging social justice.
- Maintaining the integrity of counsellor-client relationships.
- Upholding the practice of the code of ethics efficiently and ethically.

The purposes of the code of ethics are:

- To be applied as a professional responsibility and guideline in the ethics of counselling practice.
- To identify ethical considerations relevant to professional counsellors and in-training counsellors.
- To assist counsellors and in-training counsellors in determining the best action in providing counselling services.

This Counsellors Code of Ethics consists of eight (8) main sections that cover the following matters:



Figure 1: The eight main sections in the Counsellors Code of Ethics

1. COUNSELLING RELATIONSHIP

1.1 Welfare of Clients

1.1.1 Primary Responsibility

The primary responsibility of counsellors is to respect and safeguard the welfare of clients in a professional way. Counsellors should keep and protect clients' personal records and any form of documentation in accordance with the department's procedures and policies.

1.1.2 Counselling Plan

Counsellors and clients have to work jointly to devise a counselling plan that guarantees success and is consistent with the abilities and needs of clients. Counsellors and clients often review counselling plans to assess their continued viability and effectiveness while respecting clients' freedom of choice.

1.1.3 Support Network Involvement

Counsellors should recognise that support networks, such as family members and friends, can be a positive resource and hold various meanings in the lives of clients. Counsellors may involve the support networks in an effort to track the progress of clients when appropriate, with clients' consent.

1.1.4 Respecting Inclusivity

Counsellors are prohibited from engaging in any form of discrimination, either in age, religion, culture, race, ethnicity, disabilities, marital status, or socio-economic status. Counsellors must attempt to comprehend the diversity of the client's background in order to maintain the quality of counselling.

1.2 Informed Consent and Client Rights

1.2.1 Disclosure to Clients

Before counselling is initiated and throughout the counselling process, counsellors shall, as necessary, explicitly explain to clients the purposes, goals, techniques, procedures, limits, potential risks, benefits of service, and

other pertinent information.

1.2.2 Freedom to Choose

Counsellors shall inform the clients about their freedom to choose and determine their own counsellors, including whether to continue the counselling session or not.

1.2.3 Inability to Give Consent

Underaged clients must obtain consent from their parents or legal guardians, who are responsible for their protection and have the authority to make decisions on their behalf.

For adult clients with disabilities¹ or who are unable to give voluntary consent, counsellors should attempt to guide them in making their own decision with the best service in line with the requirements of the client's ethical rights.

Counsellors should strive to establish collaborative relationships with parents or guardians, as appropriate, to provide the best service to their clients.

1.2.4 Mandated² Clients

In the early stages of the counselling process, counsellors shall discuss and inform the mandated clients of the limitations on confidentiality. Counsellors must also explain the type of information that will be shared with relevant agencies. Clients have the right to discontinue counselling, but counsellors shall discuss with clients the reasons for declining the counselling services.

1.3 Clients Served by Other Counsellors

If the client is found to be receiving counselling services from another counsellor, the counsellor and the client must first discuss the client's direction. Clients have the freedom to choose one suitable counsellor in order

¹ Adult clients with disabilities are those who have a low intellectual level and can be given guidance subject to a counsellor's assessment.

² Mandated clients are clients who are ordered to undergo counselling by an act or law from the court, such as individual, family, or guidance counselling.

to avoid confusion and conflict.

1.4 Personal Interests and Values

While in a counselling relationship, counsellors shall avoid causing harm to their clients or pursuing personal goals such as taking advantage of their clients. Counsellors shall also respect the diversity of clients' values, such as background, attitude, belief, and behaviour, especially when the counsellors are inconsistent with the clients' goals or discriminatory.

1.5 Managing and Maintaining Boundaries and Professional Relationships

1.5.1 Former Relationships, Friends, or Family

Counsellors are prohibited from engaging in counselling relationships with individuals who have had personal relationships or with friends or family members who may influence their professional relationships due to their inability to conduct counselling sessions in a more objective and directive manner.

1.5.2 Personal Relationship

Counsellors must make every effort to avoid developing any personal relationships with clients that will influence professional relationships and may endanger the clients. Counsellors also must take professional and justifiable measures in accordance with the *Counsellors Code of Ethics* to ensure that the counselling relationship is not compromised.

1.5.3 Intimacy with Clients

Counsellors are prohibited from engaging in any physical contact with clients, including friendly hugs and caresses, that might compromise the therapeutic relationship with the clients. It is the responsibility of counsellors to establish a clear boundary in accordance with religious teachings, customs, and culture that prohibits such behaviour.

Appropriate physical contact with clients of the same gender, when necessary, should be made within a reasonable time frame. Physical contact in the following situations is allowed:

1.5.3.1 When greetings and goodbyes: shake hands; or a light pat on the client's shoulder, on the back, or on the upper arm; and

1.5.3.2 When offering encouragement and emotional support during times of extreme psychological distress (such as grieving the loss of a loved one), pat the client on the shoulder, back, or lower arm; or wrap an arm around the client's shoulder.

1.6 Multiple Clients

When a counsellor agrees to provide counselling services to two or more persons who have a relationship, such as couples or parents with children, the counsellor shall specify which individual or individuals are clients and clarify the nature of the relationship that the counsellor will have with each involved person. If the assigned counsellor has potentially conflicting roles, the counsellor will clarify, adjust, or withdraw from those roles appropriately.

1.7 Group Counselling

Counsellors shall select members whose needs and goals are compatible with the goals of the group, who will not obstruct the process, and whose well-being will not be jeopardised by the group experience. Counsellors shall take reasonable precautions to protect the clients from physical, emotional, or psychological trauma.

1.8 Termination and Reference

1.8.1 Abandonment and Client Neglect

Counsellors are prohibited from abandoning or neglecting clients in counselling. Counsellors shall make appropriate arrangements for the

continuation of the counselling services to avoid interruptions such as vacations, illness, or the following termination process.

1.8.2 Incompetence to be of Assistance to Clients

If a counsellor lacks the competence to provide professional assistance to the client, the counsellor must immediately discontinue the counselling relationship. Counsellors must be knowledgeable about other professional referral resources and be able to suggest other alternatives that are relevant to the client's situation. In the event that the clients disagree with the arrangement, the counsellor must immediately terminate the relationship.

1.8.3 Appropriate Termination

Counsellors shall terminate a counselling relationship when the client has stated clearly that they no longer need counselling services, that it is not likely to benefit their development, or that their circumstances are being harmed by continued counselling. Counsellors must provide pre-termination counselling and, when needed, recommend other service providers.

2. CONFIDENTIALITY AND PRIVACY

2.1 Respecting Client Rights

Clients must be assured that counsellors will not disclose any information shared during counselling sessions without the client's consent or legitimate professional reasons. A counsellor must respect their client's privacy and request private information from them only when it is beneficial to the counselling process. Counsellors disclose information only with the client's appropriate consent or with a sound legal or ethical justification.

2.2 Exceptions and Disclosure of Information

2.2.1 Exceptions

Exceptions to confidentiality generally occur when information obtained could

be harmful to the client or others. Counsellors must inform the clients about these exceptions as soon as counselling sessions begin. Counsellors must maintain an ongoing discussion with the clients about the information that will be disclosed. If needed, only specific information can be disclosed, and the client must be informed prior to any confidential information disclosure.

2.2.2 Contagious, Life-Threatening Diseases

When clients disclose that they have a disease that is commonly known to be contagious and life-threatening, it is justified for the counsellor to disclose the information to identified third parties to avoid a high risk of contracting the disease.

2.2.3 Court-Ordered Disclosure

When ordered by the court to release confidential information without a client's permission, especially when the client is mandated to receive counselling services, the counsellor must first inform and obtain written consent from the client.

2.2.4 Minimal Disclosure

Clients must be informed before any confidential information is disclosed and must be involved as much as possible in the disclosure process. To avoid any potential harm to the clients or counselling relationships, only minimal disclosure is made.

2.3 Group, Couples and Family Counselling

Counsellors must clearly explain the importance of safeguarding confidential information prior to group counselling. Counsellors must identify clients and inform group members. Counsellors must also explain the roles of group members and discuss the expectations of counselling and the limitations of confidentiality. The counsellor must obtain written consent from the group members and involved parties to safeguard confidential information.

2.4 Records and Documentation

2.4.1 Confidentiality of Records and Documentation

Counsellors must ensure that any records and documentation related to clients in any medium of storage, such as written records, databases, digitally, and others, are kept secure and safe. Only authorised persons have access to them.

2.4.2 Permission to Record

Counsellors must obtain permission from clients prior to recording sessions through electronic or other means.

2.4.3 Permission to Observe

Counsellors must obtain permission from clients before allowing any person to observe counselling sessions, review transcripts, or review recording sessions for training and learning purposes.

2.4.4 Exposure or Transmission

Counsellors must obtain written permission from clients to disclose or transfer the record to legitimate third parties. This is to ensure that the record recipient is sensitive to their confidential nature.

2.5 Case Consultation

2.5.1 Respect for Privacy

The information shared in the consultation or case conference is only discussed for professional purposes. Counsellors must ensure that the contents of the data and reports, whether written or oral, are limited and suitable for consultation purposes. To prevent improper privacy invasions, counsellors should take every precaution to protect their clients' identities.

2.5.2 Disclosure of Confidential Documents

Counsellors are required to protect client's confidential information and not disclose it without reasonable cause in the consultation or conference of the

case, unless the counsellor has obtained permission from the client beforehand or the exposure cannot be avoided. The information disclosed is only as far as needed to achieve the purpose of a consultation or case conference.

3. PROFESSIONAL RESPONSIBILITIES

3.1 Standard Knowledge

Counsellors are responsible for reading, comprehending, and adhering to the Counsellors Code of Ethics.

3.2 Professional Competence

Counsellors constantly monitor the effectiveness of their abilities as professionals and enhance them as needed to ensure excellent work efficiency and services are provided, and to safeguard clients from all potential hazards to the counselling process.

3.3 New Specialty Areas of Practice

Counsellors can only practise new areas of competence after gaining the necessary education, training, and experience. Counsellors should take precautions to ensure competency in their job and protect others while learning new skills in new areas of expertise.

3.4 Monitoring Effectiveness

Counsellors should be aware of their capability limit and seek appropriate assistance from colleagues, supervisors, or other more experienced professionals if they become aware of circumstances that are beyond their capabilities.

3.5 Consultation on Ethical Obligations

When faced with ethical obligations or professional practice questions,

counsellors should take reasonable steps to consult with other counsellors or related professionals.

3.6 Sexual Harassment³

Counsellors are not permitted to engage in or tolerate sexual harassment. Sexual harassment can take the form of a single, severe, unpleasant act or a series of such acts.

3.7 Accurate Advertising

Counsellors should state their qualifications accurately and thoroughly without being misleading or dishonest when advertising or introducing counselling services to the public.

3.8 Accurate Representation of Credentials

Counsellors should clearly state their highest degree in counselling or a related field. Counsellors are not permitted to give the impression of having doctorate-level counselling competency or to use the doctor's title (Dr.) if they only have a basic degree or master's in the related field of counselling.

3.9 Public Statements

Any statements made, whether through public briefings, demonstrations, radio or television programmes, recording, printing, or other materials by counsellors should ensure that it is based on appropriate counselling literature and practice, and consistent with Counsellors Code of Ethics.

Counsellors should speak for themselves when making a general personal statement, not for all counsellors or other professionals.

³Sexual harassment is defined as any sexually explicit verbal or non-verbal description, touching, or sexual intercourse between a counsellor and a client.

3.10 Reports to Third Parties

In reporting the activity and assessment of counselling to relevant third parties, such as the court, health insurance, and others, the counsellor's report should be accurate, honest, and objective.

4. RELATIONSHIP WITH OTHER PROFESSIONALS

4.1 Alternative Approach

Counsellors should respect the approach of other professional partners that is based on empirical or scientific theory but is likely to be different from the approach of counsellors themselves. Counsellors acknowledge the expertise of other professional partners and respect their practices.

4.2 Forming Relationships

Counsellors develop positive working relationships and effective communication systems with colleagues and other professionals in order to provide better service to clients. Counsellors are encouraged to learn more about their colleagues and other professionals in and out of the counselling field.

5. EVALUATION, ASSESSMENT, AND INTERPRETATION

5.1 Utilisation of Instruments⁴

Counsellors should consider the client's cultural and social background if any instrument is used to assess the counselling session or client. Tests and evaluations can only be used if counsellors are qualified or trained to evaluate and interpret the results.

⁴ Instruments are defined as appropriate tests and assessments, including oral and handwritten questions, for intervention purposes in order to more effectively achieve counselling goals.

5.2 Client Welfare

Before deciding to use any evaluation or measurement test, the counsellor should assess the client's positive and negative impact. Counsellors should avoid reporting or sharing test results if they believe the results will harm clients or others.

The counsellor must clearly explain the importance and objectives of the test to the client before administering it.

5.3 Informed Consent

The counsellor is responsible for respecting the client's right to know the test results, as well as their interpretation and conclusion. The results of the evaluation and assessment test are only shared between the client and the counsellor, except with the client's permission.

5.4 Assessment's Security

Counsellors are responsible for maintaining the integrity and security of the tests and assessments in accordance with the measurement standards used. Counsellors are also responsible for ensuring that the test findings and conclusions are complete, accurate, and not misused or misunderstood.

6. SUPERVISION AND TRAINING

6.1 Counsellor Supervision

In order to maintain the client's welfare, counsellor supervisors are responsible for overseeing their performance and professional development, as well as monitoring the services provided by the supervisees, also known as supervised individuals, i.e., the counsellor. Counsellor supervisors should also inform the supervisees with regard to the work processes and procedures in order to maintain an ethical and professional supervisory relationship. Supervisors must occasionally guide the supervisees, review their work, and help them equip themselves to handle a variety of clients.

6.2 Client Consent and Welfare

Counsellor supervisors shall explain to the supervisees regarding the client's rights, including protecting the client's privacy rights and his or her confidentiality in the counselling relationship. Throughout the supervision, the supervisees should inform the clients, regardless of whether they are offering counselling services as trainee counsellors, including but not limited to professional disclosure of information and limited confidentiality.

6.3 Supervisory Relationships

Counsellor supervisors shall maintain an ethical relationship with supervisees, whether professionally, personally, or socially. It is vital for the counsellor supervisors to undertake a variety of professional measures in order to ensure that the supervisory relationship is protected against any matters that may detriment the relationship.

6.4 Sexual Relationships

Counsellor supervisors are prohibited from having sexual relationships or interacting romantically with supervisees, including any behaviour of performing or encouraging sexual harassment of their supervisees.

6.5 Family Members or Friends

Counsellor supervisors are prohibited from being supervisors to close relatives, romantic partners, or individuals who may prevent the counsellor supervisors from establishing professional supervisory relationships.

6.6 Counselling for Supervisees

If supervisees apply for counselling services, counsellor supervisors should assist the supervisees in identifying appropriate services. Counsellor supervisors are not allowed to provide counselling services to supervisees. Supervisors need to address the interpersonal⁵ competencies of supervisees in terms of the impact on clients and the supervisory relationship.

⁵ Interpersonal competence is the ability to connect and communicate effectively with other people.

7. TECHNOLOGY-ASSISTED COUNSELLING

7.1 Virtual Counselling Relationships

Prior to starting counselling services, counsellors should inform clients regarding the benefits and limitations of using technology, such as the computer, telephone, social media, and/or any online platforms. The service will only be rendered according to the client's requirements and suitability, or in the event that the face-to-face service is restricted or cannot be conducted.

7.2 Boundaries of Professional Relations in Virtual Counselling

Counsellors must discuss and establish professional boundaries with clients beforehand with regard to the appropriate use of technology or media applications, as well as the limitations of the usage of said method in the counselling session, but not limited to limited confidentiality care and time constraints. Counsellors must also explain the differences between face-to-face and electronic communication, as well as possibilities that may affect the counselling process.

7.3 Technology-Assisted Services

Prior to providing counselling services with the help of technology, counsellors should identify the client's condition as to their level of ability to use technology-assisted services that are appropriate to the client's needs, intellectual, emotional, and physical.

Counsellors need to verify that clients clearly comprehend the purpose of using technology-assisted services. It is required for counsellors to follow up if there is a misunderstanding arising from the lack of quality of visual counselling services, including voice intonation, emotion, and gestures. In the event of a technological disruption, counsellors may also discuss with clients any alternative methods of providing counselling services.

7.4 Protection of Confidentiality

Counsellors should explain to the clients that the technology materials being used are accessible to other individuals, such as other counsellors, supervisors, information technology employees, or possibly other users of the client's party, such as family members and colleagues.

Counsellors should explain to the clients and consider that confidentiality through counselling with the help of technology is not guaranteed. If confidentiality is not ensured, counsellors should inform the clients and limit the release of information to general knowledge only. Counsellors shall exercise careful discretion so that the disclosure of clients' confidential information does not occur on public social media.

8. RESOLVING ETHICAL ISSUES

8.1 Knowledge

Counsellors know and understand the Counsellors Code of Ethics as well as the duties and responsibilities of a counsellor. In addition to abiding by the Code of Ethics's regulations as well as those of other organisations, counsellors should also practise professional, ethical, and moral behaviour without contradicting the Counsellors Code of Ethics. Lack of knowledge or misunderstanding in relation to standard ethical rules and responsibilities is not a defence against a charge of unethical conduct among counsellors. In the event of confronting dilemmas, counsellors should also communicate openly with all parties and consult with other counsellor partners or supervisors, if necessary.

8.2 Conflict Between Ethics and Other Rules

If ethical responsibilities conflict with the department's regulations, other organisations, or the law, counsellors make known their commitment to the Counsellors Code of Ethics and take steps to resolve the conflict. In the event

that the conflict cannot be resolved, counsellors act in the best interests of the clients while adhering to the department's or other organisation's regulations.

8.3 Ethical Violations

If counsellors were uncertain or found that other counsellors were in breach of ethical standards but substantial harm had not occurred, counsellors should act to resolve the issue informally and not violate any confidentiality rights that may be involved.

In the event of an apparent violation of ethics that is likely to substantially harm a person or organisation and an informal resolution cannot be implemented, counsellors shall take further action depending on the situation and considering the safeguard of client's confidentiality rights.

If counsellors were uncertain about whether a situation or course of action might be in violation of the Counsellors Code of Ethics, they should consult with other counsellors who are knowledgeable about the Counsellors Code of Ethics or with other authorities.

8.4 Ethical Violation Complaints

Counsellors should not initiate, participate in, or encourage any filing of ethics complaints that are retaliatory in nature or involve the intentional disregard of facts that would refute the allegation.

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