

# **CODE OF CONDUCT FOR ABA TECHNICIANS**

## **CHAPTER I - General Principles**

### **Art. 1**

The unconditional acceptance of the Code of Conduct represents the basic requirement for the registration of candidates in the National Register of ABA Technicians and those in training. This Code of conduct is drawn up according to the art.2 paragraph 3 of Law 4/2013 in accordance with art. 27-bis of the Consumption Code, referred to the Legislative Decree 6 September 2005 n. 206, monitors the professional behavior of its members and foresees the imposition of disciplinary sanctions for violations of the Code. The rules of this Code of conduct are binding for all members of the AssoTABA. The ABA Technicians signed up in the register must have knowledge of these rules and the lack of awareness of them does not exonerate from the disciplinary responsibility. The same rules also apply in cases where the performances, or parts of them, are remotely carried out, via Internet or any other electronic and/or tool.

### **Art. 2**

All ABA Technicians provide Services and conduct teaching and research activities only within their competences, which are based on their curriculum of studies, on work experiences carried out under supervision and on a proper professional practice. The ABA Technician recognizes the limits of his competence and therefore he uses only theoretical-practical tools for which he has acquired sufficient competence and, if necessary, he can use a formal authorization. The ABA Technician is able to indicate the sources and scientific references of the methods he employs, and he does not create unfounded expectations in the client and/or user.

### **Art. 3**

The ABA Technician is supposed to have an adequate level of preparation and professional updating, with particular regard to the sectors in which him operates. The violations of the obligation of the continuing training determines a disciplinary offense that is sanctioned on the basis of what established by AssoTABA. The ABA Technician updates his skills through the reading of relevant literature, participating to conferences, symposiums and workshops, supporting additional curricula and/or obtaining and maintaining professional credentials promoted by AssoTABA.

## **Art. 4**

The behavior of the ABA Technician abide by the moral and legal codes of social and professional communities of which is member. In the event that the ethical norms of the ABA Technician are in conflict with regulations or policies of a Corporation or an Association to which it belongs, the ABA Technician announces his own obligations toward such Code of Conduct and acts in order to solve in a responsible manner the conflict at issue. The ABA Technician promotes the scientific, teaching and practice integrity of Applied Behavior Analysis.

## **Art. 5**

The ABA Technician accepts only working conditions that do not compromise his professional autonomy and he accepts to respect of the norms of this code, and, in the absence of such conditions, informs the AssoTABA. In the collaboration with professionals from other disciplines he exercises a full professional autonomy in respect of other people's competences. The Technical ABA recognizes the limits of the specific competences and the boundaries of his areas of intervention and he accepts as clients only individuals or corporations whose needs are commensurate to the formation, training, experience and to the resources at his available. In the event of absence of these conditions, the ABA Technician must operate under the supervision of another expert whose credentials are enough in order to offer such services.

## **Art.6**

In his professional activities, in research activities and in the communication of the results as well as in educational activities, the ABA Technician carefully evaluates, also in relation to the context, the validity and reliability degree of information, data and sources on which he bases its conclusions; if necessary, he explains the alternative interpretive hypothesis, and makes explicit the limits of the results. The ABA Technician, on specific cases, expresses professional assessments and judgments only if they are based on a direct professional knowledge or on an adequate and reliable documentation.

## **Art.7**

The ABA Technician reports to the AssoTABA the presence of professionals who deceptively show themselves like associates.

## **Art.8**

The ABA Technician never divulges confidential information without permission of the person concerned, except in cases where it is required by the law or permitted for a valid reason, such as in order (1) to provide the necessary professional Services to the client (2) to obtain appropriate professional consultations (3) to protect the client or others from damages, or (4) to obtain the payment for his competence. In these cases the divulgation is limited to the bare minimum to achieve the purpose. The ABA Technician is aware of the fact that the agreements for the disclosure of data should be established at the beginning of every professional relationship and that this is a process that remains active for the duration of such defined relationship.

## **Art.9**

The ABA Technician, if authorized, discusses the confidential information obtained from clinical or consulting relationship, from judgments related to clients, students, participants in researches, supervised and employees only with persons explicitly involved in these problems and only for scientific or professional purposes.

## **Art.10**

The ABA Technician refrains from bearing witness to the facts of which he became aware because of his professional relationship. The ABA Technician may waive to the obligation to maintain the professional secrecy, even in case of witness, only in the presence of a demonstrable and valid consent of the recipient of his performance. He evaluates, however, the opportunity to make use of such consensus, considering the protection of the same as preeminent

## **Art.11**

In case of obligation to medical report or obligation to report a crime, the ABA Technician in expressing what he learned during the period of his professional relationship, he limits himself to refer the bare essentials in order to protect the subject. In the other cases, he carefully evaluates the need for a total or partial waive of his confidentiality, if there are serious threats to life or to the psychophysical health of the subject and/or third parties.

## **Art.12**

The ABA Technician, in case of intervention towards or through groups, is obliged to inform at the beginning the members of the team about the respect of the right to confidentiality. In the case of collaboration with other experts equally bound by professional secrecy, the ABA Technician can share only the information strictly necessary in relation to the type of collaboration.

## **Art.13**

The ABA Technician draws up the scientific communications, even if addressed to an audience of professionals bound by professional secrecy, in order to preserve in any case the anonymity of the recipient of the performance.

## **Art.14**

The ABA Technician respect the duty of confidentiality in drawing up, conserving, consulting, transferring and deleting documents under its control, either written or in electronic form or in other forms. The ABA Technician conserves and deletes documents as established by the law and in respect of requirements exposed in this Code. Such documentation must be kept for at least five years after the end of the professional relationship, except as provided by specific norms. The ABA Technician must ensure that, in case of his death or his absence, such protection is provided by a colleague or by AssoTABA.

## **Art.15**

The ABA Technician that provides his services in the contexts of selection and evaluation is obligated to comply only with the criteria of the specific competence, qualification or training, and does not endorse decisions contrary to those principles.

## **Art.16**

In his teaching, didactic and training activities the ABA Technician stimulates students and trainees to become interested in the deontological principles, also inspiring himself for his professional behavior.

## **CHAPTER II - Relationships with user and with client**

### **Art.17**

In any professional context the ABA technician has to work in order to ensure that the freedom of choice of the expert from the client is respected as much as possible

### **Art.18**

The ABA Technician adopts behaviors that are not harmful to people under his professional care, and he doesn't use his role and his professional instruments to ensure himself or others undue advantages. The ABA Technician doesn't promote situations that might lead others to fraudulent, illegal or unethical behaviors and respects the professional and contractual obligations and duties by working in the best way and avoiding to take professional commitments that he cannot honour.

### **Art. 19**

The ABA Technician, in the initial stage of the professional relationship, provides to the individual, group, institution or community, whether they are users or clients, appropriate and comprehensible information about his performance, the aims and methods of the same, as well as the degree and legal limits of confidentiality. Therefore, he works in order that those who are qualified can give informed consent. If the professional service has a nature of continuity in time, the expected duration, if possible, will be indicated.

### **Art. 20**

The Technical ABA agrees upon the professional compensation in the early stage of the relationship. In any case the measure of the compensation must be appropriate to the magnitude of the work. In the behavioral field such compensation cannot be conditioned by the outcome or results of the professional intervention. Before the implementation of the Services, the ABA Technician has to be sure that a signed contract exists in which the responsibilities of all parties involved are outlined, and where there is the ambit of behavioral analytic intervention and the obligation of the ABA Technician to respect this code. The ABA Technician reaches an agreement with his clients, an agreement that specifies the terms of payment and billing. The fees of ABA Technician are appropriate to the dictates of the law and it does not release parcels untrue. The ABA Technician sets out accurately the nature of the Services provided, the fees or invoices, the identity of those who provide the Services, the relative results and other descriptive data that are required. In the exercise of his profession to the ABA Technician is prohibited any forms of compensation that does not represent the payment of professional performance.

## **Art. 21**

An accurate and updated representation of the qualifications of ABA Technician must be provided to the client, if the latter asks for it. The clients must be informed about their rights and the procedures to follow in case of complaints related to the professional behavior of the ABA Technician, complaints that may be filed to employers, to the appropriate authorities, to the supervisor besides the AssoTABA. The ABA Technician fulfills all the measures required for the verification of his penal position.

## **Art.22**

The electronic recording of interviews and sessions of Services must be expressly authorized by the client and by all the staff involved in all the other environment concerned. The consent for different uses must be obtained in a specific and separate manner.

## **Art.23**

The ABA Technician, in the best interests of the client, can make use of consultations prior due consent of the recipient of the intervention and in doing so he has to act in compliance with the laws and relative contractual obligations. When if it is deemed to be opportune and professionally appropriate, the ABA Technician collaborates with other professionals in consistent manner with the fundamentals philosophical assumptions and with the analytic behavioral principles in order to assist clients in an effective and appropriate way.

## **Art. 24**

The ABA Technician has always the responsibility of recommending the more effective intervention procedures and he has to inform the client about them. The effective interventions are validated for bringing benefits in the short and long term to clients and to the society. In the event that more interventions scientifically supported are available, the choice of intervention will be based on factors such as - as an example and not exhaustive - the efficiency and the cost / benefit ratio, the risks, the byproducts, the preference of client, the experience and the quality of the professionals. The ABA Technician, as much as possible, examines and assesses the likely effects of all interventions that could influence the behavioral program and their possible impact on the achievement of the objectives of the program at issue.

## **Art. 25**

The ABA Technician adequately documents their professional work in order to facilitate the next provision of their Services or those of other professionals, in order to ensure responsibility and to meet additional requirements imposed by the institutions or by the law. The ABA Technician has a responsibility to create and maintain a documentation that is consistent with the criteria of the best legal practice at both level of detail and of quality.

## **Art. 26**

The dispatches of the ABA Technician to other professionals will have to be made by foreseeing multiple options, they will have to be based on the objective needs of the client and the performance required will have to be in line with the repertoire of the professional. In case of professional dispatches the nature of the relations between the parties must be clear to the client. The ABA Technician neither receives nor offers any money, gifts, or other incentives on the occasion of sending to other professionals.

## **Art. 27**

The ABA Technician acts in the best interest of the client in order to avoid the interruption or termination of Services. He strives in a reasonable and timely way to facilitate the continuation of the Services provided in case of unexpected interruptions (diseases, impossibility, unavailability, removals, interruption of funding, disasters). In starting a working or contractual relationship, the ABA Technician foresees in an orderly and appropriate manner the event of the resolution of the responsibility in the client care. In the event that the working or contractual relationship is interrupted, the needs of the client remain of primary interest. The interruption takes place only after efforts have been made in the direction of a transition. The interruption of the relationship occurs only after that several attempts towards a transition have been made. The ABA Technician interrupts a professional relationship in a prompt manner when the client: (1) no longer needs the Service (2) not benefits from the Service (3) is damaged by the continuation of Services (4) when the client asks for the interruption of the Service. Before the interruption of the Service, for any reason it occurs, the ABA Technician discusses the needs of the client, provides the appropriate Services before the interruption, suggests, if appropriate, alternative suppliers and take all reasonable measures to facilitate a timely transfer of responsibility to another supplier with the client's consent.

## **Art. 28**

The ABA Technician does not use improperly assessment tools at its disposal. In the case of interventions commissioned by third parties, he informs the subjects about the nature of his professional intervention, and he does not use, except within the limits of the mandate received, the news learned that may cause prejudice to them. In the communication of results of its evaluative interventions, the ABA Technician is required to regulate such communication also in relation to the protection of subjects.

## **Art. 29**

The ABA Technician refrains from undertaking or continuing any professional activity where own problems or personal conflicts, which interfere with the effectiveness of its performance, make them unsuitable or harmful to the people to which they are aimed. Furthermore, the ABA Technician avoids to take professional roles and make interventions towards users when the nature of previous relationships could compromise the credibility and efficacy.

## **Art.30**

The ABA Technician avoids mingling between his professional role and private life that might interfere with the professional activity or anyway that could cause harm to the social image of the profession. Making interventions aimed to people with whom he entertained or entertain meaningful relationships of a personal nature, in particular of a sentimental-emotional and / or sexual nature constitutes a violation of the professional conduct. Moreover, it constitutes a breach of professional conduct to establish these relations during the professional relationship. Any activity that because of the professional relationship could produce direct or indirect undue advantages of patrimonial or not patrimonial nature is prohibited to the ABA technician, except the agreed fee. The ABA Technician does not take advantage of his professional position assumed towards colleagues or trainees for purposes unrelated to the professional relationship.

## **Art.31**

The professional services towards minor or interdicted people are subordinate to the consent of whom practice on them the parental authority or protection. In case of absence of consent, the ABA Technician that deems as necessary the technical intervention as well as the absolute discretion about it, must inform the Tutorial Authority about the establishment of the professional relation.

## **Art.32**

When the ABA Technician agrees to provide a professional service on the client's demand who is different from the recipient of that benefit, he is required to clarify with stakeholders the nature and purpose of the intervention. This clarification includes the role of ABA Technician (in his quality as a therapist, organizational consultant, etc.), the likely use of the Services or the information obtained, and the fact that there may be limits to confidentiality. If there are foreseeable risks that the ABA Technician may be called upon to perform conflicted roles arising from the involvement of third parties, he clarifies the nature and scope of their responsibilities, he keeps all parties informed about the progress and resolves the situation in accordance with this Code. When he provides Services toward a minor or an individual who is part of a protected category on a third party's demand, the ABA Technician makes sure that parents or guardians of the final user are informed on the nature and scope of Services that will be provided, as well as their right to have access to all documentation and data. The ABA Technician puts the welfare of the client above all else and if the third party wants to make requests about Services that are contraindicated according to the ABA Technician, he is required to resolve such conflicts in the best interests of the client. In the event that the conflicts cannot be solved, the Services of the ABA Technician can be interrupted after an appropriate transition plan.

## **CHAPTER III - The ABA Programs (Applied Behavior Analysis)**

### **Art. 33**

The ABA Technician implements behavior analytic programs that must be conceptually coherent with the principles of the applied behavior analysis, and he is also supposed to involve the client in the planning of the behavioral modification program and he must obtain the consent. The ABA Technician individualizes such plan on the basis of the behaviors, of the environmental variables, of the results coming from the evaluations and on the basis of the objectives of each client. Before implementing the above-mentioned plans or before changing them with significant alterations, He has to obtain a written consent from the client in order to implement such programs.

### **Art.34**

Before starting the implementation of the program, The ABA Technician gives to the client a written description of the objectives of the intervention. As much as possible, he conducts an analysis of risks and benefits related to the procedures which should be implemented to achieve the objectives.

### **Art.35**

The ABA Technician describe to the client the necessary conditions in order to have an effective intervention. In the event that environmental conditions interfere with the implementation of the program the ABA Technician ensure to the client an appropriate professional assistance (for example evaluations, interventions or consultations from other experts). In the event that the environmental conditions jeopardize the implementation of the program, the ABA Technician seeks to eliminate the environmental limits or to specify in a written way the constraints in doing so.

### **Art.36**

The ABA Technician recommends the reinforcement procedures rather than punitive every time that is possible. If punitive procedures should be necessary, the ABA Technician always include reinforcement procedures for alternative behaviors in a behavioral modification program. Before to implement procedures based on punishing the ABA Technician makes sure that are being made all the necessary steps to implement procedures based on reinforcement, unless the severity of the behavior is such to necessitate the immediate use of aversive procedures. The ABA Technician makes sure that the aversive procedures are accompanied by an increase in the level of supervision and training. The ABA Technician promptly evaluates the effectiveness of aversive procedures and makes the necessary changes to a behavioral modification program that may prove ineffective. The ABA Technician envisages an interruption program of the aversive procedures when they are no longer needed.

### **Art. 37**

The ABA Technician examines and evaluates the procedures and always recommend the procedure less restrictive which could be effective by reducing at the minimum the use of potential backing which could be detrimental for the health and the development of the client or which could demand operations of excessive support in order to be efficient.

### **Art. 38**

The ABA Technician establishes criteria and objectives to conclude the program and he describes them to the client. The relation between the ABA Technician and the ABA Technician will be considered ended when these criteria will be achieved or in the case that a series of objectives of intervention planned by common consent will be achieved.

## **CHAPTER IV - The research activity**

### **Art. 39**

The ABA Technician in his research activity must adequately inform the subjects involved about the name, the scientific and professional status of the researcher as well as about his institution organization in order to achieve the consent in advance. He has also to guarantee to such subjects the full freedom of rejecting the consent at issue. In the event that the nature of research does not allow to inform in advance and in a proper way the subjects about some aspects of the research, the ABA Technician is obliged to provide in any case all the information and also to obtain the authorization to use of the data-gathering.

### **Art. 40**

As regards the subjects that because of the age or for any other reason are not able to express their consent in a proper way, the latter has to be given by who has the parental authority or the protection, or otherwise, by the same subjects in case they are able to comprehend the nature of the collaboration required. In any case, the right to privacy, the right to confidentiality and the right to anonymity must be safeguarded.

### **Art. 41**

The researches of the ABA Technician are planned, conducted and reported in accordance with the scientific and Ethical standards. The ABA Technician plans and conducts the research in accordance with all the laws and regulations in force and in accordance with the professional standards which guides the conduction of a research.

### **Art. 42**

The ABA Technician conducts the applied research along with the supply of services must abide by both the indications for the intervention and the indications for the research. In case of a clash between clinical necessities and necessity concerning the research, the ABA Technician puts at the first place the client well-being. The ABA Technician conducts the research in a competent manner and he pays the right attention to the dignity and weakness of the client. The research of the ABA Technician is planned in order to reduce as much as possible the risk of misleading results. All the researches and assistants can accomplish only the tasks that they have been prepared and instructed for.

### **Art. 43**

The ABA Technician is responsible for the ethical direction of the research led by the assistants or by other subjects under his supervision. In case of unclear situations in ethical terms the ABA Technician tries to solve the issue consulting himself with independent committees, through consultations among colleagues and other adequate instruments.

### **Art. 44**

The ABA Technician does his utmost in order to maximize the benefits and minimize the risks for his clients or for the participants involved in the research, for the students and for any other person within the program. The ABA Technician minimizes the personal, financial, social, and organizational effects that could lead to a bad employment of his research. In the event that he becomes aware of an improper use or a misleading interpretation of his individual work, the ABA Technician acts in order to correct and improve the bad employment or its bad representation.

### **Art.45**

The ABA Technician avoids a conflict of interests in the conduction of the research and he minimizes the interferences with the participants or with the environment in which the research is carried out. The ABA Technician provides comprehensible information to the participants and to the tutors about the possibility to participate, that is the possibility to decide in any time and without any penalties to withdraw from the program. The ABA Technician gives information about significant elements which can influence their will to participate and he answers any question asked by the participants.

### **Art. 46**

The ABA Technician does not divulge any identifiable personal information that he has collected during his work that involve his clients, research participants, or those who receive his Services, unless the person or the organization concerned has consented it in written way or there is a different legal authorization to do so. The ABA Technician hides confidential information concerning the participants whenever it is possible in order to not make them individually identifiable to others and so that discussions cannot damage identifiable participants.

### **Art. 47**

The ABA Technician informs the participants that at the conclusion of the involvement of the research there will be a moment of debriefing.

## **Art. 48**

The ABA Technician quotes with completeness the work of others when it is appropriate and he does not present parts or elements of the work of others as if it was his work. The ABA Technician recognizes the contribution of others in search activity by including the person among the authors or by placing a footer with his contribution. Even minor contributions to the research or to the writing of a publication are appropriately recognized by writing them in a footer or in an introductory phrases.

## **Art.49**

The ABA Technician does not falsify the data in its publications. If a ABA Technician identifies a mistake in one of his publications he will take all the actions to correct it, retract it or modify it with other appropriate means of publication. The ABA Technician does not omit results that could alter the interpretation of his work and he does not publish as original data the data that have already been published. This does not prevent the republication of data with the appropriate references. The ABA Technical does not subtract the data on which his conclusions are based on, even after they have been published, from examination of other competent professionals who only seek to verify and to refer to a second analysis his conclusions, granted that the confidentiality of participants can be protected and in the event that there are not legal impediments about their sharing.

## **CHAPTER V - Relationships with colleagues**

### **Art. 50**

Relations between the ABA Technicians must be inspired by the principle of mutual respect, loyalty and solidarity. The ABA Technician supports and sustains Colleagues who see compromised in their activity their independence and the respect of ethical standards, whatever is the nature of their employment relationship and their hierarchical position.

## **Art.51**

ABA Technicians promote an ethical culture in their work environment and they inform others about the existence of this Code. In the event that the ABA Technician is a witness of a probable legal or ethical violation, he takes the necessary measures to protect the client, measures that include the communication of the fact to the competent authorities, the request for advice from experts and they shall have a proper documentation from which emerge his efforts to bring the problem to a solution. In the event that an informal solution about the case is approved, without for violating the confidentiality rules, the ABA Technician tries to solve the problem by bringing it to the attention of the responsible person and by documenting his efforts. If the solution is not reached, he reports the violation to the competent authority (employer, supervisors, AssoTABA).

## **Art. 52**

The ABA Technician is committed to contribute to the development of behavioral analytical disciplines and to communicate the progress of his knowledge and of his techniques to the professional community, also in order to promote their diffusion for purposes of human and social welfare.

## **Art. 53**

The ABA Technician refrains from giving negative judgment in public about his colleagues about their training, their expertise and the results achieved after professional interventions, or anyway offensive judgments which may damage their dignity and their professional reputation. It constitutes an aggravating if these negative reviews are aimed at stealing clients to colleagues. When he identifies cases of professional misconduct that could turn out to be a damage to users or to the dignity of the profession, the ABA Technician is required to promptly inform it to the AssoTABA.

## **Art. 54**

In the exercise of his profession and in the circumstances in which he publicly represents his profession, the ABA Technician is required to conform his conduct to the principles of decorum and professional dignity.

## **CHAPTER VI Relationships with society**

### **Art. 55**

The ABA Technician presents in a correct and accurate way his training, experience and competence. He recognizes his duty to help the public and the users to develop in a free and aware way judgments, opinions and choices.

### **Art. 56**

Independently from limits set by the current legislation on advertising, the ABA Technician publicly doesn't assume in public a underhand behavior aimed at procuring clients. In any case, informational advertising can be carried out about the professional titles, the characteristics of the service offered and also the price and overall costs of the performance according to criteria of transparency and truthfulness of the message, verified by AssoTABA. The message must be formulated in the respect of the professional decorum, in accordance with the criteria of scientific seriousness and with the protection of the image of the profession. The lack of transparency and truthfulness in the message advertised constitutes a breach of professional ethics.

### **Art. 57**

ABA Technicians does not urge and does not use current clients' testimonies in their web pages or in any other electronic or printed material. The testimonies of clients from the past must specify if they have been urged or not and must include an accurate statement of the type of relationship between the ABA Technician and the author of the testimony as well as they have to respect all relevant laws on the statements made by the clients. In compliance with the laws, the ABA Technicians can do advertising highlighting the type of services based on the evidences they provide, the qualifications of their staff, and the objective results that they have obtained and published.

## **CHAPTER VII - Implementing rules**

### **Art.58**

It is set up at AssoTABA the National Supervisory Body, disciplined by the rules laid down in the rules of procedure. Its task is to monitor the ethic aspects related to the profession of the ABA Technician as well as to apply disciplinary sanctions for any violation of this Code.

### **Art. 59**

This Code of Conduct shall enter into force on the thirtieth day following the announcement of the results of approval by the Executive Council of the AssoTABA.