

Responsibility in Counselling Supervision in New Zealand: *An Exploratory Study of Supervisor Perspectives*

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Abstract

This study investigated how experienced supervisors understand the matter of supervisor responsibility, and the effects of that understanding for supervision practice. The study was developed as part of the curriculum content of a graduate paper in supervision: one purpose was the professional education of the researchers, while the second was to promote discussion within the local profession about supervision practices, in the absence of a New Zealand literature.

Nine experienced supervisors, located throughout New Zealand, were interviewed for the study. Results suggest that while participants were prepared to be accountable and responsible for their own work as supervisors, they differed in respect of their views on supervisors' responsibility for counsellors' practice and for clients. Clear, negotiated agreements were seen to be central to the exercise of responsibility. Ideas about locating responsibility within networks of practice were reflected in supervisors' willingness to supervise new counsellors.

Introduction

Since supervision is increasingly called on as assurance of the quality of counselling, it seems important to ask how supervisors in New Zealand understand the responsibility they take up in their work in supervision. The international literature offers widely disparate constructions of supervisors' responsibilities, both those they exercise in supervision itself and those they take for counsellors' work. In the UK, King and Wheeler argued that "the extent of supervisory responsibility is unclear ethically, legally and practically" (1999, p. 227). For example, senior supervisors in their study reported reluctance to invoke the British Association for Counselling and Psychotherapy (BACP) complaints procedure. At the same time they were reluctant to supervise those new to the profession or those unknown to them. Significantly, King and Wheeler suggested that without more clarity about supervisory responsibility, the profession cannot assume supervision offers assurance of the quality of counselling.

Webb's study of counsellor expectations of supervisors' responsibilities suggested "... we cannot, as a profession, even agree on what constitutes responsibility – clinical or otherwise – or even whether it is an appropriate concept to maintain" (2001, p. 190). Despite arguments for clear supervisory contracts in order to clarify responsibility in various settings (Copeland, 2001; Henderson, 2001; Wheeler, 2001), only a small proportion of counsellors in Lawton's (2000) UK study reported satisfaction with the rigour of supervision contracting processes.

In the UK distinctions are drawn between legal and ethical responsibility (Carroll, 1996; Jenkins, 2001). "The supervisor owes a duty of care to the supervisee," suggested Jenkins, but in respect of clients their "legal duties may be more limited" (2001, p. 38). Legal responsibility, suggested Axten, is for the "quality of the supervision rather than the quality of the therapy" (2002, p. 109). However, such a distinction leaves begging the question of how this responsibility, for the quality of the supervision, gets played out.

In contrast, clear expression of extensive supervisor responsibility is offered by an American Counselling Association text in current use:

You [the supervisor] are responsible for both a counselor and that counselor's clients, for the counselor's learning and the counselor's welfare. (Borders & Leddick, 1987, p. 2.)

This position, produced by the professional culture and litigious environment of the US, constructs responsibility as only unilateral. It comes out of the training and accreditation focus of supervision in that culture: "supervisors are ultimately responsible, both ethically and legally, for the actions of their trainees" (Corey et al., 1998, p. 292).

Recalling McConkey's call for "a genuine New Zealand-based version" of supervision (1999, p. 82), we argue for care locally before applying precedents from other jurisdictions. Consulting New Zealand Association of Counsellors' (NZAC) documents, we note the echoes of unilateral responsibility in the language used by the Association's legal adviser writing about the vicarious liability of supervisors: "where a supervisor assumes responsibility over a supervisee" (Jefferson, 2002, p. 31). Jefferson's focus is on insurance protection in the face of potential litigation: our interest is in the language employed to describe the supervisory relation. There is a clear contrast between the language of the legal paradigm in which Jefferson wrote ("responsibility over") and that of the NZAC Code of Ethics (NZAC, 2002). The Code refers to counsellors organising supervision *with* supervisors, and to *collaboration* and *partnership* in describing the way the supervision relationship works. The emphasis of supervisor responsibility is on assisting counsellors to explore and monitor their practice. The Code lists four

responsibilities of supervisors, none of which suggests having responsibility *over* a counsellor, or responsibility *for* the actions of a counsellor. Further, the practice of investing responsibility in the person of the supervisor was problematised in a New Zealand doctoral study:

... a discourse of supervisor responsibility may not position supervisors and counsellors well to collaborate in the tasks of supervision: nor may it position counsellors well to exercise responsibility for effective and ethical practice in their counselling work. Its discourse practices tend to obscure the professional abilities of counsellors. (Crocket, 2001, p. 171.)

That study described supervision practice where responsibility was exercised as *relational* responsibility, suggesting that responsibility might be produced in the *supervision relationship* rather than in the person of the supervisor.

The current study drew on this range of literature, asking in particular about supervisor understanding of these areas: the limits and extents of supervisor responsibility; supervisor responsibility for counsellor practice; insurance; responses to the language “responsibility over”; the idea that responsibility might be taken in the relationship; vetting processes; worrying and enjoyable aspects of supervisory responsibilities.

The study formed part of the curriculum and assessment for a Masters paper in professional supervision. The ten students in the research group were themselves counsellors and supervisors. The first author designed the study and gained ethical approval. Other phases of the study were undertaken collaboratively.

Method

Recruitment of participants

Student members of the research group each identified and interviewed one experienced supervisor with whom they were not currently in a supervision relationship. Participants (referred to in this article by initials) had between six (AC) and 26 years (JL) of experience as counselling supervisors. Some had longer experience in social or community work, clergy or pastoral work, oncology, and mental health nursing. Four participants were women, five were men. Participants were from throughout New Zealand, in the localities in which students lived.

Procedures

The semi-structured interview schedule was made available to participants prior to the interview. Interviews were taped and transcribed by each interviewer. Participant identities were confidential to each individual student interviewer and the first

author: transcripts were coded twice to preserve anonymity. Participants were invited to comment on the transcript and the first analysis.

In producing an analysis, each transcript was considered by the interviewer, one other student researcher, and the first author. Analyses were based around a set of questions, relating to the themes in the interview and to the transcript as text.

Results

The results are reported under five main headings: the extents and limits of supervisors' responsibility; clarification of responsibility through contracting; other networks and supervisor responsibility; protecting oneself; the pleasures of supervisory responsibility.

The extents and limits of supervisor responsibility

Supervisor responsibility for the work done within supervision

There was a general emphasis on the responsibility of the supervisor to provide quality work in the supervision room:

If the counsellor has raised that case with me, then, yes, I take responsibility for the advice or conversation that I have with them about that. I do accept it is up to me if they ask, "What would you do?" to give a good response to that. (AC)

The phrase "if the counsellor has raised the issue with me" points to one theme around which ideas about what constitutes quality work differed. While GI argued, "I certainly don't see my role as being one of monitoring or overseeing the counsellor's work," four participants suggested they had a responsibility to go beyond what the counsellor presented:

As I get to know the person and their work I might start to think a bit more widely about ... areas that I perhaps do have some responsibility for, which the supervisee might not be bringing. (MO)

Concern for the safety of clients, both in their daily lives and in the counselling relationship, were particular indicators for supervisor vigilance.

There is a responsibility on the supervisor to listen for areas where there could be people at risk. (DF)

I've got a responsibility to ask about and talk about anything that I feel or sense as not quite adding up or anything that makes me wonder about things. (EN)

Suggesting that she might look back over her notes and ask herself, "Have they brought many ethical issues; have they ever talked about having a sexual attraction to their clients?" MO spoke to a rationale for such vigilance:

Some of the boundary breaches ... happen in areas where the supervisor has absolutely no idea because they've never actually talked about that area in supervision because the person never brought it because it's something that's locked away.

Acknowledging that invoking supervisor vigilance is not unproblematic, DF suggested:

And you have got to be careful that you just don't look under every sofa and every cover looking for some transference going on [but] there is a responsibility for the supervisor to be mindful of things that just don't seem to quite fit what you might expect in a normal relationship, of emotions that have been triggered, inappropriate feelings or whatever, and they need to be fully discussed.

Related to these matters of oversight or vigilance, a number of participants spoke about decisions to be involved in monitoring counsellor workload, or general counsellor well-being.

I have at different times recommended that supervisees take some time out, take a break. Or else if they burn out – look for another job. I've talked very strongly to them. (MO)

If the relationship is worth its salt then I'll care about the person, and if I see the person sort of burning out or wiping out or being crazy, then I have some responsibility to at least challenge that and make that known. (SW)

Counsellor responsibility for the work done within supervision

All participants expected that counsellors exercise responsibilities in supervision, particularly for what they bring to supervision: "[They] bring to supervision the real issues that they are actually encountering in their work" (DF); "they take responsibility for their own awareness and monitoring of their work: they bring the things that are important for them" (GI). Supervisor vigilance does not preclude counsellor self-responsibility:

I have to trust my supervisees that they will bring issues of concern: I can't guarantee their safety ... I will always be encouraging self-responsibility. (MO)

Self-responsibility is encouraged through setting clear expectations that practitioners

will inform supervisors “if they have someone who is at risk, if there’s anything happening in their own lives that can affect their work, or if they’re having any other supervision” (MO).

AC looked for counsellors to be proactive in supervision in taking responsibility for their counselling practice: “I think they have an equal responsibility, probably more so now that I am thinking about it. I do expect a practitioner to be an active practitioner.” Echoing calls for counsellors to be proactive, DF suggested it is the counsellor’s responsibility to “resource themselves sufficiently in terms of what they are thinking and what their strategies are”. He contrasted this with an “approach where they relate what’s happened in a case and they go to work and do what you tell them”. He noted a “wide variation in terms of responsibility that people [counsellors] assume”, attributing this variation to stages of counsellor development.

Beyond an emphasis on responsibility, SW suggested that it is the counsellor’s right to set the supervision agenda: “It’s the counsellor’s time and money and initiative that set this relationship up in the first place.”

Collaborative and mutual responsibilities in supervision

Many participants invoked mutuality: “I’ve always seen supervision as being a shared endeavour, something that is negotiated and developed by the two people involved” (GI); “I’m interested particularly in the collaborative practice that places responsibility between the counsellor and the supervisor” (PR).

While four supervisors spoke of matters of client safety calling them to particular kinds of responsibility, GI described client safety as a “shared responsibility”: the counsellor brings concerns, and then “it’s my role as supervisor to work with them to open that out, to think about it in terms of ethics”. MO, too, spoke of shared responsibility:

I have had to make some professional judgements about safety and whether the supervisee has done everything that they can do. That’s the scariest because the supervisee comes to me; then I might go to my own supervision or I’ll think through or talk through the safety aspect of that, and then the responsibility sits with me. It doesn’t just sit with the supervisee.

Suggestions were made that there is also mutual responsibility for: the supervision process; maintaining the relationship; honesty; and reflection on practice in terms of ethical codes:

The supervisor and counsellor need to establish in their discussion right at the beginning that we’re both taking responsibility for the process, and for the relationship.
(JL)

I see a responsibility to do all I can as a supervisor to make things transparent – and that’s not just the counsellor being transparent with me, it’s back the other way too. (SW)

The terms offered by BT invoke a sense of reciprocity: “I think I have responsibility to the supervisee but not over the supervisee.” A similar relational responsibility is present in JL’s response to the idea that supervisors cannot take responsibility for counsellor actions:

That’s a whole summary of an individualistic attitude to life. It’s all wrapped up with individualism and patriarchy, and not taking responsibility for your neighbour. “I’m alright mate: you do the best you can.” ... It demonstrates a lack of understanding of the seriousness of being a supervisor ...

Responsibilities for counselling practice

In contrast, speaking as a counsellor, EN expressed willingness to shoulder responsibility:

If I were to really stuff up badly in my work, I would feel that was completely my own responsibility. I would not expect my supervisor to take any responsibility.

DF and BT took similar positions: “... at the end of the day the supervisor can’t be responsible for what the counsellor then goes and does with their comments”; “I can’t be responsible for how the counsellor behaves in their own room when I’m not there.”

Between JL’s concern about the effects of individualism and EN’s emphasis on an autonomous practitioner, many participants suggested that the supervisor carries *a degree of responsibility* to the client of the counsellor: “... if my communication is not up to scratch then maybe I am also responsible for what the counsellor has done” (SW); “[when a counsellor has a client they are concerned about] I have a responsibility both to the client and to my supervisee” (MO).

Many calls about supervisor responsibility for client practice were made in terms that invoked an ultimate responsibility: *in the end, at the end of the day, ultimately*. Participants also used this rhetorical device to take positions against supervisors carrying *ultimate* responsibility. The ambiguity and complexity of the matter is seen in two contrasting comments from SW: “... ultimately the responsibility we both have is for the client ... I’ve got some responsibility [as supervisor] there as well”; “ultimately the other person [the counsellor] is responsible for what they do”.

Supervisor responsibility to initiate action

Many participants had addressed concerns about counsellor practice by speaking directly with the counsellor. GI indicated the processes available: "If I am supervising someone who's working unsafely then it's my responsibility to respond to that, and to offer my responses to their responses ... Ultimately, I'd break the relationship, addressing that with others." SW spoke of the dilemma between working with the counsellor to "maybe effect change because the responsibility that we both have ultimately is to this person's clients", and a sense that he could not continue to "supervise this person with integrity".

On the basis of Christian values, JL preferred to stay in a professional relationship when there were concerns: "... to abandon them just because they are having a difficult time doesn't seem to be very responsible". Difficulties within the supervision relationship need to be worked through, she suggested: "I would first of all endeavour to face into that difficulty. I'd make sure my supervisee was becoming aware of what was happening. And we'd work out together what we'd do to work with that ..."

Clarification of responsibility through contracting

JL's action is based on clear contracting. Negotiation and clarification within each supervision relationship was emphasised by all participants. A contract "lay[s] out what I offer and it spell[s] out the boundary between personal work and supervision, and what I see as my role and the limits to confidentiality; and what I expect of supervisees" (MO).

I've grown more aware of how important that contracting is at the beginning – being very exhaustive and clear about what that is ... what I can offer, what kind of accountability is needed, what kind of orientation they want to have in supervision.
(AC)

Other networks in supervisor responsibility

Agencies and counsellor education programmes

Supervision within an agency carries a greater sense of responsibility than external supervision, suggested AC. PR explained the difference:

If I have line responsibility for people who I supervise in an agency then I am responsible for their practice because that goes with the authority invested in my position. That's different to a counsellor coming to me and we have once a month conversation and I have a window into their practice at that time. I don't see that I have the authority to pick up the responsibility.

While SW suggested responsibility to agencies is “through the person who comes for supervision”, some agencies require a report from external supervisors (MO). When supervising students, noted SW, he may have a responsibility to the learning institution that “trusts that this person is getting good supervision”. He reported occasions of concern when a student used supervision “for rubber stamping: ticking the supervision hours”; “my responsibility was to talk through my discomfort and get it clear, get the ground shifted”. Again, we see a supervisor taking responsibility for initiating action.

The effects of “the whole market-driven approach” of tertiary institutions worried SW: “I sometimes feel the supervisor is handed a lot of responsibility for what is not being done in another court [the institution].”

In contrast, EN reported confidence in the networks of support for student counsellors:

Having myself been in a counsellor training programme, I know the supervision that's done by academic staff, so I don't feel the degree of responsibility ... Those counsellors in training I supervise are also working with an agency that assumes some responsibility for them, so it feels as if they are well supervised.

Supervision of supervision

Four participants mentioned supervision of supervision, two noting its significance in further sharing responsibility.

Protecting oneself as supervisor

Vetting processes for new supervision relationships

Two participants valued an initial free session to explore mutual interests with potential participants before either party committed to supervision together. Two participants had declined requests:

I had heard from other colleagues about some very dodgy, unsafe practice. I took it to supervision myself. I had to really ask myself ... did I really want to take on someone who had a bit of a reputation for being very sloppy around gender boundaries ... I think that was to do with responsibility, I just felt that it was going to be really quite hard work. (PR)

Responsibility to the profession for new members

Seven supervisors expressed willingness to work with new counsellors: “I think it is very important that they get good supervision” (BT); “I have a responsibility to my

profession. I have learned from others and as you grow older in your profession I believe you have a moral responsibility to give back” (AC).

There are also pleasures in working with new counsellors:

There’s ... a real openness to pulling their work apart and to putting it out on the table, their fears, their wonderings. There’s a wonderful freshness. (EN)

They’ve got lots of questions and they are very open and they’re able to really look at their practice. Particularly if they are in training they have got a culture of self-reflection. (PR)

Insurance

All participants had insurance cover, provided by employers or purchased privately, although some were unsure whether their insurance cover included supervision work. Insurance cover was a “backstop”: “I assume that if there was a breach ... if a complaint was made against them [the counsellor] then I would also be brought into the web of responsibility” (MO). “If we have high insurances won’t that actually encourage litigation? Is that a track we want to go down in New Zealand?” AC asked.

Supervision and legal liabilities

It would be helpful to clarify what each partner in supervision is legally liable for, suggested GI, noting a discrepancy between professional and legal understanding: “I don’t see my role ... as overseeing another person’s work, that kind of monitoring, policing aspect.” JL favoured a response based on professional terms: “The law doesn’t add anything ... It leaves a whole pile of things out ... It is just a last-ditch measure, so we can all sleep safely in our beds.”

For others a growing sense of litigious possibility has problematic effects:

There might grow this tendency of a preoccupation with supervision safety and minimising risk. And moving away from creative and appropriate risk taking in the skill development of the counsellor. (BT)

When I read Simon Jefferson’s [NZAC Newsletter] article ... it’s almost scary: what am I letting myself in for here? Do I want to be liable for somebody else’s bad practice? (EN)

Other worrying aspects of the responsibility of supervision

Three participants expressed concerns about a general “lack of clarity” around responsibility (GI). DF’s main worry came from “really heart in mouth stuff, suicide, violence,

domestic violence” where crises may develop despite quality professional care.

Some participants expressed no worrying concerns around responsibility. PR advocated being “clear about the limits of responsibility and not taking on worry for someone else’s practice”. Networks of responsibility ease personal responsibility: “... we need to have an idea of our place in the scheme of things. Then we don’t get overwhelmed by the burden of it” (JL). Such comments contrast with ideas about supervisors carrying ultimate responsibility. “In the scheme of things”, there is the possibility that supervision is part of a network of support.

The pleasures of responsibility in supervision

Participants all reported enjoying the working relationship in supervision: “Satisfaction and quite a deep pleasure arise in the process of sharing and discovery and exploration that we undertake together” (BT). Mutuality and collegiality were a source of pleasure: “... the co-generation of ideas, the responding to each other: it’s not a one-sided thing” (GI). The productivity of being joined in a professional community was personally and professionally enriching for participants.

Discussion

While these data are drawn from only a small group of supervisors, this exploratory study offers a New Zealand account of the concerns and interests of supervisors as a basis for local debate about the responsibilities of supervision. There was little discussion of culture, or other markers of difference, in respect of supervisor responsibility, a limitation produced by the general nature of the inquiry we offered. Distinctions between legal and ethical responsibilities might have been more sharply drawn in our interview questions.

Locating responsibility

While participants agreed that supervisors are responsible for the quality of the work they do in the supervision room, supervisor responsibility for counsellor practice and so for client well-being or safety, “clinical responsibility” (King, 2001), was a matter about which participants took a number of positions.

We identify three positions, with some overlap, in respect of responsibility for counsellor practice. Firstly, some participants argued that supervisors’ responsibility was to do with their duty of care *in* supervision, and they could not be responsible for a counsellor’s practice, or for clients: “... the supervisor’s responsibility for the counselling work and for the well-being of the client is strictly limited” (King, 2001, p. 19). There are limits to what supervisors could know about the counselling due to time con-

straints and their absence from the counselling room. Supervisory responsibility is exercised when counsellors are supported to “resource themselves”, it was suggested. A supervision that offers counsellors opportunities to resource themselves well prepares counsellors to act as moral agents in their counselling practice (Crocket, 2001).

A second position proposed greater vigilance, where supervisors are alert for subtle clues to potential client risk or inappropriate counsellor behaviour. A broader duty of care takes the supervisor beyond working with what the counsellor brings. Discussing the discourse of supervisor responsibility, Crocket described a supervision that apportions more responsibility for vigilance to the supervisor as producing “a suspicious paternalism” (2001, p. 154). When responsibility is exercised in this way, supervisors and counsellors are positioned to take up different roles and tasks: collaboration and mutuality become harder to work for.

The third position focused more on shared responsibility, exemplified by one supervisor’s commitment to seeing through even the most difficult things. Connection is built to a network of responsibility, including counsellor education programmes, agencies, and supervisors’ supervisors. There is an apparent contrast between one participant comment that it is important not to be overburdened by a sense of responsibility and another of being *at the end of the line* as the supervisor consulted about client safety. Even at the end of the line, however, that participant was connected to a network of responsibility: she consulted her own supervisor. In this third description of supervisor responsibility supervision takes place as part of a networked community of professional relationships and responsibilities. In this position, efforts to describe responsibility as singularly located tend to break down.

In the light of differing ideas about responsibility and worry about potential liability, arguments for clear contracting at the beginning of and during supervision relationships have important implications. Clear working agreements also provide for the possibility of supervisors initiating action in response to concerns. The position that responsibility is a matter to be worked out within particular supervision relationships reflects Jenkins’ (2001) point that a supervisor’s legal liability is carried differently in different settings. It contrasts with King and Wheeler’s (1999) tentative conclusion that professional associations might provide more formally delineated and prescriptive codes of ethics and practice. Some New Zealand participants looked for clear distinctions between legal and professional responsibilities. Such distinctions, directly relevant to the local context, would support both professional creativity and the current relative freedom, from a strong need to protect oneself, that makes possible a general willingness to supervise new practitioners.

Taking responsibility seriously

We did not doubt that all participants took their supervisory responsibilities seriously; what differs is how those responsibilities were interpreted. Working to articulate the extents/limits of supervisor responsibility, participants employed expressions such as *ultimately, at the end of the day, the very last analysis*. This rhetorical device may highlight the hypothetical nature of the question for these supervisors: perhaps for participants *the end of the day* when they would be held accountable for a critical matter has not arisen and in everyday local practice the extents of supervisor responsibility are not sharply delineated.

While *in extremis* situations may have been hypothetical, participants had protection for their practice through insurance cover. Most notably, and in contrast to the reluctance of their UK counterparts to expose themselves by supervising new practitioners (King, 2001), these supervisors willingly supervised new counsellors, identifying with their needs for quality supervision and enjoying the openness to reflection of those in education programmes. Perhaps our professional culture, without published precedent to advise otherwise, supports a sense of responsibility among senior practitioners towards others, and thus supports the building of a professional community. If this is the case, we argue that this strength is worth preserving lest we, too, find ourselves positioned as individuals turning others away for fear of the burdens and the consequences of a singularly located responsibility.

Two participants had turned away practitioners whose reputations caused concern, because of the demands of the work involved or distaste for such association, rather than fears of legal responsibilities. This incidence of vetting is lower than that which King and Wheeler (1999) reported. Supervisor availability is likely to have many possible explanations: perhaps a sense of responsibility to the profession; perhaps the opportunities for creativity and collegiality participants reported; and perhaps the economics of private practice. We suggest such goodwill is to be valued and fostered.

Conclusion

This study suggests that supervisors agree about some responsibilities of quality supervision: developing negotiated agreements that clarify responsibility; paying attention to the development of the supervision relationship; being accountable for their supervision practice; and raising matters of concern. While there was neither consistency nor clarity in respect of the limits and extents of supervisor responsibility, there was no evidence that supervisors sought further prescription of their responsibilities.

Participants made important claims for collaboration, mutuality and collegiality and for investing responsibility in networks of professional relationship and centring

responsibility in the supervision relationship. There were few references to NZAC or to the Code of Ethics; participants for the most part looked to their own practice experience and expertise. These two sets of resources might be put together more closely. This study suggests that supervisors might best take up the responsibilities of supervision through negotiating supervision agreements that establish clear shared understanding about how responsibility is carried in particular situations. It also suggests that an ethic of care and goodwill, such as that exercised towards new counsellors, is most likely to be supported in a professional culture that enacts trust in the practice wisdom and goodwill of its members.

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